ANNO QUINQUAGESIMO

# GEORGII III. REGIS.

## *Cap.* 149.

An Act for making more effectual Provision for lighting, watching, paving, cleansing, regulating, and improving the Streets and other public Places in the Parish of *Saint Luke*, in the County of *Middlesex*. [2d *June* 1810.]

WHEREAS an Act was passed in the Eleventh Year of the Reign of His present Majesty, intituled *An Act for paving and keeping in Repair the Streets, Lanes and Passages, in the Parish of* Saint Luke, *in the County of* Middlesex; *for removing Obstructions and Annoyances therein, and for widening the Passages at the West End of* Chiswell Street, *and at the South End of* Brick Lane, *in the said Parish*; *and for other Purposes therein mentioned*: And whereas another Act was passed in the Thirty-third Year of the Reign of His present Majesty, intituled *An Act for the better lighting, cleansing, watching and regulating the Squares, Streets, Lanes, Alleys, Passages, and Places within the Parish of* Saint Luke, *in the County of* Middlesex, *and for removing and preventing Nuisances, Annoyances and Encroachments within the same*: And whereas many of the Provisions of the said Two several Acts are now found to be defective and inadequate to the several Purposes for which they were intended, and it is necessary that the same should be altered, amended, and enlarged: And whereas it would much facilitate the Execution of the Powers in the said Two several Acts contained, and of the Powers now become necessary, if their Execution was intrusted to Trustees for carrying into Execution all the said Powers, instead of being intrusted to Commissioners

11 G. 3. c. 46. and

33 G. 3. c. 83. recited.

missioners for managing the paving of the said Parish, and to Trustees for managing the lighting, watching, and cleansing thereof; and if all the said Powers and the Provisions for effecting the same were granted by and contained in one Act of Parliament: May it therefore please Your Majesty that it may be enacted; and be it accordingly 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 from and after the passing of this Act, the said Two several recited Acts, and all the several Powers and Authorities, Matters, and Things therein contained, shall be, and the same is and are hereby repealed.

Former Acts repealed.

All Conveyances executed and Annuities, &c. granted under the said Acts confirmed and secured.

II. Provided always, and be it further enacted, That all Assignments, Leases, Grants, and other Conveyances made or granted to or by any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, or any other Persons whomsoever, acting by virtue of or on the Credit or under the Authority of the said Two several Acts, made in the Eleventh and Thirty-third Years of the Reign of His present Majesty, shall be as good, valid, and effectual, to all Intents and Purposes whatsoever, as if the said Two several Acts had not been repealed; and all Bonds, Mortgages, Assignments, and Annuities given or granted as a Security for any Monies lent or advanced on the Credit of the said Two several Acts, or either of them, in pursuance of and in compliance with the Powers therein contained, shall be charged, and they are hereby respectively charged upon the Rates or Assessments herein directed to be made for the Purposes of this Act, and the Person or Persons from Time to Time entitled to the same respectively, shall have, receive, and enjoy, and by virtue of this Act be entitled to have, receive and enjoy, all Interest due and to grow due on such Bonds, Mortgages, and Assignments respectively, (until the same shall be paid off and discharged as herein-after provided) and all Interest due and to grow due on the said respective Annuities, out of the Rates and Assessments herein directed to be made, during the Term of the natural Lives of the Persons for whose Lives such Annuities respectively were granted.

Arrears of former Rates may be collected.

Debts and Penalties recovered,

and Contracts enforced.

III. And be it further enacted, That each and every Rate and Assessment made and assessed, and now due and payable, or to become due and payable, or ordered to be collected and levied under and by virtue of the Authority of the said recited Acts, shall contime to be due and payable, and shall and may be collected and levied by such Ways and Means, and under such Restrictions and Regulations, as any Rates or Assessments directed to be made in pursuance of this Act, are directed in and by this Act to be collected and levied; and shall be received and applied by the Trustees to be appointed by this Act, to and for the Purposes of this Act; and also that all Debts and Penalties incurred and due, under and by virtue of the said Two several recited Acts, from any Persons whomsoever, shall and may be demanded and recovered from such Persons, and applied by the Trustees under the Powers and Authorities of this Act for the Purposes of this Act; and also that all Contracts or Agreements heretofore entered into with any Person or Persons whomsoever, under the Authority and in Execution of the said Two several recited Acts, shall continue and be valid and effectual, and shall and may be enforced by the Trustees to be appointed by virtue of this Act as if

entered

entered into by and with them the ſaid Truſtees to be appointed by virtue of this Act.

Officers appointed by virtue of former Acts to hold their Employment until removed under this Act.

IV. And be it further enacted, That every Treaſurer, Clerk, Collector, Conſtable, Headborough, Watchman, Beadle, Inſpector, Officer, and Servant nominated and appointed by virtue of or acting under the Authority of the ſaid recited Acts or either of them, ſhall hold and enjoy his or their ſeveral and reſpective Offices and Employments, together with the ſeveral and reſpective Salaries, Gratuities, and Allowances thereto annexed, until he or they ſhall be removed therefrom reſpectively by the Truſtees acting in the Execution of this Act; and every ſuch Treaſurer, Clerk, Collector, Conſtable, Headborough, Watchman, Beadle, Inſpector, and other Officer and Servant, ſhall be ſubject to the like Pains and Penalties, and Power of Removal, and to the like Rules and Regulations, and ſhall be inveſted with the ſame Powers and Authorities, as if he or they had been nominated and appointed by virtue of this Act.

Pariſh to be divided into Six Liberties for the Purpoſes of this Act.

V. And be it further enacted, That the ſaid Pariſh of *Saint Luke* ſhall, for the Purpoſes of this Act, be divided into Six Diſtricts or Liberties, namely, *Golden Lane* Liberty, *White Croſs Street* Liberty, Eaſt *Finſbury* Liberty, Weſt *Finſbury* Liberty, *Old Street* Liberty, and the *City Road* Liberty; as the ſame is divided at the paſſing of this Act, for the Purpoſe of collecting the Rates for the Relief of the Poor of the ſaid Pariſh, and under and by virtue of a certain Act paſſed in the Forty-eighth Year of the Reign of His preſent Majeſty, intituled *An Act for making more effectual Proviſion for maintaining, regulating, and employing the Poor of the Pariſh of* Saint Luke, *in the County of* Middleſex.

Veſtrymen of the Pariſh for the Purpoſes of this Act.

VI. And be it further enacted, That all Perſons qualified to be, and being from Time to Time Veſtrymen of the ſaid Pariſh, according to the Proviſions of the ſaid Act, paſſed in the Forty-eighth Year of the Reign of His preſent Majeſty, ſhall be the Veſtrymen of the ſaid Pariſh for the Time being, for the Purpoſes of this Act; provided they inhabit within ſuch Part of the ſaid Pariſh as is included within the Limits and Operation of this Act, and are rated or aſſeſſed or liable to be rated or aſſeſſed to one of the Rates or Aſſeſſments to be made by virtue of this Act, but not otherwiſe; and that all Veſtry Meetings under this Act ſhall be held in the Veſtry of the Church, or in the Church of the ſaid Pariſh; and no Meeting or Veſtry ſhall be held by the ſaid Veſtrymen, or any of them, for the Execution of this Act, or any of the Powers thereof, (except the Firſt Meeting herein-after directed, on the Second *Tueſday* next after the paſſing of this Act, and the Adjourned Meeting of ſuch Firſt Meeting, and the Adjourned Meetings of the annual Meetings herein-after directed), unleſs public Notice, ſigned by the Churchwarden or Churchwardens, or Five or more of the Truſtees, or Nine or more Veſtrymen of the ſaid Pariſh, ſhall have been put up on the Doors of the Church, and on ſome public Place in each Liberty of the ſaid Pariſh, ſpecifying the Purpoſe of the Meeting Two Days at leaſt before ſuch Meeting, and unleſs public Notice thereof, ſigned as aforeſaid, ſhall alſo be firſt read in the Church of the ſaid Pariſh, by the Pariſh Clerk, or the Perſon acting from Time to Time as Pariſh Clerk, or his Deputy, as well in the Forenoon as in the Afternoon, immediately after Morning and Evening Prayers, on the Lord's Day next before ſuch Meeting; which Notice the ſaid Pariſh Clerk is hereby

Notices of Veſtries.

hereby enjoined to read, or cauſe to be read, under the Penalty of any Sum not exceeding Forty Shillings for every Neglect, to be levied and recovered in the ſame Manner as other Penalties and Forfeitures are directed to be levied and recovered by this Act, Complaint being made thereof by the Churchwarden or Churchwardens, or Two or more Truſtees or Veſtrymen of the ſaid Pariſh, to any Juſtice or Juſtices of the Peace acting in and for the County of *Middleſex*; and that all Acts, Matters, and Things to be done and executed by the ſaid Veſtrymen in purſuance of this Act, may be done and executed by the major Part of them, who may be preſent at their ſeveral Meetings to be holden under and by virtue of this Act.

Majority to determine.

Time of the Firſt Meeting for the Election of Truſtees.

VII. And be it further enacted, That the Firſt Meeting of the Veſtrymen of the ſaid Pariſh, for the Purpoſe of carrying into Execution the Proviſions of this Act, ſhall be held on the Second *Tueſday* next after the paſſing of this Act, at the Hour of Ten of the Clock in the Forenoon, and at ſuch Meeting (or at any Adjournment of ſuch Meeting, in caſe the ſame ſhall be neceſſary), the Majority of the Veſtrymen ſo aſſembled ſhall nominate and appoint Forty-eight ſubſtantial and diſcreet Veſtrymen, who ſhall be and ſhall be called Truſtees for lighting, watching, cleanſing, and paving of the Pariſh of *Saint Luke*, in the County of *Middleſex*, for carrying into Execution the ſeveral Powers given and intruſted to them by this Act, until other Truſtees ſhall be appointed in their Room, as herein provided; and Thirty of which Veſtrymen ſo firſt elected Truſtees, ſhall be elected by the Veſtrymen ſo aſſembled, at ſuch Firſt or Adjourned Meeting from the Commiſſioners or Truſtees for putting in Execution the ſaid Two ſeveral recited Acts, or either of them, at the Time of the paſſing of this Act.

Rector and Churchwardens, &c. to be Truſtees.

VIII. Provided always, and be it further enacted, That the Rector and Churchwardens of the ſaid Pariſh for the Time being, each and every of them ſhall be, and they are hereby declared to be Truſtees for lighting, watching, cleanſing, and paving of the ſaid Pariſh, within the true Intent and Meaning of this Act; and ſhall have full Power and Authority, together with the ſeveral Truſtees to be from Time to Time nominated and appointed, as herein mentioned, to act as ſuch to all Intents and Purpoſes, as if they had been elected and choſen by the Veſtrymen of the ſaid Pariſh, in the Manner and Form preſcribed by this Act.

Qualifications of Truſtees.

IX. And be it further enacted, That no Perſon, except the Rector and Churchwardens of the ſaid Pariſh for the Time being, ſhall be qualified to act as a Truſtee in the Execution of this Act, unleſs he ſhall at the Time of ſuch Election and acting be a Veſtryman of the ſaid Pariſh; and the Election of every Perſon who ſhall not be a Veſtryman as aforeſaid, purſuant to the Proviſions of this Act, ſhall be null and void; and every Truſtee for the Purpoſes of this Act, who ſhall ceaſe to be a Veſtryman of the ſaid Pariſh, or who ſhall not have attended Three Meetings of the Truſtees at the leaſt within the Year, ending on the *Tueſday* before the Twenty-fourth Day of *June* in each Year, ſhall forfeit his Office, and become diſqualified to act in the ſucceeding Year; and another Perſon ſhall be elected at the Annual Veſtry in his Place and Stead, beſides the Perſons who ſhall be elected to ſupply the Places of thoſe Perſons who ſhall in Rotation

ceaſe to be the Truſtees for lighting, watching, cleanſing, and paving the ſaid Pariſh as herein provided.

Perſons incapacitated from being Truſtees.

X. Provided always, and be it further enacted, That if any Perſon appointed a Truſtee for lighting, watching, cleanſing, and paving the ſaid Pariſh under this Act, ſhall have any Share or Intereſt in any Contract, or be appointed to and enjoy any beneficial Employment under or by virtue of the ſaid Act, or ſhall become bankrupt or inſolvent, or ſhall ſell any Goods or Articles to the ſaid Truſtees, or ſhall perform any Work or Labour for the ſaid Truſtees, under and by virtue of this Act, every ſuch Perſon ſhall be thereupon diſabled and diſqualified from acting as a Truſtee under this Act for the Remainder of the Term for which he was appointed to be a Truſtee by virtue of this Act.

Penalty on Perſons not being Veſtrymen nor qualified acting as Veſtrymen or Truſtees.

