ANNO QUINQUAGESIMO QUINTO

GEORGII III. REGIS.

Cap. lxviii.

An Act to amend an Act of His present Majesty, for paving, cleansing, lighting, watching, and regulating the Streets and public Places within Part of the Precinct of *Saint Katherine*, in the County of *Middlesex*. [7th *June* 1815.]

WHEREAS by an Act passed in the last Session of Parliament, intituled *An Act for paving, cleansing, lighting, watching, and regulating the Streets and public Places within Part of the Precinct of* Saint Katherine, *in the County of* Middlesex, it is among other Things enacted, that from and after the passing of the said recited Act, One or more Rate or Rates, Assessment or Assessments, as the Commissioners in the said Act named, in Writing under their Hands and Seals, should appoint, should be made, laid, and assessed, of and upon all and every Person and Persons who did or should inhabit, hold or occupy any Land, House, Shop, Warehouse, Wharf, Cellar, Vault, or other Tenement within the said District, so as such Rates or Assessments, when made and assessed, did not exceed the Sum of Two Shillings and Four-pence Halfpenny in the Pound in the Whole in any One Year of the then yearly Value of such Lands, Houses, Shops, Warehouses, Wharfs, Cellars, Vaults, or other Tenements respectively: Provided nevertheless, that the Wharfs and Warehouses within the District comprised in the said Act, belonging to the Proprietors for the Time being of *Iron Gate Wharf*, the Wharf called *Harrison's Wharf*, and the Warehouses attached thereto, the Wharf called *Wheeler's Wharf*, and the Warehouses attached thereto, so long as they were respectively used for the Reception of Goods and Mer- 54 G. 3. c. 220.

chandizes, ſhould be ſubject and liable only to the Payment of One Half of the Rates or Aſſeſſments impoſed by virtue of the ſaid Act, in reſpect of Houſes, Lands, and Tenements in the other Parts of the Diſtrict comprized in the ſaid Act: And whereas the ſaid Exemption thereby given is partial and productive of an unjuſt Inequality in raiſing the Rates under the ſaid Act, and it is therefore proper and expedient that the ſame ſhould be repealed: And whereas the Proviſions of the ſaid Act require Amendment in other reſpects: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That ſo much of the ſaid recited Act as enacts and provides, that the Wharfs and Warehouſes within the Diſtrict compriſed in the ſaid Act, belonging to the Proprietors for the Time being of *Iron Gate Wharf*, the Wharf called *Harriſon's Wharf*, and the Warehouſes attached thereto, the Wharf called *Wheeler's Wharf*, and the Warehouſes attached thereto, ſo long as they were reſpectively uſed for the Reception of Goods and Merchandizes, ſhould be ſubject and liable only to the Payment of One Half of the Rates or Aſſeſſments which ſhould be impoſed by virtue of the ſaid Act in reſpect of Houſes, Lands, and Tenements, in the other Parts of the Diſtrict compriſed in the ſaid Act, ſhall be, and the ſame is hereby repealed; and that all ſuch Wharfs and Warehouſes, and all other Wharfs, Warehouſes, and Premiſes whatſoever, within the Diſtrict compriſed in the ſaid Act and this Act, ſhall at all Times be ſubject and liable and be aſſeſſed to ſuch and the like Rates and Aſſeſſments, as ſhall be impoſed under the ſaid Act and this Act, in reſpect of other Premiſes in the ſaid Diſtrict.

Clauſe of Act 54 G. 3. exempting Iron Gate, Harriſon's and Wheeler's Wharf from Payment of more than One Half of the Rates repealed.

The Mode of recovering Rates.