XI. And be it further enacted, That if any Perſon not being a Veſtryman purſuant to the Proviſions of this Act, or not being qualified in Manner herein-before mentioned to act as a Truſtee, or if any Perſon duly elected to act as a Truſtee, and becoming and being diſqualified as herein-before mentioned, ſhall preſume to act as a Veſtryman or Truſtee in the Execution of the Powers hereby given, or any of them, every ſuch Perſon ſhall for every ſuch Act forfeit and pay the Sum of Fifty Pounds, to be recovered on the Information or Proſecution of any Perſon or Perſons whomſoever, with full Coſts of Suit, in any of His Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt or on the Caſe, or by Bill, Suit, or Information, wherein no Eſſoign, Protection, Privilege, or Wager of Law, or more than one Imparlance ſhall be allowed; and every Perſon ſo ſued or proſecuted ſhall prove that he was at the Time of acting qualified as aforeſaid, and that he hath not become diſqualified by virtue of the Proviſions of this Act, at the Time of ſuch acting, or otherwiſe he ſhall pay the ſaid Penalty with full Coſts of Suit, without any other Proof or Evidence being given on the Part of the Plaintiff or Proſecutor, than that ſuch Perſon had acted as a Veſtryman or Truſtee in the Execution of this Act, or that he had become diſqualified purſuant to the Proviſions of this Act, at the Time of ſuch acting; and the Money ſo to be recovered ſhall be paid as follows; (that is to ſay) One Moiety thereof to the Informer or Proſecutor, and the other Moiety thereof to the Treaſurer for the Time being of the Truſtees to be appointed by virtue of this Act, to be by him applied to the Purpoſes of this Act.

Truſtees firſt elected to go out of Office in Succeſſion.

XII. And be it further enacted, That out of the ſaid Perſons ſo firſt elected Truſtees for lighting, watching, cleanſing and paving the ſaid Pariſh as aforeſaid, Sixteen ſhall go out of Office on the *Tueſday* before the Twenty-fourth Day of *June*, in the Year One thouſand eight hundred and twelve, and Sixteen others of the Perſons ſo firſt elected as aforeſaid, ſhall go out of Office on the *Tueſday* before the Twenty-fourth Day of *June*, in the Year One thouſand eight hundred and thirteen; and the Remainder of the Perſons ſo firſt elected ſhall remain and continue in Office until the *Tueſday* before the Twenty-fourth Day of *June*, in the Year One thouſand eight hundred and fourteen; and the Sixteen Truſtees who ſhall have been abſent from the General Meeting of the ſaid Truſtees the greateſt Number of Times, ſhall firſt go out of Office at each of ſuch Times, and if any Perſons ſhall have been abſent an equal Number of Times, the going out of Office of ſuch Perſons ſhall be decided by Lot; and all

Perſons choſen at ſuch Annual Meetings as aforeſaid, new Truſtees for the Execution of this Act, in lieu of thoſe going out of Office, or to ſupply Vacancies which ſhall have ariſen in the Courſe of the Year, ſhall remain and continue in Office for Three Years: Provided always, that no Perſon going out of Office as Truſtee as aforeſaid, ſhall be eligible for the Year next after his going out of Office.

Annual Veſtry to elect Truſtees.

XIII. And be it further enacted, That a Veſtry ſhall be held on the *Tueſday* before the Twenty-fourth Day of *June* in each Year, at Ten of the Clock in the Forenoon, for the Election of Truſtees for putting in Execution this Act, in the Room of thoſe who ſhall annually go out of Office under the Proviſions of this Act; and alſo for the Purpoſes of filling up all Vacancies which have ariſen in the Number of ſuch Truſtees by reaſon of any of the Truſtees dying or becoming Bankrupts, or Inſolvent, or ceaſing to be Veſtrymen, or being otherwiſe diſqualified according to the Proviſions of this Act.

Number neceſſary to make annual Meetings, and on failure of Annual Meetings, Elections, &c. at Adjourned.

XIV. Provided always, That no Election of Truſtees ſhall take place at any ſuch Annual Meeting, unleſs Twenty Veſtrymen at leaſt ſhall attend; and if a ſufficient Number of Perſons ſhall not attend at or before Eleven of the Clock in the Forenoon, or if the Election ſhall not be made or finiſhed, or completed on the Day on which ſuch Annual Meeting as aforeſaid ſhall he held, an Adjourned Meeting ſhall be held on each ſucceeding Day, from Day to Day, at Ten of the Clock in the Forenoon, and every Election, Act, Matter and Thing, done at any ſuch Adjourned Meeting, ſhall be as good, valid, and effectual, as if done on the *Tueſday* before the Twenty-fourth Day of *June*, the Day ſo appointed for ſuch Annual Meeting as aforeſaid; and the Notices hereby directed to be given of the Meetings of the Veſtrymen for the Purpoſes of this Act, ſhall not be neceſſary to be given for ſuch Adjourned Meetings.

Firſt Meeting of Truſtees.

XV. And be it further enacted, That the ſaid Truſtees to be firſt appointed by virtue of this Act, or any Seven or more of them, ſhall meet together in the Veſtry Room of the ſaid Pariſh, on the *Tueſday* next after they ſhall be nominated and appointed purſuant to the Directions of this Act, at Six of the Clock in the Afternoon of that Day, and ſhall then and there proceed to the Execution of this Act; and ſhall then, and from Time to Time afterwards, adjourn themſelves, and meet at the Place aforeſaid, or at the Workhouſe of the ſaid Pariſh, with the Conſent of the Guardians of the Poor for the Time being, or at any other Place or Places within the ſaid Pariſh as the ſaid Truſtees ſhall think proper and convenient: Provided always, that General Meetings of the ſaid Truſtees for the Purpoſes of this Act, ſhall be held once in every Calendar Month.

No Buſineſs valid, unleſs Seven Truſtees be preſent at a General Meeting.

XVI. And be it further enacted, That no Buſineſs tranſacted at the Firſt, Adjourned, Monthly or General Meetings of the Truſtees to be appointed by virtue of this Act, nor any Orders made by them at ſuch Firſt, Adjourned, or Monthly, or at any General Meeting of the ſaid Truſtees, ſhall be good, valid, or effectual, unleſs Seven at leaſt of the ſaid Truſtees ſhall be preſent at ſuch Firſt, Adjourned, Monthly or General Meeting.

In caſe of Non-attendance Clerk

XVII. And be it further enacted, That in caſe Seven Truſtees ſhall not attend at any ſuch Monthly or General Meeting, within One Hour after

after the Time appointed for such Meetings respectively, it shall and may be lawful to and for the Clerk or Clerks to such Trustees to adjourn such Monthly or General Meeting to any Day within Two Days after such Meeting was appointed to be or ought to have been held, and forthwith to give Notice of such Adjournment to every Trustee. may adjourn the Meeting.

XVII. And be it further enacted, That the Clerk or Clerks to the said Trustees shall, one Day at least previous to any Monthly, Adjourned, or General Meeting, leave or cause to be left, written or printed Notice to or for every Trustee, of every such Monthly, Adjourned, or General Meeting, and of the Place and Time when and where such Monthly, Adjourned, or General Meeting is to be held. Notice to be given of Meetings.

XIX. And be it further enacted, That at each and every of the said Meetings of the said Trustees, any one Trustee then present, who shall be nominated by the Majority of the Trustees present at any such Meeting, shall preside at every such Meeting, and take the Chair as President or Chairman of such Meeting; and in case of an Equality of Votes on any Transaction including the Voice of the Chairman or President, the Chairman or President shall have another or the Casting Voice. Chairman to be appointed.

XX. And be it further enacted, That if any Five or more of the Trustees appointed under or by virtue of this Act shall on any Occasion think it necessary or expedient to call or convene a General Meeting of the Trustees, it shall and may be lawful for such Trustees to order their Clerk or Clerks for the Time being, to summon such General Meeting of the said Trustees respectively, to meet at the Time the said Trustees shall then require, by a Notice specifying the particular Occasion of such Requisition, and of which Meeting of the said Trustees a written or printed Notice shall be given as is herein-before directed to be given of any Monthly, Adjourned, or General Meeting. Trustees to call a General Meeting.

XXI. And be it further enacted, That it shall and may be lawful to and for the said Trustees, or the major Part of them present at any General Meeting to be holden in pursuance of this Act, from Time to Time to make such Bye Laws, Rules, Orders and Regulations for the better regulating their own Proceedings at any of their Monthly or General Meetings, and of enforcing the good Conduct and Behaviour of the several Officers and Servants employed by the said Trustees in the Execution of this Act, and for the Application of the several Monies that may be levied, collected, or received by virtue of this Act to the Purposes thereof, and likewise from Time to Time to vary, alter, amend, or repeal all or any of such Bye Laws, Rules, Orders, and Regulations, and to fix and appoint all such reasonable Fines and Penalties for the Breach or Non-performance of any such Bye Law, Rule, Order, or Regulation, or any Part thereof, as to them shall seem right and proper, so that no such Fine or Penalty shall exceed the Sum of Ten Pounds; and all such Bye Laws, Rules, Orders, and Regulations when made, and all Alterations, Variations and Amendments thereof, shall be printed, and be affixed on the Walls of the several Places of Meeting of the said Trustees; and all such Bye Laws, Rules, Orders, or Regulations, when so made, printed, and affixed, shall be good and binding upon all Persons concerned: Provided that the same be not inconsistent with or repugnant to the Trustees may make Bye Laws.

Laws

Laws of that Part of the United Kingdom called *England*, nor inconſiſtent with or repugnant to the Proviſions and Directions in this Act contained; and that any Perſon or Perſons thinking himſelf or themſelves aggrieved thereby, ſhall and may appeal againſt the ſame as herein-after is provided.

Bye Law not to be repealed without Notice.

XXII. Provided always, and be it enacted, That no ſuch Bye Law, Rule, or Regulation, when ſo made by the ſaid Truſtees, ſhall be varied, altered, amended, or repealed, ſave and except at ſome Meeting to be holden for that Purpoſe; of which Meeting and of the Purpoſe thereof Seven Days Notice at the leaſt, either written or printed with the Name of the Clerk or Clerks to the Truſtees annexed thereto, ſhall be given to or left at the laſt or uſual Place of Abode of each and every Truſtee.

Account to be taken of the State of the Pariſh.

XXIII. And be it further enacted, That within Forty-two Days after the paſſing of this Act, a General Meeting of the Veſtrymen of the ſaid Pariſh, purſuant to this Act, ſhall be held to conſider the State of the Accounts of the Pariſh under and by virtue of the ſaid Two ſeveral recited Acts, which ſhall be then examined, and an Account taken of all Securities, Bonds, and Annuities chargeable upon the Rates of the ſaid Pariſh, under and by virtue of the ſaid recited Act paſſed in the Eleventh Year of the Reign of His preſent Majeſty, and under and by virtue of the ſaid recited Act, paſſed in the Thirty-third Year of the Reign of His preſent Majeſty, and of all Sums of Money due by the ſaid Pariſh, and of all Claims and Demands upon the ſaid Pariſh under the ſaid ſeveral recited Acts; and of the Balance or Balances then in the Hands of the Treaſurers, Commiſſioners, Truſtees, Collectors, and other Perſons, on Account of the ſaid Pariſh, under and by virtue of the ſaid Two recited Acts; and of all Sums of Money due to the ſaid Pariſh, or to the Commiſſioners or Truſtees acting in the Execution of the ſaid ſeveral recited Acts; under and by virtue of the ſaid Two ſeveral recited Acts, or either of them; alſo of the Amount of Arrears of Rates impoſed upon the ſaid Pariſh within Three ſeveral Years laſt paſt, under and by virtue of the Two ſeveral recited Acts, or either of them, not collected; and the Veſtrymen at ſuch Meeting, or ſome adjourned Meeting to be held for that Purpoſe, ſhall aſcertain and fix the Sums neceſſary to be raiſed for the Liquidation of the Real and *bonâ fide* Debts of the ſaid Pariſh juſtly and properly incurred in the Execution and on account of the ſaid Two ſeveral recited Acts; and for the Payment of all Annuities and Intereſt of Bonds, Mortgages, and other Securities granted by virtue of the ſaid Two ſeveral recited Acts, or either of them, and in purſuance of the Powers therein contained: But the ſaid Veſtrymen in ſo aſcertaining the ſaid State of the Pariſh under the ſaid Two ſeveral Acts, ſhall take and keep a ſeparate Account of the Debts due and Monies receivable by virtue of each of the ſaid recited Acts diſtinct from the Accounts due and Monies receivable by virtue of the other ſaid recited Act: And the ſaid Veſtrymen at ſuch Meeting or ſome adjourned Meeting to be held for that Purpoſe as aforeſaid, ſhall alſo aſcertain and fix the Sums neceſſary to be raiſed for the Payment of any principal Monies due on ſuch Securities or Bonds, by Inſtalments or otherwiſe, as may appear moſt for the Intereſt and Advantage of the ſaid Pariſh and of the Perſons contributing to each of the ſaid Rates, in order that the Sum to be raiſed by the ſeveral Rates to be made under this

this Act may be proportioned to such Demands, and be adequate to the Payment of the current Expence of the said Parish for the lighting, watching, and cleansing the said Parish, and for the paving the said Parish, and repairing the Pavement, from the Day of so ascertaining the said Sums until the Twenty-fourth Day of *June*, which will be in the Year of our Lord One thousand eight hundred and eleven.

Rates to be made to discharge Debts and Expences of the current Year.

XXIV. And be it further enacted, That the Vestrymen of the said Parish shall within Twenty-eight Days next after the several Sums of Money necessary to be raised shall have been so ascertained as aforesaid, make and sign Two distinct Rates or Assessments, one of which Rates shall be laid upon all and every Person or Persons who do and shall inhabit, hold, occupy, or be in Possession of, or enjoy any Messuage, Tenement, Land, House, Shop, Warehouse, or other Building or Hereditament within the said Parish for lighting, watching, and cleansing the Streets, Squares, Lanes, Alleys, Courts, Yards, and other open Passages, Ways, and Places within the said Parish; and for the Payment and Discharge of all Expences for the lighting, watching, and cleansing the said Parish, and of all other Monies directed to be applied by virtue of this Act (except so far as may relate to the paving and repairing the Pavement within the said Parish) and for the Payment of any Interest or Annuities, and other Debts and Demands due or payable, or to become due and payable by virtue of the said recited Act passed in the Thirty-third Year of the Reign of His present Majesty, or for any other Payment which may be settled and determined by the said Vestrymen, not exceeding the Sum of Two Shillings in the Pound; and the other, or second of the said Rates shall be laid upon all and every Person or Persons who do and shall inhabit, hold, occupy, be in Possession of or enjoy any Messuage, Tenement, Land, House, Shop, Warehouse, or other Building, or Hereditament, situate or being within any of the Streets, Squares, Lanes, Alleys, Courts, Yards, or other open Passages, Ways, and Places within the said Parish, already paved under the said recited Acts, or directed by this Act to be paved, to be applied for the Purpose of paving and repairing the said Pavement, and for the Payment and Discharge of all Interests or Annuities, and other Debts and Demands due and payable, or to be made due and payable by virtue of the said recited Act passed in the Eleventh Year of the Reign of His present Majesty, or for every other Payment relating to the paving or repairing of the Pavement of the said Parish, which may be settled and determined by the said Vestrymen, not exceeding the Sum of Four Shillings in the Pound; and both which Rates may be collected in one Payment, or Half-yearly or Quarterly, as the said Trustees shall think proper.

Rates to be ascertained.

XXV. And be it further enacted, That the Vestrymen of the said Parish, pursuant to this Act, shall on *Thursday*, next after the Twenty-fourth Day of *June* in every Year, meet together, and shall settle, ascertain, and estimate the respective Sums of Money necessary to be raised by a just and equal Pound Rate for the Payment and Discharge of all the Expences for lighting, cleansing and watching the Streets, Squares, Lanes, Alleys, Courts, Yards, and open Passages, Ways, and Places within the said Parish, and of all other Monies duly to be applied and expended by virtue of this Act, except so far as may relate to the paving and repairing the Pavement of and within the said Parish, and for the Payment of any

Intereſt or Annuities chargeable on the Rates of the ſaid Pariſh, for lighting, cleanſing, and watching the ſame; or for the Repayment of any principal Monies which may be due from the ſaid Pariſh on account thereof, as to the ſaid Veſtrymen ſhall ſeem reaſonable and proper; and the ſaid Veſtrymen ſhall alſo then ſettle, aſcertain, and eſtimate the reſpective Sums of Money neceſſary to be raiſed by a juſt and equal Pound Rate for the Payment and Diſcharge of all the Expences of paving or repairing the Pavement of any Streets, Squares, Lanes, and public Places within the ſaid Pariſh, and for the Payment of any Intereſt, or any Annuities chargeable on the Rates of the ſaid Pariſh, or of any Part thereof, or for the Repayment of any principal Monies which may be due on account of the paving or repairing the Pavement of the ſaid Pariſh, as to the Veſtrymen ſhall ſeem reaſonable and proper.

Truſtees and their Clerk or Clerks to furniſh Accounts to aſſiſt Veſtry to aſcertain Rates.

XXVI. And be it further enacted, That the Truſtees to be appointed by virtue of this Act, or their Treaſurer, or Clerk or Clerks, ſhall, and they are hereby required to ſtate at every ſuch Meeting, to the Veſtrymen of the ſaid Pariſh then aſſembled, a true and correct Account of all Monies which ſhall have been received and paid by them reſpectively, or by any Officer or Officers under their Order or Direction for the laſt preceding Year on account of either of the ſaid Rates, and for what Purpoſes the ſame have been applied, and of the actual Balance or Balances then remaining on account of either of the ſaid Rates; and any Deficiency or Deficiencies, if any, as the Caſe may be, and alſo of the Sums remaining to be collected upon any Rates theretofore made, in order that the true State of the ſaid Pariſh may thereby appear; and that the ſaid Veſtrymen, or the major Part of them ſo aſſembled as aforeſaid, may be enabled to aſcertain what Sum or Sums of Money ſhall be neceſſary to be raiſed for the Purpoſes aforeſaid; and that they, or the Perſon or Perſons having the Care or Cuſtody of the laſt Rate Books, and ſuch other Book or Books of General Orders and Proceedings, and of Accounts as ſhall hereafter be kept by the ſaid Truſtees for the Time being, for the Purpoſes of this Act, ſhall produce the ſame from Time to Time, at every ſuch Meeting, if thereunto required by the ſaid Meeting, and that in caſe any ſuch Treaſurer, Clerk or Clerks, ſhall refuſe, or wilfully neglect to deliver ſuch Account, and in caſe they or any of them, or any other Perſon or Perſons having the Care or Cuſtody of any ſuch Rate Books or other Books and Accounts, being required ſo to do, ſhall refuſe, or wilfully omit to produce the ſame reſpectively at ſuch Meetings as aforeſaid, or any of them, then and in ſuch Caſe every ſuch Treaſurer, Clerk, and other Perſon or Perſons ſhall for every ſuch Offence forfeit and pay the Sum of Fifty Pounds to any Perſon or Perſons who ſhall ſue for the ſame, to be recovered in any of His Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt or on the Caſe, or by Bill, Suit, or Information, wherein no Eſſoign, Protection, or Wager of Law, or more than One Imparlance ſhall be allowed.

Rates to be made.

XXVII. And be it further enacted, That the Veſtrymen of the ſaid Pariſh ſhall, yearly and every Year, aſſemble and meet together within Twenty-eight Days next after the ſaid ſeveral Sums of Money to be raiſed for the Purpoſes aforeſaid ſhall have been ſo aſcertained and eſtimated as aforeſaid, and the ſaid Veſtrymen, or any Nine or more of them ſo aſſembled, ſhall and they are hereby required to make and ſign Two ſeveral Rates

Rates or Aſſeſſments not exceeding the Amount ſo ſettled and aſcertained (after allowing for all uſual and reaſonable Deficiencies in collecting the ſame) one of which Rates being for the lighting, cleanſing, and watching the ſaid Pariſh, ſhall be laid upon all and every Perſon or Perſons who do and ſhall inhabit, hold, occupy, or be in Poſſeſſion of or enjoy any Meſſuages, Tenements, Lands, Grounds, Houſe, Shop, Coach-houſe, Stable, Cellar, Vault, Warehouſe, or other Building or Hereditament within the ſaid Pariſh, and not exceeding in any One Year the Sum of One Shilling and Four-pence in the Pound: And the other or ſecond of the ſaid Rates ſhall be laid upon all and every Perſon or Perſons who do and ſhall inhabit, hold, occupy, be in Poſſeſſion of or enjoy any Meſſuages, Tenements, Lands, Grounds, Coach-houſe, Stable, Cellar, Vault, Houſe, Shop, Warehouſe, or other Building, or Hereditament, ſituate or being within any of the Streets, Squares, Lanes, Alleys, Courts, Yards, or other open Paſſages, Ways, and Places within the ſaid Pariſh, already paved under the ſaid recited Acts, or which ſhall or may be hereafter paved or repaired by the ſaid Truſtees to be appointed under and by virtue of this Act, and not exceeding in any One Year the Sum of Two Shillings in the Pound; and all which Rates made by virtue of this Act, ſhall be juſt and equal Pound Rates, and ſhall be laid according to the annual Rents or Value of ſuch Meſſuages, Tenements, Lands, Grounds, Coach-houſes, Stables, Cellars, Vaults, Houſes, Shops, Warehouſes, or other Buildings and Hereditaments reſpectively; and both which Rates may be collected Yearly, Half-yearly, or Quarterly, as the ſaid Truſtees ſhall think proper.

Rates to be allowed by Juſtices;

XXVIII. And be it further enacted, That no Rate or Aſſeſſment ſo to be made and ſigned in Manner aforeſaid, under and by virtue of this Act aforeſaid, ſhall be valid unleſs allowed by Two of His Majeſty's Juſtices of the Peace acting in and for the County of *Middleſex*, and Notice of the Time when and the Perſons to whom, or the Public Police Office at which Application ſhall be made for the Allowance of ſuch Rates; and alſo Notice of ſuch Allowance ſhall be given in the ſaid Pariſh Church on the Lord's Day next before ſuch Allowance ſhall be applied for; and on the Lord's Day next after ſuch Allowance ſhall be obtained, in the ſame Manner as is herein-before directed for Notices of Meetings of the Veſtrymen of the ſaid Pariſh.

and being ſo allowed to be deemed valid.

XXIX. And be it further enacted, That the ſaid Rates or Aſſeſſments ſo made and ſigned, and allowed by Two of His Majeſty's Juſtices of the Peace aforeſaid, after ſuch Notice as aforeſaid, ſhall be deemed and taken to be good, valid, and effectual, and ſhall and may be received, collected, and levied in Manner herein-after provided.

Veſtrymen neglecting to make Aſſeſſments, Truſtees may meet and make the ſame.

XXX. And be it further enacted, That if the ſaid Veſtrymen of the ſaid Pariſh ſhall at any of the Times herein-before appointed, refuſe or neglect to aſcertain ſuch Sum or Sums of Money in Manner as aforeſaid, or ſhall refuſe or neglect, within Twenty-eight Days after ſuch Meeting, to make ſuch Rates or Aſſeſſments as aforeſaid, or in caſe ſuch Rates or Aſſeſſments ſhall be deficient to anſwer the Purpoſes of this Act, that then and in either of the ſaid Caſes, and as often as it ſhall happen, it ſhall be lawful for the ſaid Truſtees, or any Seven or more of them, and they are hereby required to meet together in the Veſtry Room of the ſaid Pariſh, (Notice

(Notice of ſuch Meeting being firſt publiſhed in the ſame Manner in which Notices of Veſtries are herein before directed to be given and publiſhed), and then and there having aſcertained the Money neceſſary to be raiſed for the Purpoſes before directed, the ſaid Truſtees, or any Seven or more of them, ſhall make and ſign ſuch juſt and equal Pound Rates or Aſſeſſments, to be laid in Manner before directed; and which Rate or Rates, Aſſeſſment or Aſſeſſments, ſo to be made, being ſigned by the ſaid Truſtees, or any Seven or more of them, and being allowed by Two of His Majeſty's Juſtices of the Peace, for the ſaid County, Notice of the Application for ſuch Allowance, and of ſuch Allowance being given in the Manner herein directed as to Rates made by the ſaid Veſtrymen, ſhall be deemed and taken to be as good, valid, and effectual, and ſhall and may be collected and levied in like Manner as if the ſame had been aſcertained and made by the ſaid Veſtrymen aſſembled as aforeſaid, any Proviſion, Law, Statute, or Uſage to the contrary notwithſtanding.

Truſtees may rectify Omiſſions in Rates.

XXXI. And be it further enacted, That if it ſhall appear to the Truſtees to be appointed under and by virtue of this Act, at any Time after making any Rate or Aſſeſſment, or after the ſame ſhall be allowed or publiſhed under the Authority of this Act, that the Names of any Perſons liable to be included in ſuch Rate or Aſſeſſment have been omitted therein, it ſhall be lawful for the ſaid Truſtees, or any Seven or more of them, to add, or cauſe to be added to ſuch Rate or Aſſeſſment, the Names of the Perſons ſo omitted, together with the Sums for which they ought to be ſo rated, and the Amount of ſuch Rate or Aſſeſſment in reſpect thereof, and otherwiſe to alter and amend the ſaid Rates, and every ſuch Addition and Alteration made to or in any of the ſaid Rates, ſhall be as valid and effectual in Law, to all Intents and Purpoſes, as if the ſame had been ſo inſerted in the Rate at the Time the ſame was firſt made and ſigned, allowed, or publiſhed.

Paving Securities charged on particular Rates charged on the general Paving Rate.