II. And be it further enacted, That ſo much of the ſaid recited Act as enacts that all and every Perſons or Perſon who were or was thereby made liable to pay the ſeveral Rates or Sums of Money thereby granted, ſhould pay the ſame to ſuch Perſon or Perſons as ſhall, from Time to Time, be appointed by virtue of the ſaid Act, to collect and receive the ſame; and if any Perſons who ſhould be liable to pay any Rate or Aſſeſſment by the ſaid Act impoſed, ſhould refuſe or neglect to pay the ſame for the Space of Fourteen Days next after ſuch Rate or Aſſeſſment ſhould become due, and be demanded by the Perſon authorized and appointed to receive the ſame, ſuch Demand being either perſonally made to the Perſon ſo charged, or the Owner or Landlord of the Perſon or Perſons liable, in Manner therein after directed, or by Writing left at his, her, or their Dwelling Houſe, or laſt Place of Abode; then and in every ſuch Caſe, it ſhould and might be lawful to and for the Perſon appointed to collect ſuch Rate or Aſſeſſment, by Warrant or Warrants under the Hands and Seals of any One of the Commiſſioners in the ſaid Act named, being a Juſtice of the Peace, (which Warrant or Warrants the ſaid Collector was or were thereby required to apply for, and any One of the ſaid Commiſſioners, being a Juſtice of the Peace, was thereby authorized and required to grant) and with the Aſſiſtance of a Conſtable, or other Peace Officer, of the ſaid Precinct (in the Day-time) to enter the Houſe or Apartment of all and every Perſons and Perſon ſo refuſing or neglecting to pay ſuch Rate or Aſſeſſment, and to ſeize and diſtrain the Goods and Chattels then and there found (or that could or might be found in any other Pariſh or Place) to ſuch Perſons or Perſon belonging, and if the ſame ſhould not

be ſo replevied, or ſuch Rate or Aſſeſſment paid within Five Days next after ſuch Seizure and Diſtreſs made, that then ſo much and ſuch Part of the ſaid Goods and Chattels as ſhould be ſufficient to pay the ſaid Rate or Aſſeſſment, with the Coſts and Charges attending ſuch Seizure and Diſtreſs ſhould and might be ſold, and the Overplus (if any) ſhould be returned to the Owner and Owners of ſuch Goods or Chattels, (the ſaid Coſts and Charges to be ſettled and allowed by the Juſtice who ſhould have granted ſuch Warrant or Warrants reſpectively), but no ſuch Seizure or Diſtreſs ſhould be made out of the Limits of the ſaid Precinct, unleſs the Warrant or Warrants for making the ſame ſhould be firſt backed or counterſigned by ſome Magiſtrate of the County, City, or Liberty where the Goods and Chattels liable to ſuch Seizure and Diſtreſs could or might be found, was ſituate, which Warrant or Warrants ſuch Magiſtrate, upon Application made to him for that Purpoſe, was thereby authorized and empowered to back or counterſign without Fee or Reward, be and the ſame is hereby repealed.

Rates to be recovered.

III. And be it further enacted, That all and every Perſon and Perſons who are or is by the ſaid recited Act or this Act made liable to pay the ſeveral Rates or Sums of Money by the ſaid recited Act or this Act granted, ſhall pay the ſame to ſuch Perſon or Perſons as ſhall from Time to Time be appointed by the ſaid recited Act or this Act, to collect and receive the ſame; and if any Perſon who ſhall be liable to pay any Rate or Aſſeſſment by the ſaid Act or this Act impoſed, ſhall refuſe or neglect to pay the ſame for the Space of Fourteen Days next after ſuch Rate or Aſſeſſment ſhall become due, and be demanded by the Perſon authorized and appointed to receive the ſame, ſuch Demand being either perſonally made to the Perſon ſo charged, or the Owner or Landlord of the Perſon or Perſons liable in Manner directed by the ſaid Act, or by Writing left at his, or her, or their Dwelling Houſe, or laſt Place of Abode; then and in every ſuch Caſe it ſhall and may be lawful to and for the Perſon appointed to collect ſuch Rate or Aſſeſſment, by Warrant or Warrants under the Hands and Seals of any One of the ſaid Commiſſioners, being a Juſtice of the Peace, or any other Juſtice of the Peace within the County of *Middleſex*, which Warrant or Warrants the ſaid Collector is and are required to apply for, and any One of the ſaid Commiſſioners being a Juſtice of the Peace, or any other Juſtice of the Peace for the ſaid County of *Middleſex*, is hereby authorized and required to grant, and with the Aſſiſtance of a Conſtable or other Peace Officer (in the Day-time) to enter the Houſe or Apartment of all and every Perſon or Perſons ſo refuſing and neglecting to pay ſuch Rate or Aſſeſſment, and to ſeize and diſtrain the Goods and Chattels then and there found, (or that can or may be found in any other Pariſh or Place) to ſuch Perſon or Perſons belonging, and if the ſame ſhall not be replevied, or ſuch Rate or Aſſeſſment paid within Five Days next after ſuch Seizure and Diſtreſs made, that then ſo much and ſuch Part of the ſaid Goods and Chattels as ſhall be ſufficient to pay the ſaid Rate or Aſſeſſment, with the Coſts and Charges attending ſuch Seizure and Diſtreſs, ſhall and may be ſold, and the Overplus (if any) ſhall be returned to the Owner and Owners of ſuch Goods or Chattels, (the ſaid Coſts and Charges to be ſettled and allowed by the Juſtice who ſhall have granted ſuch Warrant or Warrants reſpectively), but no ſuch Seizure or Diſtreſs ſhall be made out of the Limits of the ſaid Precinct, unleſs the Warrant or Warrants for making the ſame ſhall be firſt backed or counterſigned by ſome