XXXII. Provided always, and be it further enacted, That all Bonds, Annuities, Mortgages, and other Securities granted under and by virtue of the Act paſſed in the Eleventh Year of the Reign of His preſent Majeſty, and charged upon the Rates or Aſſeſſments of any particular Streets, Squares, Lanes, Courts, Alleys, Ways, or other public Places within the ſaid Pariſh, ſhall be charged and they are hereby charged upon the Rates or Aſſeſſments herein directed to be made for paving and repairing the Pavement within the ſaid Pariſh, in the ſame Manner and as effectually, to all Intents and Purpoſes, as they were charged upon the Rates or Aſſeſſments of ſuch particular Streets, Squares, and Places by virtue of the ſaid Act.

Houſes partly within and partly without the Limits of this Act how to be rated.

XXXIII. Provided alſo, and be it further enacted, That if any Houſe or Premiſes ſhall be partly within and partly without the ſaid Pariſh, ſuch Houſes or Premiſes ſhall be aſſeſſed to the Rates to be raiſed by virtue of this Act, for a proportionable Part only of the Rent or Value thereof; and it ſhall be lawful for the ſaid Truſtees, or any Perſon or Perſons appointed by them, at any of the Meetings to be holden in purſuance of this Act, and they or he are or is hereby reſpectively authorized and required to apportion and ſettle at how much and what Part of the Rent or Value of ſuch Houſe and Premiſes the ſame ſhall be aſſeſſed, and if any Perſon or Perſons occupying ſuch Houſes or Premiſes, ſhall

be

be diſſatisfied therewith, he, ſhe, or they may appeal againſt the ſame in the Manner herein provided.

Rates to be applied for Purpoſes of this Act.

XXXIV. And be it further enacted, That all the Monies to be raiſed by the Rates or Aſſeſſments in Manner as aforeſaid, ſhall be appropriated, iſſued, paid, and applied for the ſeveral ſeparate and reſpective Uſes and Purpoſes in and by this Act directed and preſcribed, in ſuch Manner as the ſaid Truſtees, or any Seven or more of them, ſhall from Time to Time, at any of their Meetings herein directed, order, direct, and appoint; and in caſe the Money aſſeſſed or collected in any One Year, by virtue of this Act, ſhall not be ſufficient to anſwer the reſpective Purpoſes for which the ſame was ſo rated or aſſeſſed, ſuch Deficiency ſhall be ſupplied out of the Rates or Aſſeſſments of the next enſuing Year; and in caſe there ſhall remain at the End of any Year any Surplus of the reſpective Rates, after the Payments herein-before directed, ſuch Surplus ſhall, from Time to Time, as the ſame ſhall happen to ariſe, be applied in Aid of the ſucceeding Year's Expence in putting in Execution the Purpoſes of this Act: Provided always, that all Monies to be collected, levied, received, and raiſed under this Act, ſhall be from Time to Time paid and applied to and for the ſeveral Purpoſes for which they were ſo levied, raiſed, collected, and received, and accordingly that ſeparate and diſtinct Accounts ſhall be always kept of ſuch Monies.

Truſtees to apportion Expences out of the Rates.

XXXV. Provided alſo, and be it further enacted, That it ſhall and may be lawful to and for the Truſtees to be appointed by virtue of this Act, to apportion what Part or Share of any Salaries, Gratuities, or Allowances, paid or given by them to the Clerk or Clerks, and to any Collectors, Officers, Servants, or other Perſons employed by them, and of other Expences incurred in obtaining or in the Execution of this Act, and of any Annuities purchaſed or any Intereſt of any Money borrowed by virtue of this Act, ſhall be borne by and taken out of the Proceeds of each of the two ſeveral Rates or Aſſeſſments by this Act directed to be made, except as to ſuch Payments as are made, and ſuch Expences as are incurred for the ſpecific Purpoſes of either lighting, cleanſing, and watching the Pariſh, or of paving and repairing the Pavement of and within the ſame.

Truſtees may remit Rates on account of Poverty.

XXXVI. Provided alſo, and be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Seven or more of them, and they are hereby empowered, upon the Complaint or Requeſt of any Perſon or Perſons, ſubject to the Payment of any Rate or Rates, Aſſeſſment or Aſſeſſments to be made by virtue of this Act, who ſhall think himſelf, herſelf, or themſelves aggrieved thereby, or incompetent to pay the ſame, to mitigate, reduce, or leſſen the ſame, as they in their Diſcretion ſhall think juſt and reaſonable; and alſo to remit or excuſe the Payment thereof on account of the Poverty or Indigence of any Perſon or Perſons liable to pay the ſame, ſo complaining or requeſting the Remiſſion or Reduction of ſuch Rates or Aſſeſſments.

Better Recovery of Rates on ſmall Houſes let at ſmall Rents, or to weekly or monthly Lodgers.

XXXVII. And whereas divers Houſes, Tenements, and Hereditaments within the ſaid Pariſh, are let at ſmall Rents, or to weekly or monthly Tenants, or entirely let out in Lodgings or ſeparate Apartments, or let ready furniſhed, and the Collection of the Rates to be made by virtue of this Act, from the Occupiers of ſuch Houſes, Tenements, or Hereditaments is

is attended with much Difficulty, and has frequently been evaded, ſo that much Loſs on that Account has been ſuſtained by the ſaid Pariſh; for Remedy whereof be it enacted, That where the yearly Rent or Value of any ſuch Houſe, Tenement, or Hereditament, ſhall not exceed Fifteen Pounds, or where the Houſes, Tenements, or Hereditaments ſhall be let to weekly or monthly Tenants, or at Rents which ſhall become payable, and to be collected at any ſhorter Periods than Quarterly, it ſhall be lawful for the ſaid Truſtees to be appointed by virtue of this Act, or any Seven or more of them, (if they ſhall think proper) to compound with the Landlord or Landlords, Owner or Owners of all and every or any Houſe or Houſes, Tenement or Tenements, and Hereditaments in the ſaid Pariſh, for Payment of the ſaid Rate or Rates, Aſſeſſment or Aſſeſſments to be made by virtue of this Act, at ſuch reduced yearly Rental as the ſaid Truſtees ſhall think reaſonable, ſo that ſuch Houſes, Tenements, or Hereditaments be not rated at leſs than One-Half, or more than Four-fifth Parts of the Rack Rent at which the ſame ſhall then be let, or of the annual Value of the ſaid Premiſes reſpectively; and the Landlord or Landlords, Owner or Owners of ſuch Houſes, Tenements, or Hereditaments, as ſhall not exceed the yearly Rent of Fifteen Pounds, and of ſuch as ſhall be let to weekly or monthly Tenants, or from whence the Rents ſhall become due and be collected at any ſhorter Periods than Quarterly, is and are hereby enabled and required to enter into ſuch Compoſition with the ſaid Truſtees; and in caſe ſuch Landlord or Landlords, Owner or Owners, ſhall not enter into ſuch Compoſition, on Notice ſo to be given by the Clerk or Clerks to the ſaid Truſtees for the Time being, ſuch Landlord or Landlords, Owner and Owners, ſhall from thenceforth be deemed and taken to be the Occupier or Occupiers of ſuch Premiſes, and ſhall thereupon from Time to Time pay, or cauſe to be paid, the ſeveral Rates or Aſſeſſments charged upon the reſpective Premiſes by virtue of this Act, unto the Perſons appointed by the ſaid Truſtees to collect the ſaid Rates, and who is and are hereby authoriſed and empowered to receive and collect the ſame, and upon Non-payment thereof to levy the ſame by Diſtreſs and Sale of the Goods and Chattels of the Landlord or Landlords, Owner or Owners of the reſpective Premiſes aforeſaid, whereſoever they ſhall be found, or of the Perſon or Perſons inhabiting the ſame reſpectively, in like Manner as any Rate or Aſſeſſment may be raiſed, levied, and collected by virtue of this Act: Provided always, that no ſuch Landlord or Owner ſhall be charged with, or liable to pay for any increaſed Rent reſerved or made payable to him for or on account of ſuch Landlord or Owner having agreed to pay the ſeveral Rates or Aſſeſſments heretofore chargeable upon the Occupier, and where any Houſe, Tenement, or Hereditament ſhall be let out in Lodgings or ſeparate Apartments, or ready furniſhed, the Landlord or Landlords, Owner or Owners of all ſuch Premiſes, ſhall be deemed and taken to be the Occupiers thereof, and ſhall pay the Rates or Aſſeſſments in reſpect of all ſuch Houſes, Tenements, and Hereditaments to be made purſuant to the Directions of this Act.

Rates, if collected from Tenants, to be repaid by Landlords to Tenants.

XXXVIII. And be it further enacted, That the Goods and Chattels of each and every Perſon renting and occupying any ſeparate Part or Apartment of or in any Houſe or Building, and the Goods and Chattels in every Houſe and Building let ready furniſhed, though not aſſeſſed under or by virtue of this Act, ſhall after ſuch Summons as is herein-after directed to be given, be liable to be diſtrained and ſold by virtue of a Warrant under the

the Hand and Seal of One of His Majeſty's Juſtices of the Peace for the County of *Middleſex*, (which Warrant every Juſtice of the Peace is hereby directed to iſſue) for Payment of the ſaid Rates or Aſſeſſments, which accrued or became due during the Term of his, her, or their Occupancy only, and all reaſonable Coſts and Charges, and Expences attending thereupon; but no ſuch Occupier or Occupiers ſhall at any Time be required to pay, or be ſubject or liable to pay any greater Sum for or towards the Diſcharge of the ſaid Rates or Aſſeſſments, or any of them, than the Amount of the Rent actually due and payable by ſuch Occupier or Occupiers to the Landlord or Landlords, Owner or Owners of the Premiſes ſo occupied by him, her, or them; and that each and every Perſon who ſhall pay any ſuch Rates or Aſſeſſments as ought to have been paid by his, her, or their Landlord or Landlords, or upon whoſe Goods or Chattels the ſame ſhall be levied in purſuance of this Act, ſhall and may deduct the ſame from and out of the Rent due and payable, or to become due and payable to his, her, or their Landlord or Landlords ſo letting out the ſame, unleſs there ſhall be ſome Agreement to the contrary between the Landlord and Tenant, and the Receipt and Receipts for ſuch Payments ſhall be a ſufficient Diſcharge to every ſuch Perſon for ſo much Money as he, ſhe, or they ſhall have ſo paid, or which ſhall have been ſo levied on his, her, or their Goods and Chattels, in purſuance of this Act; and ſhall be allowed by ſuch Landlord or Landlords of ſuch Houſe or Buildings, in part or full Payment, as the Caſe may be, for the Rent due or to become due to him, her, or them from ſuch Perſon or Perſons as aforeſaid: Provided always, that no ſuch Tenant or Occupier of any Part or ſeparate Apartments of or in any Houſe or Buildings, ſhall by the Payment of ſuch Rates or Aſſeſſments in Manner aforeſaid, be deemed to acquire any Settlement in the ſaid Pariſh by ſuch Payment; but that the Landlord or Owner ſhall be deemed and conſtrued to all Intents and Purpoſes, to have paid the ſame, any Law, Statute, or Uſage to the contrary notwithſtanding.

Agreements between Landlords and Tenants not to be impeached.

XXXIX. Provided always, and be it further enacted, That nothing in this Act contained ſhall be conſtrued, deemed, or taken to impeach, alter, or make void any Agreement made between Landlord and Tenant, in any Leaſe now granted or hereafter to be granted, purſuant to any Contract or Agreement now exiſting, any Thing in this Act contained to the contrary thereof notwithſtanding.

Clerk and Collectors to inſpect Land Tax Aſſeſſments.

XL. And be it further enacted, That it ſhall be lawful for any Clerk or Clerks to the Veſtrymen of the ſaid Pariſh, or any other Perſon or Perſons to be appointed by the ſaid Veſtrymen or Truſtees for that Purpoſe, from Time to Time, at all convenient Times to inſpect the Book or Books of Aſſeſſments, or Rates of the Land Tax or Aſſeſſed Taxes, for the better aſcertaining the Rates and Aſſeſſments to be raiſed and levied by virtue of this Act; and to take Copies thereof, if neceſſary, at the Expence of the ſaid Veſtrymen or Truſtees of the ſaid Pariſh; and the Clerk or Clerks, Collector or Collectors for the Time being, to the Commiſſioners of the Land Tax, or of the Aſſeſſed Taxes, acting from Time to Time for the Diviſion wherein the ſaid Pariſh is ſituate, ſhall and are hereby directed and required to permit ſuch Clerk or Clerks, Perſon or Perſons ſo appointed, at all reaſonable Times to inſpect the ſaid Books, and to take Extracts from them, or to make Copies of the ſame, paying the Sum of Five Shillings for every ſuch Inſpection.

XLI. And,

How Rates to be levied.