Magiſtrate

Magiſtrate of the County, City, or Liberty where the Goods and Chattels liable to ſuch Seizure or Diſtreſs can or may be found is ſituate, which Warrant or Warrants ſuch Magiſtrate, upon Application made to him for that Purpoſe, is hereby authorized and empowered to back or counterſign without Fee or Reward.

Empty Tenements, &c. may be rated at One Half.

IV. And be it further enacted, That if it ſhall happen that any of the Lands, Houſes, Shops, Warehouſes, Wharfs, Cellars, Vaults, or other Tenements, within the Diſtrict comprized in the ſaid Act and this Act, ſhall, at the Time of making any Rate or Aſſeſſment be untenanted, then and in every ſuch Caſe it ſhall be lawful for the Commiſſioners under the ſaid Act and this Act, or any Seven or more of them, and they are hereby required to rate and aſſeſs ſuch Premiſes notwithſtanding the ſame ſhall be ſo untenanted: Provided always, that in every ſuch Caſe, and alſo in caſe any ſuch Premiſes ſhall, after the making of any Rate or Aſſeſſments become untenanted, One-half Part only of ſuch Rate or Aſſeſſment ſhall remain and be a Charge on ſuch Premiſes reſpectively, for and during the Period of the ſame remaining ſo untenanted as aforeſaid, and ſuch Half Rate ſhall be charged on ſuch Premiſes reſpectively, and be paid by the Owner thereof, or by the Firſt Tenant or Occupier thereof, who ſhall and may be and is hereby authorized to deduct and detain the ſame out of his or her Rent, and the Owner or Landlord thereof is hereby required to allow ſuch Deduction and Payment upon the Receipt of the Reſidue of his or her Rent, and the ſaid Tenant or Occupier ſhall be and is hereby acquitted and diſcharged of and for ſo much of his or her Rent as the Rate or Aſſeſſment ſo paid by him or her ſhall amount unto: Provided always, that nothing in the ſaid Act or this Act contained ſhall extend to charge any ſuch laſt-mentioned Tenant with the Payment of any more of any Rate or Aſſeſſment in arrear, than the Rent to become due from Time to Time ſhall amount to; and the Firſt Payment to be made by ſuch Tenant as aforeſaid, in reſpect of the Rate or Aſſeſſment in arrear, ſhall be paid on the Firſt Quarter-Day next ſucceeding the Commencement of his or her Tenancy, and ſo on every ſucceeding Quarter-Day, (ſo long as he or ſhe ſhall be ſuch Tenant as aforeſaid) until ſuch Arrear of Rate or Aſſeſſment ſhall be fully diſcharged and ſatisfied.

Repealing Proviſion as to Commiſſioners.

V. And be it further enacted, That ſo much of the ſaid recited Act as enacts that the Maſter and Brothers of the Royal Hoſpital or Free Chapel of *Saint Katherine*, and the Deputy Maſter of the ſaid Hoſpital for the Time being reſpectively, and *George Byng* Eſquire, *Thomas Maſhiter* Eſquire, *Robert Helme* Eſquire, *Thomas Platt* Eſquire, *James Randall*, *Stephen Thomas*, *Alexander Mitchell*, *William Maſhiter* Eſquire, *William Gibbs* Junior, *Simon Smith*, *John Hieronymus Wholenberg*, and *Andrew Thomas*, and their Succeſſors, ſhould be Commiſſioners for paving, cleanſing, lighting, watching, and regulating the ſeveral Streets, Lanes, Alleys, Paſſages, and other Public Places in ſuch Parts of the Precinct of *Saint Katherine*, in the County of *Middleſex*, as are not included in the Proviſions of an Act paſſed in the Forty-ſeventh Year of the Reign of His preſent Majeſty, intituled *An Act for more effectually paving the Streets and other Places within that Part of the Pariſh of* Saint Botolph, Aldgate, *which lies in the County of* Middleſex, *and Part of a Street called* Eaſt Smithfield, *in the Precinct of* Saint Katherine, *and for cleanſing, lighting, and watching the ſame, and for preventing Annoyances therein*, and for putting the ſame Act into