XLI. And, for the better and more effectually raiſing and levying the ſeveral Rates and Aſſeſſments by this Act directed to be made, from Time to Time, be it further enacted, That in caſe any Landlord or Occupier, or any Owner or Owners, Proprietor or Proprietors, Leſſee or Leſſees of any Land, Ground, Dwelling Houſe, Shop, Warehouſe, Coach Houſe, Stable, Cellar, Vault, Building, Tenement, or Hereditaments within the ſaid Pariſh, ſhall refuſe or neglect to pay the Money rated and aſſeſſed upon him, her, or them reſpectively, or which he or they may be liable to pay by virtue of this Act; and all Arrears due thereon, or upon any former Rate or Rates, it ſhall be lawful for any One or more of His Majeſty's Juſtices of the Peace for the County of *Middleſex*, and he or they is and are hereby authoriſed and directed, by Writing under his or their Hand or Hands, on Complaint made by the Truſtees of the ſaid Pariſh, or any one or more of them, to ſummon all and every Perſon and Perſons, who ſhall have refuſed or neglected as aforeſaid, (upon Oath being made before ſuch Juſtice or Juſtices, by any Perſon appointed by the Truſtees to collect and receive ſuch Rates and Aſſeſſments, of his or their having attended upon, or at the Dwelling Houſe or laſt uſual Place of Abode of all and every Perſon and Perſons thereby intended to be ſummoned, or who are or ſhall be liable to the Payment of the ſaid Rate or Rates, and having there demanded the Rate or Rates, Aſſeſſment or Aſſeſſments, and of the Neglect or Refuſal of ſuch Perſon or Perſons to pay the ſaid Rate or Rates) to appear before ſuch Juſtice or Juſtices at a Time and Place to be mentioned in ſuch Summons; and it ſhall be lawful for ſuch Perſons appointed to collect as aforeſaid, or for any of the Conſtables, Headboroughs, or Beadles of the ſaid Pariſh, to ſerve all and every ſuch Summons and Summonſes upon all and every Perſon and Perſons ſo neglecting or refuſing to pay as aforeſaid, either by delivering the ſame to the Perſon or Perſons thereby intended to be ſummoned, or leaving the ſame at his, her, or their laſt or uſual Place or Places of Abode, or at or on the Premiſes for which the Rate or Rates, Aſſeſſment or Aſſeſſments mentioned in ſuch Summons, ſhall remain due and owing; and if any Perſon or Perſons ſo ſummoned, ſhall refuſe or neglect to attend at the Time and Place mentioned in ſuch Summons; or if he, ſhe, or they ſhall attend, and ſhall not ſhew good and ſufficient Cauſe to ſuch Juſtice or Juſtices, that he, ſhe, or they is or are not chargeable with ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, then and in every ſuch Caſe, every ſuch Perſon or Perſons ſhall pay the Rate or Rates in reſpect of which ſuch Summons was iſſued, and the reaſonable Coſts and Charges of ſuch Summons; and in all Caſes where ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, or any of them, ſhall not be paid, upon the Return of ſuch Summons, it ſhall be lawful for the Juſtice or Juſtices who ſhall have directed ſuch Summons and Summonſes to be iſſued as aforeſaid, and he and they is or are hereby authorized and required, upon Oath made before him or them, of the due Service of ſuch Summons or Summonſes, by the Perſon who ſhall have ſerved the ſame, to grant a Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, authorizing or directing the ſaid Beadle or Beadles, or Perſons appointed to collect as aforeſaid, or any Conſtable, Headborough, or Beadle of the ſaid Pariſh, to collect or levy ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, and all Arrears thereof, and all the Coſts and Charges of the Summons, (if the ſame ſhall not have been paid before) and the Coſts, Charges, and Expences of the ſaid Warrant, and of executing the ſame, by Diſtreſs of the Goods and Chattels of the Party

or Parties ſo neglecting or refuſing, which ſhall be found either within the ſaid Pariſh or elſewhere; and if within Five Days next after any Diſtreſs ſhall be made, the ſaid Rate or Rates, Aſſeſſment or Aſſeſſments, with all Arrears due thereon, ſhall not be paid, together with all the reaſonable Charges of the ſaid Summons or Summonſes, Warrant or Warrants, and of making ſuch Diſtreſs and keeping ſuch Goods and Chattels, the ſaid Perſon or Perſons appointed to collect as aforeſaid, Conſtable or Conſtables, Headborough or Headboroughs, Beadle or Beadles, ſhall cauſe the ſaid Goods to be appraiſed by one or more Appraiſer or Appraiſers, and to be ſold, or ſuch Part or Parts thereof as ſhall be ſufficient to pay the ſaid Rate or Rates, Aſſeſſment or Aſſeſſments, together with all Arrears due thereon, and the Coſts, Charges, and Expences of the ſaid Summons, Warrant, Diſtreſs, Removal, or keeping Poſſeſſion of ſuch Goods and Chattels ſo diſtrained, and the reaſonable Coſts, Charges, and Expences of appraiſing and ſelling the ſame, returning the Overplus, (if any) to the Owner or Owners of ſuch Goods and Chattels reſpectively, upon Demand thereof made by him or them.

Form of Warrant of Diſtreſs.

XLII. And be it further enacted, That every Warrant of Diſtreſs for Non-payment of any Rate or Aſſeſſment to be made by virtue of this Act, ſhall be in the Words or to the Effect following:

*Middleſex* } ‘ To the Collectors of the Rates for lighting, cleanſing, and
*to wit.* } ‘ watching, (or as the Caſe may be) the Pariſh of *Saint Luke*,
‘ in the County of *Middleſex*, and to all Conſtables, Headboroughs, Beadles,
‘ and Peace Officers for the ſame Pariſh:

‘ Whereas the undermentioned Perſons, now or late Inhabitants, Houſe-
‘ holders, Landlords, Tenants, Occupiers, or Enjoyers of Meſſuages,
‘ Lands, Houſes, Shops, Warehouſes, Coach Houſes, Stables, Cellars,
‘ Vaults, or other Buildings, Tenements, or Hereditaments, or Part of
‘ ſome Building or Tenement within the ſaid Pariſh of *Saint Luke*, were
‘ and are rated and aſſeſſed, or liable to the Rate or Rates duly made
‘ under and by virtue of a certain Act paſſed in the Fiftieth Year of the
‘ Reign of King *George* the Third, intituled, [*ſet forth the Title of the*
‘ *Act*]; and whereas the ſaid Perſons have refuſed or neglected to pay the
‘ ſeveral Sums of Money at and againſt their Names herein-after re-
‘ ſpectively ſet down, for Money due from them, for or towards the
‘ Purpoſes in the ſaid Act mentioned, and the ſaid ſeveral Sum and Sums
‘ are ſtill remaining due, in Arrear and unpaid, as appeareth upon Oath
‘ to me, [*or* to us] one [*or* Two] of His Majeſty's Juſtices of the Peace
‘ for the ſaid County; and the ſaid ſeveral Perſons having been ſum-
‘ moned to appear before me, [*or* us] to anſwer the Premiſes, as alſo ap-
‘ peareth to me [*or* us] the ſaid Juſtice [*or* Juſtices], upon Oath, and
‘ they nor either of them having ſhewn any ſufficient Cauſe why ſuch
‘ Sum or Sums of Money ſhould not be paid, theſe are, therefore, in His
‘ Majeſty's Name to will and require you, or either of you, forthwith to
‘ levy the ſaid ſeveral Sums due from the ſaid Perſons, and hereunder
‘ joined to or ſet againſt their Names reſpectively, by Diſtreſs and Sale of
‘ their reſpective Goods and Chattels, (ſuch Goods and Chattels being kept
‘ for the Space of Five Days before the ſame are ſold) rendering to them
‘ reſpectively the Overplus, (if any) the reaſonable Charges of ſuch Diſ-
‘ treſs, Sale, and Keeping being firſt deducted; and if no ſufficient Diſtreſs

' can be had or taken, that then you certify the ſame to us, to the End ' ſuch further Proceedings may be had therein, as to the Law doth ap- ' pertain; and I [*or*, we], do hereby ſtrictly charge and command all ' and ſingular the Conſtables, Headboroughs, and other His Majeſty's ' Peace Officers for the ſaid County, to be aiding and aſſiſting in all ' Things relating to the Premiſes. Given under my Hand and Seal [*or* ' our Hands and Seals] this Day of ' in the Year of our Lord

| | £. | s. | d. |
|---|---|---|---|
| ' *A. B.* . . . . . | | | |
| ' *C. D.* . . . . . | | | |
| ' *E. F.* the Landlord for divided Premiſes . . . | | | |
| ' *G. H.* . . . . . | | | |

May bring Actions for Rates.

XLIII. Provided always, and be it further enacted, That it ſhall be lawful for the ſaid Truſtees, (if they ſhall think it more expedient) in the Name or Names of the Treaſurer or Treaſurers, Clerk or Clerks for the Time being, or of any of their Collector or Collectors, to bring or cauſe to be brought any Action or Actions of Debt, or Special Action on the Caſe, in any of His Majeſty's Courts of Record at *Weſtminſter*, or to proceed in any Court of Requeſts or other Court whatever in the County of *Middleſex*, for the Recovery of Debts under Five Pounds, for all or any of the Rates or Aſſeſſments to be made by virtue of this Act, and all Arrears of Rates or Aſſeſſments made by virtue of the ſaid recited Acts; in which Action or Actions it ſhall be ſufficient for the Plaintiff or Complainant to declare or alledge, that the Defendant is indebted to him the Plaintiff or Complainant in ſuch Sum of Money as the Plaintiff or Complainant ſhall ſuppoſe to be due; and if the Plaintiff or Complainant ſhall recover ſuch Sum ſo declared for, or any Part thereof, he ſhall have full Coſts, to be levied or recovered; in which Action or Actions, no Eſſoign, Protection, or Wager of Law, or more than one Imparlance ſhall be allowed.

Recovery of Rates from Perſons removing.

XLIV. And whereas it may happen, that many Perſons liable to and who may be rated and aſſeſſed to the Rates or Aſſeſſments to be made by virtue of this Act, may, before the Payment of the Sum or Sums which may be rated on them reſpectively, quit and leave their Meſſuages, Tenements, Houſes, Lands, Grounds, Shops, Warehouſes, Coach Houſes, Stables, Cellars, Vaults, Buildings, Tenements, or Hereditaments, and remove out of the ſaid Pariſh; be it therefore further enacted, That in caſe any Perſon or Perſons who hath or have been ſo rated and aſſeſſed, ſhall quit his, her, or their Meſſuages, Tenements, Grounds, Houſes, Shops, Warehouſes, Coach Houſes, Stables, Cellars, Vaults, Buildings, Tenements, or Hereditaments, before he, ſhe, or they ſhall have paid ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, and ſhall afterwards refuſe to pay the ſame when demanded by the Perſons authorized and appointed to collect and receive the ſame as herein mentioned, then and in every ſuch Caſe it ſhall be lawful for ſuch Perſon or Perſons, or any one of them, (Oath being made by him or them that he or they hath or have Cauſe to ſuſpect that ſuch Perſon or Perſons hath or have removed his, her, or their Goods and Chattels) by Warrant under the Hand and Seal or Hands and Seals of any One or more of His Majeſty's Juſtices of the Peace for the ſaid County of *Middleſex*, (which Warrant ſuch Juſtice or Juſtices is or are hereby authorized and empowered to grant), and in caſe ſuch Perſon or Perſons

ſhall

ſhall have removed into any other County, City, or Place, ſuch Warrant being firſt backed and counterſigned by ſome Magiſtrate of the County, City, or Liberty to which ſuch Perſons ſhall have removed, (which Warrant every ſuch Magiſtrate is hereby empowered to back or counterſign) to diſtrain the Goods and Chattels of ſuch Perſon or Perſons ſo refuſing or neglecting to pay the ſaid Rates or Aſſeſſments, or any of them, in any County, City, or Place to which ſuch Perſons ſhall have removed, in the ſame Manner as if the ſame had continued in the ſaid Pariſh of *Saint Luke* in the County of *Middleſex*, and to ſell the ſame, rendering the Overplus, (if any) after having deducted the reaſonable Coſts, Charges, and Expences attending ſuch Warrant, Proceedings, Diſtreſs, and Sale, upon Demand to the Owner or Owners of ſuch Goods and Chattels reſpectively.

Penalty on Conſtables, &c. not aſſiſting.

XLV. And be it further enacted, That in all Caſes where a Diſtreſs is authorized to be made by this Act, if any Conſtable or Headborough of the Pariſh or Place where the ſame is to be made, upon being called upon by any Collector or Collectors, or any other Perſon, (who ſhall have obtained ſuch Warrant of Diſtreſs) ſhall refuſe or neglect to aid and aſſiſt in making ſuch Diſtreſs and Sale, ſuch Conſtable or Headborough ſhall, for every ſuch Offence, forfeit and pay the Sum of Forty Shillings.

For apportioning Rates.

XLVI. And be it further enacted, That in caſe any Perſon or Perſons now or hereafter renting or occupying any Meſſuage, Tenement, Land, Ground, or other Hereditaments within the ſaid Pariſh, ſhall remove out of, or from, or quit the Poſſeſſion of any ſuch Meſſuage, Tenement, Land, Ground, or Hereditament, within the ſaid Pariſh, before any Rate or Aſſeſſment charged thereon by virtue of this Act, ſhall be paid and diſcharged, or if any Perſon ſhall enter into the Occupation of any ſuch Meſſuage, Tenement, Land, Ground, or Hereditament, out of or from which any other Perſon ſhall have ſo removed, before ſuch Rate or Aſſeſſment ſhall have been paid and diſcharged, or which at the Time of rating or aſſeſſing the ſame, ſhall be empty or unoccupied, then and in every ſuch Caſe, the Perſon ſo removing out of, or from, or quitting the Poſſeſſion of, and the Perſon entering into the Poſſeſſion or Occupation of any ſuch Meſſuage, Tenement, Land, Ground, or Hereditament, ſhall be reſpectively liable to the Payment of every ſuch Rate or Aſſeſſment, in proportion to the Time that ſuch Perſon or Perſons poſſeſſed or occupied the ſame reſpectively, in like Manner as if the Perſon ſo removing or quitting as aforeſaid had remained in the Poſſeſſion or Occupation of ſuch Meſſuage, Tenement, Land, Ground, or Hereditament, or the Perſon ſo entering into the Occupation thereof had been originally rated or aſſeſſed in ſuch Rate or Aſſeſſment, which Proportion (in caſe of Diſpute) ſhall be aſcertained by the Truſtees to be appointed by virtue of this Act, at any of their Meetings to be held purſuant to this Act.

Officers acting under the former Acts to account.

XLVII. And be it further enacted, That all and every Treaſurer, Collector, Clerk, and Agent, and all and every other Perſon and Perſons appointed by virtue of or acting, or who have acted in Execution of the ſaid Two ſeveral recited Acts made in the Eleventh Year of the Reign of His preſent Majeſty, and in the Thirty-third Year of the Reign of His preſent Majeſty, or either of them, who ſhall have in his, her, or their

Cuſtody or Power any Monies collected by virtue of, or any Books, Papers, or Writings relating to the Execution of the ſaid Two ſeveral recited Acts, or either of them, and all other Property and Effects in his, her, or their Cuſtody or Power, belonging to the Commiſſioners or Truſtees under the ſaid Two ſeveral recited Acts, ſhall when thereunto required, by Notice in Writing ſigned by any Five or more of the ſaid Truſtees or Veſtrymen of the ſaid Pariſh aſſembled at a General Meeting or Veſtry, purſuant to the Direction of ſuch General Meeting or Veſtry given to him, her, or them, or left at his, her, or their then, or laſt, or uſual Place or Places of Abode, within Seven Days after the Service of ſuch Notice, deliver up to the ſaid Truſtees or Veſtrymen, or to any Perſon or Perſons appointed by them for that Purpoſe, at the Time and Place to be mentioned in ſuch Notice, all the Monies received by him, her, or them by virtue of the ſaid Two ſeveral recited Acts or either of them; and all the Books, Papers, and Writings relating to the Execution thereof, and all the Accounts of the ſeveral Monies received or diſburſed by him, her, or them, together with the Vouchers relating thereto; and if any ſuch Treaſurer, Collector, Clerk, Agent, or other Perſon ſhall refuſe or wilfully neglect to make and render any ſuch Account, or to produce and deliver up the Vouchers relating thereto, or to make Payment as aforeſaid, or ſhall refuſe or wilfully neglect to deliver up in Manner aforeſaid, all Books, Papers, and Writings relating to the Execution of the ſaid Two ſeveral recited Acts, or either of them, or to give Satisfaction to the ſaid Truſtees or Veſtrymen in reſpect of the ſame, then and in every ſuch Caſe it ſhall and may be lawful to and for any Juſtice of the Peace for the County of *Middleſex*, upon Complaint made to him by the ſaid Truſtees or Veſtrymen, or by ſuch Perſon or Perſons as they ſhall appoint for that Purpoſe, and he is hereby authorized and required to iſſue a Warrant under his Hand and Seal, for the Treaſurer, Collector, Clerk, Agent, or other Perſons ſo refuſing or neglecting to appear before him, and upon his, her, or their appearing, or having been ſummoned and not appearing, or not being to be found after due Endeavour uſed for that Purpoſe, to hear and determine the Matter in a ſummary Way; and if upon the Confeſſion of the Party, or by the Teſtimony of any credible Witneſs or Witneſſes upon Oath (which Oath ſuch Juſtice is hereby empowered to adminiſter) it ſhall appear to ſuch Juſtice that any of the Monies that ſhall have been collected or received by virtue of the ſaid Two ſeveral recited Acts, or either of them, ſhall be due from ſuch Treaſurer, Collector, Clerk, Agent, or other Perſons, ſuch Juſtice may, and he is hereby authorized and required, upon Non-payment thereof, by Warrant under his Hand and Seal, to cauſe ſuch Money to be raiſed by Diſtreſs and Sale of the Goods and Chattels of ſuch Treaſurer, Collector, Clerk, Agent, or other Perſon as aforeſaid; and if no Goods and Chattels of ſuch Treaſurer, Collector, Clerk, Agent, or other Perſon can be found ſufficient to anſwer and ſatisfy the ſaid Money, and the Charges of diſtraining and ſelling ſuch Goods and Chattels; or if it ſhall appear to ſuch Juſtice that ſuch Treaſurer, Collector, Clerk, Agent, or other Perſon ſhall have refuſed or neglected to render and give ſuch Account, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of the ſaid Two ſeveral recited Acts, or either of them, had been in the Cuſtody or Power of ſuch Treaſurer, Collector, Clerk, Agent, or other Perſon, and he, ſhe, or they ſhall have refuſed or neglected to deliver up or give Satisfaction reſpecting the ſame as aforeſaid,

aforeſaid, then and in each and every ſuch Caſe, ſuch Juſtice ſhall commit ſuch Offender to the Common Gaol or Houſe of Correction of the ſaid County, for any Time not exceeding Three Calendar Months, there to remain without Bail or Mainprize, or until he, ſhe, or they ſhall give and make a true and perfect Account, and make Payment as aforeſaid, or until he, ſhe, or they ſhall have compounded with the ſaid Truſtees or Veſtrymen, and ſhall have paid ſuch Compoſition in ſuch Manner as they ſhall appoint, which Compoſition the ſaid Truſtees and Veſtrymen are hereby reſpectively empowered to make and receive; and until he or ſhe ſhall deliver up all ſuch Books, Papers, or Writings, or give Satisfaction in reſpect thereof to the ſaid Truſtees or Veſtrymen, or to the Perſons appointed by them reſpectively to receive the ſame: Provided always, that no Treaſurer, Collector, Clerk, or Agent, or other Perſon committed for Want of ſufficient Diſtreſs, ſhall be detained or kept in Priſon by virtue of ſuch Warrant for any longer Space of Time than Three Calendar Months.

For appointing a Treaſurer.

XLVIII. And be it further enacted, That the ſaid Truſtees, or any Seven or more of them, preſent at a Monthly or General Meeting, ſhall and may, from Time to Time appoint One or more Treaſurer or Treaſurers for receiving all the Monies to be raiſed and collected in purſuance and for the ſeveral Purpoſes of this Act, and from Time to Time, as they ſhall think neceſſary, ſhall and may remove ſuch Treaſurer or Treaſurers, and appoint ſuch other Perſon or Perſons in his or their Stead, as they the ſaid Truſtees, or any Seven or more of them, preſent at a Monthly or General Meeting, ſhall think proper; and ſuch Treaſurer and Treaſurers is and are hereby directed to keep diſtinct Accounts of the Monies by him or them received and paid for the different Purpoſes of this Act; and from Time to Time pay and diſcharge all ſuch Sums of Money as the ſaid Truſtees, or any Three or more of them, at any Meeting held by virtue of this Act, ſhall draw upon him for, or order him to pay, and to account once or oftener in each and every Year, and at any and every other Time and Times when thereunto required by the ſaid Truſtees, or any Three or more of them, for all the Monies by him or them received and paid, purſuant to the Directions of this Act, and to pay all ſuch Monies as upon the Balances of the ſaid Accounts reſpectively ſhall appear to be remaining in his or their Hands, to ſuch Perſon or Perſons as the ſaid Truſtees, or any Seven or more of them, ſhall by any Writing under their Hands authorize to receive the ſame, to be applied to and for the ſeveral Uſes and Purpoſes for which the ſame was collected, raiſed, recovered, or levied; and in Default of rendering and making ſuch Accounts and Payments as aforeſaid, ſuch Treaſurer or Treaſurers ſhall, upon Conviction, be liable to ſuch Penalties and Puniſhments as are by this Act impoſed, or directed to be impoſed on the Perſon or Perſons appointed to collect the Rates or Aſſeſſments to be made by virtue of this Act, and other Officers neglecting or refuſing to account at the Times and in the Manner directed by this Act.

Treaſurer to give Security.

XLIX. And be it further enacted, That the ſaid Truſtees ſhall and are hereby required to take ſuch good and ſufficient Security from ſuch Treaſurer or Treaſurers, as they the ſaid Truſtees, or any Seven or more of them preſent at a General or Monthly Meeting, ſhall approve.

For appointing Officers.

L. And be it further enacted, That the ſaid Truſtees, or any Seven or more of them, ſhall at their Firſt Meeting to be held in purſuance of this Act, appoint a Clerk or Clerks, and may, at their Firſt or any ſubſequent Meeting, appoint Three or more Collectors or Receivers of the Rates or Aſſeſſments, and a Surveyor or Surveyors, Inſpector or Inſpectors, and ſuch other Officer or Officers for the Execution of this Act, as the ſaid Truſtees ſhall think proper, and from Time to Time remove them, or any of them, and appoint others, as they ſhall find it neceſſary or convenient, and by and out of the Monies to be raiſed by virtue of this Act may, and are hereby empowered, to appoint and pay ſuch Salaries, Gratuities, and Allowances to ſuch Clerk or Clerks, Collectors, Officers, Surveyor or Surveyors, Inſpector or Inſpectors, and all other Perſons by them the ſaid Truſtees employed in the Execution of this Act, as they ſhall think reaſonable; and the ſaid Truſtees may take Security for the due Execution of the reſpective Offices by ſuch Perſon and Perſons as aforeſaid, as the ſaid Truſtees ſhall think proper; and ſuch Perſon or Perſons as is or are hereby made liable to pay the ſeveral Rates or Sums of Money hereby authorized to be raiſed, ſhall pay the ſame to ſuch Perſon or Perſons as ſhall, from Time to Time, be ſo appointed to collect and receive the ſame, according to the true Meaning of this Act, if ſuch Perſons ſhall be ſo appointed: And all and every Collectors and Receivers of the Rates or Aſſeſſments of the ſaid Pariſh, by virtue of this Act, if ſuch Perſons ſhall be ſo appointed, and each and every of them, ſhall Weekly and every Week, and as often as ordered ſo to do by the ſaid Truſtees, or any Three or more of them, make up and render unto the ſaid Truſtees, or to their Clerk or Clerks, full, true, perfect and diſtinct Accounts in Writing of all Monies from Week to Week, and from Time to Time, ſo collected and received by them, and each and every of them reſpectively, by virtue of this Act: And that all other Officers and Perſons ſo to be appointed as aforeſaid, ſhall, under their Hands, and at ſuch Time and Times, and in ſuch Manner as the ſaid Truſtees ſhall direct, deliver to ſuch Truſtees, or to ſuch Perſon or Perſons as they ſhall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of this Act, and alſo of all the Monies which ſhall have been by ſuch Officer or Officers, and Perſon or Perſons reſpectively received, by virtue and for the Purpoſes of this Act, and how much thereof hath been paid and diſburſed, and for what Purpoſes, together with the proper and legal Receipts or Vouchers for ſuch Payments; and that the ſaid Collectors of the ſaid Rates and Aſſeſſments ſhall Weekly and every Week pay to the Treaſurer of the ſaid Truſtees for the Time being, or to ſuch Perſon or Perſons as the ſaid Truſtees ſhall appoint, all Sum or Sums of Money by each of them reſpectively collected and received during the preceding Week, or oftener if the ſaid Truſtees, or any Three or more of them ſhall ſo direct and require; and that all other Officers and Perſons ſo to be appointed as aforeſaid, ſhall, from Time to Time, pay to the Treaſurer of the ſaid Truſtees, or ſuch Perſon or Perſons as the ſaid Truſtees ſhall appoint, all Monies which may be and remain in their or any of their reſpective Hands; and that they the ſaid Collectors for the Time being, and each and every of them, if thereunto required by the ſaid Truſtees, or any Three or more of them, ſhall verify the Truth of all Accounts and Statements ſo delivered, rendered, and made by them, from Time to Time reſpectively, upon Oath, and which Oath any Juſtice of the Peace for the ſaid