into Execution, shall be, and the same is hereby repealed; and that from and after the passing of this Act, the Master and Brothers of the Royal Hospital or Free Chapel of *Saint Katherine*, and the Deputy Master of the said Hospital for the Time being respectively, and *George Byng* Esquire, *Thomas Masbiter* Esquire, *Robert Helme* Esquire, *Thomas Platt* Esquire, *James Randall*, *Stephen Thomas*, *Alexander Mitchell*, *Richard Demain*, *John Dixon* Esquire, *John Crompton Bishop*, *Octavius Masbiter* Esquire, *William Gibbs* Junior, *Simon Smith*, *John Hieronymus Wholenberg*, *Andrew Thomas*, *Josiah Cock*, *Henry Popkin*, *John Warren*, *James Lesslie*, *Frederick Adolph Jorgens*, and *Matthew Taylor*, shall be, and they and their Successors, to be elected under the Provisions of the said recited Act, shall be, and they are hereby appointed Commissioners for carrying the said Act and this Act into Execution, in like Manner, in every respect, as if the said last-mentioned Persons had been appointed Commissioners in and by the said recited Act; and all the Powers, Provisions, Authorities, Regulations, Penalties, Forfeitures, and Clauses in the said Act contained, in relation to the Commissioners in the said Act, and to supplying any Vacancies of such Commissioners, shall apply to the Commissioners appointed by this Act, and to the supplying any Vacancies which may hereafter arise in such Commission, as fully and effectually as if the Commissioners appointed by this Act had been appointed by the said recited Act, and as if such Powers, Provisions, Authorities, Regulations, Penalties, Forfeitures, and Clauses, were severally and separately re-enacted in and made Part of this Act.

New Commissioners appointed.

VI. Provided also, and be it further enacted, That no Person hereafter to be chosen, shall be capable of acting as a Commissioner under the said Act, or this Act, who is a Victualler, or sells Ale, Wine, Cyder, or Spirituous Liquors, by Retail, or who shall hold or enjoy any Office or Place of Profit, under or be concerned in any Contract made by virtue of this Act, or in any Case wherein he shall be personally interested, except as a Creditor; and every such Person who shall so act shall be liable to such and the like Penalties, to be recovered in like Manner as is in the said recited Act enacted and provided in Persons acting as Commissioners who are not qualified, or are unqualified.

No Victualler to be a Commissioner.

VII. And be it further enacted, That so much of the said recited Act as enacts, that all the Powers or Authorities by the said Act granted to or vested in the said Commissioners should and might from Time to Time be exercised by any Five of them present at any public Meeting to be holden in pursuance of the said Act, or the major Part of such Commissioners as should be present at any such Meeting, the Number so present not being less than Five, and that all Acts and Proceedings of such Commissioners, or the major Part of them at such Meetings, should be as valid and effectual, for the Purposes of the said Act, as if all the Commissioners for executing the said Act had been present at such Meeting, and had concurred therein, shall be and the same is hereby repealed; and that from and after the passing of this Act, all the Powers and Authorities by the said Act and this Act granted to or vested in the said Commissioners shall and may from Time to Time be exercised by any Seven of them present, at any public Meeting to be holden in pursuance of the said Act or this Act, or the major Part of such Commissioners as shall be present at any such Meeting, the Number so present not being less than Seven, and all Acts and Proceedings of such Commissioners, or the major Part of them at such Meetings,

Seven Commissioners to be a Quorum.

ings, shall be as valid and effectual for the Purposes of the said Act or this Act, as if all the Commissioners for executing the said Act and this Act had been present at such Meeting, and had concurred therein.

Expences of Act now to be paid.

VIII. And be it further enacted, That the Costs, Charges, and Expences of and relating to the procuring and passing this Act shall be paid out of the Monies raised by virtue of the said recited Act, and now in the Hands of the Treasurer appointed under the said former Act, or out of the First Monies which shall be raised or received by virtue of the said recited Act or this Act.

Persons advancing Money to be paid out of the first Monies.

IX. And be it further enacted, That in case any Person or Persons shall have advanced, or shall advance any Sum or Sums of Money for the Purpose of defraying the Expences of obtaining and passing this Act, every such Person shall be repaid the same, together with all lawful Interest, out of the Monies last mentioned.

Acts to be construed together.

X. And be it further enacted, That the said recited Act, so far as the same is altered and amended by this Act, and this Act, shall be construed together as one Act.

Public Act.

XI. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others, without being specially pleaded.

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