County,

County, or the ſaid Truſtees, or any Three or more of them is and are hereby empowered to adminiſter; and that if any Collector or other Officer or Perſon appointed as aforeſaid, ſhall not make and render, or ſhall refuſe to verify upon Oath, if thereunto required as aforeſaid, all and every ſuch Statements and Accounts, or to produce and deliver up the Receipts or Vouchers relating to the ſame, or to make Payment as aforeſaid, or ſhall not deliver to the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall appoint, within Seven Days after being thereunto required by ſuch Truſtees, all Books, Papers, and Writings, in his or their Cuſtody or Power, relating to the Execution of this Act, or ſhall refuſe or neglect to pay ſuch Monies as upon the Balance of any Account or Accounts ſhall appear to be in their reſpective Hands, to the ſaid Truſtees, or as they ſhall direct and appoint; then and in either of the Caſes aforeſaid, ſuch Truſtees may, and are hereby authorized and empowered, to bring or cauſe to be brought any Action or Actions againſt the Collector or Collectors, Officer or Officers, Perſon or Perſons, ſo neglecting or refuſing as aforeſaid, for the Recovery of the Monies that ſhall be in the Hands of ſuch Officer or Officers, Perſon or Perſons, reſpectively; or if Complaint ſhall be made by the ſaid Truſtees, or any Three or more of them, or by ſuch Perſon or Perſons as they ſhall appoint for that Purpoſe, of any ſuch Refuſal or Neglect as aforeſaid, to any Two or more of the Juſtices of the Peace for the County or Place wherein ſuch Collector or Collectors, or other Officer or Officers, Perſon or Perſons, ſo neglecting or refuſing ſhall be and reſide, ſuch Juſtices may and are hereby authorized and required, by a Warrant or Warrants under their Hands and Seals, to cauſe the Collector or Receiver, or other Officer or Officers, Perſon or Perſons, ſo refuſing or neglecting, to be brought before them, and upon his or their appearing, or not being to be found, to hear and determine the Matter in a ſummary Way; and if, upon the Confeſſion of the Party or Parties, or by the Teſtimony of any credible Witneſs or Witneſſes upon Oath, it ſhall appear to ſuch Juſtices that any of the Monies that ſhall have been collected and raiſed by virtue of this Act, ſhall be in the Hands of ſuch Collector or Collectors, or other Officer or Officers, Perſon or Perſons, ſuch Juſtices may and are hereby authorized and required, upon Non-payment thereof, by a Warrant or Warrants under their Hands and Seals, to cauſe ſuch Money to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Collector or Collectors, or other Officer or Officers, Perſon or Perſons reſpectively; and if no Goods or Chattels of ſuch Collector or Collectors, or other Officer or Officers, Perſon or Perſons, can be found ſufficient to anſwer and ſatisfy the ſaid Money, and the Charges of diſtraining and ſelling the ſame Goods and Chattels, then and in either of the Caſes aforeſaid, ſuch Juſtices ſhall commit every ſuch Offender to the Common Gaol or Houſe of Correction for the ſaid County of *Middleſex*, there to remain without Bail or Mainprize, until he ſhall give and make a true and perfect Account and Payment as aforeſaid, or until he ſhall compound with the ſaid Truſtees, and ſhall have paid ſuch Compoſition in ſuch Manner as they ſhall appoint; which Compoſition the ſaid Truſtees are hereby empowered to make; or until he ſhall deliver up ſuch Books, Papers, and Writings as aforeſaid, or give Satisfaction in reſpect thereof to the ſaid Truſtees: Provided always, that no ſuch Collector or Collectors, or other Officer or Perſon ſo committed for Want of ſufficient Diſtreſs, ſhall be detained

Officers to account.

and

and kept in Priſon by virtue of ſuch Warrant, for any longer Space of Time than Three Calendar Months.

Collectors not to retain Monies in their Hands.

LI. And be it further enacted, That in caſe any Collector or Collectors ſhall at any Time retain and have in his or their Hands any Sum or Sums of Money above the Sum of Twenty Pounds, to be collected by virtue of this Act, for the Space of Seven Days, without paying over the ſame to the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall have directed or appointed to receive the ſame, every ſuch Collector or Collectors ſhall for every ſuch Retention or Offence forfeit the Sum of Five Pounds, to be recovered by Action, in Manner directed by this Act, in any of His Majeſty's Courts of Record at *Weſtminſter*, in the Name or Names of the Clerk or Clerks to the ſaid Truſtees for the Time being; in which Action no Eſſoign, Protection, or Wager of Law, or more than One Imparlance ſhall be allowed, or in ſuch other Manner as any Fines and Penalties may by this Act be levied and recovered.

No Proſecution of any Collector to diſcharge his Securities, &c.

LII. Provided always, and be it further enacted, That no Proſecution or Commitment of any Treaſurer, Collector, Surveyor, or other Officer as aforeſaid, ſhall acquit or diſcharge any Surety or Security that ſhall or may have been taken by or given to the ſaid Truſtees, or any of them, for the due and faithful Execution of the Office of Treaſurer, Collector, Surveyor, or other Officer, or for the due and punctual Payment and Application of any Monies to be received by him or them as aforeſaid.

Officers taking any Fee or Reward beſides the Salary.

LIII. And be it further enacted, That if any Perſon who ſhall be employed as a Clerk, Treaſurer, Collector, or any other Officer or Servant, who ſhall be in any ways employed by the ſaid Veſtrymen or Truſtees for putting this Act, or any of the Powers thereof in Execution, ſhall exact, take, or accept any Fee or Reward whatſoever, other than ſuch Salaries, Allowances, and Rewards as ſhall be appointed, allowed, and approved of by the ſaid Veſtrymen or Truſtees, for or on account of any Thing done or to be done by virtue of this Act, or on any account whatſoever relative to putting this Act in Execution, or ſhall any ways be concerned or intereſted in any Bargain or Contract made or to be made by the ſaid Truſtees for the Purpoſes of putting this Act in Execution, every ſuch Perſon ſo offending, ſhall be incapable of ever ſerving or being employed under this Act, and ſhall over and above forfeit the Sum of Fifty Pounds, to any Perſon or Perſons who ſhall ſue for the ſame, by Action of Debt, Bill, Plaint, or Information, in any of His Majeſty's Courts of Record at *Weſtminſter*, within Six Calendar Months after the Offence committed; in which ſaid Suit no Eſſoign, Protection, or Wager of Law, nor more than One Imparlance ſhall be allowed.

Inſpectors of Weights and Meaſures to be appointed.

LIV. And be it further enacted, That it may be lawful to and for the ſaid Truſtees, if they ſhall from Time to Time think proper, at the Firſt or at any Adjourned Meeting to be held in purſuance of this Act, and at any Annual Meeting to be held in purſuance hereof in every ſucceeding Year, to make a Liſt in Writing of Forty-eight Houſeholders, reſiding within the ſaid Pariſh, whom they the ſaid Truſtees ſhall think fitly qualified for ſerving the Office of Inſpectors of Balances, Weights, and Meaſures, and ſuch Truſtees ſhall direct and order their Clerk or Clerks

to iſſue written or printed Summonſes, ſigned by the ſaid Clerk or Clerks, requiring ſuch Inhabitants, being Houſeholders, to be and appear before the ſaid Truſtees, at the Time and Place in ſuch Summonſes to be mentioned: And ſuch Truſtees ſhall and may nominate and appoint ſo many as they ſhall think proper, not exceeding the Number of Twenty-four in the ſaid Pariſh of *Saint Luke, Middleſex*; and that the ſeveral Perſons ſo nominated and appointed ſhall be and be called *Inſpectors of Balances, Weights, and Meaſures, within the Pariſh of Saint Luke, in the County of Middleſex*, and ſhall take an Oath to the Effect following; (which Oath the Chairman for the Time being, or any Juſtice or Juſtices for the ſaid County then preſent, is and are hereby empowered to adminiſter:)

Oath.

'I *A. B.* do ſwear, that during the Time of my Continuance in the Office whereunto I am now appointed, I will diligently from Time to Time inſpect the Balances, Weights, and Meaſures, in the ſeveral Houſes, Shops, Warehouſes, and other Places in the ſaid Pariſh, and that I will not amerce nor preſent any Perſon or Thing through Hatred or Malice, nor leave the ſame unrepreſented through Love, Favour, Affection, Reward, or Hope thereof. So help me GOD.'

Penalty on Perſons refuſing to ſerve as Inſpectors.

LV. Provided always, and be it further enacted by the Authority aforeſaid, That in caſe any Perſon who ſhall be ſummoned as aforeſaid, to take upon him the ſaid Office of Inſpector of Balances, Weights, and Meaſures, ſhall neglect or refuſe to appear according to the Direction of ſuch Summons, or appearing ſhall refuſe to take upon him the ſaid Office (being thereunto appointed), every Perſon ſo offending ſhall forfeit and pay the Sum of Ten Pounds for ſuch Refuſal or Neglect.

Perſons above Sixty not to ſerve.

LVI. And be it further enacted by the Authority aforeſaid, That no Perſon within the ſaid Pariſh ſhall be liable to or be compelled to ſerve the ſaid Office of an Inſpector, who is of the Age of Sixty Years or upwards, any Thing in this Act contained to the contrary thereof in anywiſe notwithſtanding.

Inſpectors not to ſerve twice in Ten Years.

LVII. Provided always, and be it further enacted by the Authority aforeſaid, That no Perſon who ſhall be appointed, and ſhall ſerve the ſaid Office of an Inſpector, within the ſaid Pariſh, or ſhall pay the Fine hereby impoſed for neglecting or refuſing to ſerve the Office of Inſpector for the ſaid Pariſh, ſhall be again ſummoned and appointed to ſerve the ſaid Office, in leſs than Ten Years after the End of ſuch former Service, or the Time of the Payment of ſuch Fine.

Inſpectors to inſpect into Weights, &c.

LVIII. And, in order to enable the ſaid Inſpectors effectually to prevent the dealing by or with unlawful Balances, Weights, or Meaſures within the ſaid Pariſh of *Saint Luke*, be it enacted by the Authority aforeſaid, That the ſaid Inſpectors ſhall be, and they are hereby authorized and empowered, and ſtrictly required, once in every Six Calendar Months at leaſt, at ſeaſonable Times in the Day Time, not being leſs than Eight in Number, to enter into all and every Shop, Houſe, Warehouſe, Inn, or Victualling Houſe within the ſaid Pariſh of *Saint Luke*, or into any other Houſe or Houſes belonging to any Perſon or Perſons who deal by Weight or Meaſure by Retail; and if the ſaid Inſpectors ſhall find any Balance, Weight, or Meaſure to be defective, and which ſhall not weigh ſuch Weight, and contain ſuch Quantity as it ought to weigh and con-

tain, according to the Directions of any Acts heretofore made, or which may be hereafter made for the Regulation of any Weights or Meaſures, it ſhall and may be lawful to and for the ſaid Inſpectors, and they are hereby directed and required, to break and deſtroy the ſame, and to amerce the Owner or Owners thereof, or ſuch Perſon or Perſons in whoſe Cuſtody or Poſſeſſion the ſame ſhall be found, the Sum of Ten Shillings for the firſt Offence; the Sum of Twenty Shillings for the Second Offence; and the Sum of Forty Shillings for the Third and every other Offence; and that ſuch Inſpectors ſhall, within Seven Days, report all their Proceedings in Writing, to the Clerk or Clerks to the ſaid Truſtees, for the Information of the ſaid Truſtees; and it ſhall and may be lawful to and for the ſaid Truſtees, and they are hereby required, within One Calendar Month next after ſuch Perſon or Perſons is, are, or ſhall be convicted of ſuch Second and every ſubſequent Offence, to cauſe his, her, or their Name or Names, Place or Places of Abode, and Addition or Additions, together with the Nature of his, her, or their Offence, to be inſerted in any Newſpaper printed and circulated in the County of *Middleſex*; and the Proprietor or Proprietors, Printer and Printers, or any other Perſon or Perſons concerned therein, are hereby authorized and required to print the ſame, within Seven Days next after he, ſhe, or they is or are required ſo to do, by or by Order of the ſaid Truſtees, and he, ſhe, or they is and are hereby indemnified from any Proſecution or Proſecutions for inſerting, or cauſing the ſame to be inſerted in ſuch Newſpaper, by and from any Perſon or Perſons whomſoever; any Law, Statute, or Uſage to the contrary thereof in anywiſe notwithſtanding.

Inſpectors may weigh Bread.

LIX. And be it further enacted, That it ſhall and may be lawful to and for ſuch Inſpectors, at ſeaſonable Times in the Day Time, to enter into any Houſe, Shop, Stall, Bakehouſe, Warehouſe, or Outhouſe, or other Place of or belonging to any Baker or Seller of Bread within the ſaid Pariſh, and to ſearch, view, weigh, examine, and try all or any Bread which ſhall be there found, and which ſhall have been baked within Twenty-four Hours next preceding the Time of the ſame being ſo weighed, and which Bread may be weighed by the Baſket, or in any larger or ſmaller Quantity, as may be found moſt convenient; and if on the weighing of ſuch Bread any Deficiency ſhall be found in its due Weight, on the average of the whole Weight of all ſuch Bread as ſhall be then and there found, and which ſhall have been baked within Twenty-four Hours as aforeſaid, then and in every or any of the ſaid Caſes, ſuch Inſpectors are hereby empowered and required by the Authority of this Act, to ſeize every ſuch Loaf or Loaves, and to carry and convey, or cauſe to be carried and conveyed the ſame before ſome Juſtice or Juſtices of the Peace for the ſaid County of *Middleſex*; and every ſuch Juſtice or Juſtices is and are hereby authorized and required to proceed to make Enquiries touching the Matters complained of, and ſhall acquit or convict the Party or Parties accuſed, according to the Directions of any Act or Acts that now is, or are or ſhall hereafter be made or inforced, for the due making of Bread, and to regulate the Price and Aſſize thereof; or to or for ſuch and the ſame Purpoſes; and ſhall upon Conviction adjudge and order to be levied upon ſuch Offender or Offenders, for every ſuch Offence, ſuch Fines, Penalties, and Forfeitures, by ſuch Ways and Means, and the ſame to be applied in ſuch Manner as the ſame are or ſhall be by ſuch Act or Acts directed to be levied and applied.

LX. And

Standard of Weights, etc. to be kept at the public Charge.

LX. And be it further enacted by the Authority aforesaid, That there shall be provided and kept in the Vestry Room of the said Parish, or in the Workhouse of the said Parish, or in such other Place as the said Trustees shall from Time to Time appoint, a common Balance and common Weights and Measures, sealed according to the Standard of the Exchequer, not to be removed from the before-mentioned Places; and a Duplicate or Duplicates thereof to be used by the said Inspectors in the Execution of their Duty; which said Balances, Weights, and Measures shall be from Time to Time paid for out of any of the Monies in the Hands of the said Treasurer or Treasurers to the said Trustees for the Time being.

Inspectors to receive Gratuities as Trustees may direct.

LXI. And be it further enacted, That it shall and may be lawful for the better Execution of the said Act, the said Trustees may, and they are hereby empowered to pay to such Inspectors such Gratuities and Allowances, as they shall think reasonable for their Trouble and Exertions, as the Trustees of the said Parish may from Time to Time direct and appoint; and to the Intent that the good Purposes intended by this Act may not be defeated, be it further enacted, That if any Inspector shall in any Manner neglect or refuse to execute the Duty of his Office, it shall and may be lawful to and for the said Trustees, upon Complaint to them made of any such Neglect or Refusal, to fine such Inspector for every such Offence or Neglect any Sum not exceeding Forty Shillings.

Penalty on obstructing Inspectors.

LXII. And be it further enacted, That if any Person or Persons shall wilfully obstruct, hinder, resist, or in anywise oppose such Inspectors in the Execution of any of the Powers granted to them by this Act, he, she, or they who shall so offend, shall for every such Offence, on being duly convicted on Oath before any One or more Justices of the Peace for the said County of *Middlesex*, forfeit and pay any Sum not exceeding Ten Pounds, as the Justice or Justices before whom any such Offender shall be convicted, shall from Time to Time adjudge.

Vestry to nominate Constables and Headboroughs.

LXIII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for all the Vestrymen of the said Parish, as well as those entitled to act by virtue of this Act, and they are hereby required, at some Meeting to be held in the Months of *September* or *October* in every Year, to make a List in Writing of Twelve Persons, being Householders in the said Parish, whom such Vestrymen shall think qualified to be nominated Constables of the said Parish for the ensuing Year, and also to make a List in Writing of Forty-eight Persons being Householders of the said Parish, whom such Vestrymen shall think qualified to be Headboroughs for the ensuing Year, Two of the Persons so nominated as Constables, and Eight of the Persons so nominated as Headboroughs, being selected out of each of the Liberties of the Parish respectively; and the Names of the Persons so nominated to serve as Constables and Headboroughs, shall be entered in the Book of the Proceedings of the said Vestrymen, and which Persons so nominated to be Constables and Headboroughs being resident in the Liberties of *East Finsbury*, *West Finsbury*, *White Cross Street*, and *Golden Lane*, shall be summoned by the Vestry Clerk or Clerks of the said Parish to attend before the Steward for the Manor of *Finsbury*, within the said Parish, at the Time and Place to be mentioned in such Summonses, to be sworn into the said Offices of Constables and Headboroughs for the said Parish, at the Annual Court Leet to be held for the

ſaid Manor; and the ſaid Steward of the ſaid Manor for the Time being, ſhall ſelect out of the Perſons ſo ſummoned to attend before him, one of the Perſons reſident in each of the ſaid Four Liberties to be a Conſtable, and Four of the Perſons reſident in each of the ſaid Four Liberties to be Headboroughs; and ſhall adminiſter an Oath to each of the ſaid Perſons ſo ſelected by him, well and faithfully to ſerve the ſaid Offices reſpectively for One Year, and until another Perſon ſhall be ſworn in his Place and Stead; and the Perſons ſo nominated by the ſaid Veſtrymen to be Conſtables and Headboroughs, being reſident in the Liberties of *Old Street* and the *City Road*, ſhall be ſummoned by the ſaid Veſtry Clerk or Clerks of the ſaid Pariſh to attend before One of His Majeſty's Juſtices of the Peace for the County of *Middleſex*, at the Time and Place to be mentioned in ſuch Summonſes, to be by him the ſaid Juſtice ſelected and ſworn into Office as Conſtables or Headboroughs reſpectively, in the ſame Manner as the Perſons ſummoned before the Steward of the Manor of *Finſbury* are before directed to be ſelected and ſworn into Office by him the ſaid Steward; and in caſe any Perſon ſo nominated and ſummoned, ſhall refuſe or neglect to appear before ſuch Steward or Juſtice reſpectively for the Purpoſes aforeſaid; and in caſe any Perſon ſo ſummoned and attending, ſhall refuſe or neglect to be ſworn duly to diſcharge the ſaid Offices of Conſtable and Headborough reſpectively, in Manner and for the Time aforeſaid; every ſuch Perſon ſo neglecting or refuſing, ſhall forfeit and pay the Sum of Ten Pounds for ſuch Neglect or Refuſal; and in caſe ſo many Perſons in each or any of the Liberties of the ſaid Pariſh, ſhall refuſe or neglect to be ſworn in as aforeſaid, as ſhall thereby prevent One Conſtable and Four Headboroughs at the leaſt from being ſworn in for each of ſuch Liberties; or in caſe any ſuch Conſtables or Headboroughs, or any Subſtitutes ſerving for either of them as herein-after provided, ſhall die or remove out of the ſaid Pariſh, or become incapable of ſerving the ſaid Offices, it ſhall and may be lawful to and for the ſaid Veſtrymen of the ſaid Pariſh, at another Meeting to be therefore convened, to nominate and appoint another Perſon or Perſons to ſerve as Conſtables or Headboroughs for the Remainder of the Term for which the Perſon or Perſons ſo neglecting or refuſing to be ſworn in, or ſo dying, removing, or becoming incapable, ought to have ſerved ſuch Offices reſpectively; and that the Perſon or Perſons ſo then nominated and appointed, ſhall be ſummoned by the ſaid Veſtry Clerk or Clerks before One of His Majeſty's Juſtices of the Peace for the County of *Middleſex*, to be ſworn in the ſame Manner, and ſhall be ſubject to the ſame Penalty and Forfeiture for Neglect or Refuſal to attend and to be ſworn purſuant to ſuch Summons, as is herein-before impoſed upon Perſons ſo refuſing or neglecting who ſhall be nominated at the Annual Nomination of Conſtables and Headboroughs to be made in purſuance of this Act.

Perſons above Sixty not to ſerve the Office of Conſtable or Headborough.

LXIV. And be it further enacted, That no Perſon within the ſaid Pariſh ſhall be liable or compelled to ſerve the Office of Conſtable or Headborough, in or for the ſaid Pariſh, who is of the Age of Sixty Years or upwards, any Thing in this Act contained to the contrary thereof in anywiſe notwithſtanding.

Allowing Subſtitutes.

LXV. Provided always, That it ſhall and may be lawful for any Perſon appointed to be a Conſtable or Headborough as aforeſaid, to appoint a Perſon to be his Subſtitute to ſerve in his Room or Stead, ſuch Perſon being

being an Houſeholder within the ſaid Pariſh, and firſt approved by the ſaid Truſtees, or their Clerk or Clerks, and being afterwards ſworn by the Steward of the ſaid Manor of *Finſbury*, or a Juſtice of the Peace acting for the ſaid County, well and faithfully to ſerve in and to diſcharge the Duties of ſuch Office.

Power of lighting and watching veſted in Truſtees, who may put up Lamps, erect Watch Houſes, Boxes, &c.

LXVI. And be it further enacted, That the ſaid Truſtees ſhall and may order Lamps with proper Furniture and Burners to be ſet up, and cauſe the ſame, as well as ſuch Lamps as have been ſet up under the Authority of the ſaid former Acts, or any of them, to be uſed for better lighting the open Places, Squares, Streets, Lanes, Alleys, Paſſages, and Courts within and throughout the ſaid Pariſh; and ſuch preſent or any new Lamps to diſplace or remove, from Time to Time, as they ſhall ſee Occaſion, and either make uſe of the preſent Watch Houſes in the ſaid Pariſh, or cauſe ſome other Place or Places within the ſaid Pariſh to be erected, built, and ſet up or made for the Reception of the Watchmen to be appointed by the Authority of this Act; and may cauſe to be ſet up or made ſuch and ſo many proper and convenient Boxes or Stands for ſuch Watchmen, at ſuch Places within the ſaid Pariſh as they ſhall think proper; and alſo may cauſe Lamp Poſts or Lamp Irons to be ſet up or affixed againſt the Walls of any Houſes, or againſt any other Walls or Tenements within the ſaid Pariſh, or upon or againſt the Rails before the Area of any Houſe therein, or in ſuch other Place or Manner as they ſhall think fit; and may employ ſuch Number of Patroles, Watchmen and Beadles, and other Officers, as they ſhall judge neceſſary within the ſaid Pariſh, and nominate and appoint ſuch honeſt and able-bodied Men to that Service as they ſhall think well qualified for the ſame; and arm, clothe, and pay ſuch Patroles and Watchmen, and make and give all ſuch Orders and Regulations relative to ſuch Lamps, Watch Houſes, Watch Boxes, Stands, Lamp Irons, Patroles, Watchmen and Beadles, and other Officers, as they ſhall think uſeful or convenient; and ſhall alſo order and direct what Number and which of the Conſtables and Headboroughs of the ſaid Pariſh ſhall attend to do Duty every Night, and their ſeveral Stations: Provided that the Conſtables, Headboroughs, Watchmen, and Officers of the ſaid Pariſh, appointed by the Truſtees under the ſaid former Act, ſhall be continued in Office until removed by the Truſtees under this Acts, and ſhall be deemed, for all the Purpoſes of this Act, to have had their Appointment under the Authority of the ſame, and ſhall be ſubject to all the Proviſions thereof.

and may appoint Watchmen, &c.

Watchmen and Beadles in Office to continue till removed by the Truſtees.

Materials veſted in Truſtees,

LXVII. And be it further enacted, That the Property of and in all ſuch Lamps, Lamp Poſts, Lamp Irons, and Furniture, Watch Houſes, Watch Boxes, Stands, or Places for the Reception of Watchmen, and Pumps, as have been ſet up, fixed or made by the Truſtees under any former Act, or may be ſet up, fixed, or made under the Authority of this Act, and all the Materials and other Things uſed or to be uſed in and about the ſame, and all the Arms, Accoutrements, and Utenſils, which have been allowed or furniſhed under the ſaid Two ſeveral recited Acts, or either of them, or ſhall be allowed and furniſhed to Watchmen under this Act, and all the Goods and Chattels, and other Materials and Things whatſoever, which the Truſtees under the ſaid Two ſeveral recited Acts, or either of them, have purchaſed for the Purpoſes thereof, or which the Truſtees ſhall purchaſe for the Purpoſes of this Act, ſhall be and the ſame are hereby veſted in the Truſtees hereby appointed, with Power to diſpoſe thereof, or make

who may sue or profecute in the Name or Names of their Clerk or Clerks.

uſe of the ſame for the Purpoſes of this Act; and the ſaid Truſtees are hereby authorized and empowered to prefer, or order and direct the preferring any Bill or Bills of Indictment againſt any Perſon or Perſons who ſhall ſteal, carry away, damage, or deſtroy the ſame reſpectively, in which Bill or Bills of Indictment ſuch Property, and all other Property by this Act declared to be veſted in the ſaid Truſtees, ſhall be laid to be the Property of the Truſtees for lighting, watching, cleanſing, and paving the Pariſh of *Saint Luke*, in the County of *Middleſex*.

Perſons wilfully deſtroying or extinguiſhing Lamps, damaging Watch Boxes, &c.

LXVIII. And be it further enacted, That if any Perſon or Perſons ſhall wilfully or maliciouſly break, pull down, deſtroy, or otherwiſe injure, damage or ſpoil any Lamp, Lamp Poſt or Lamp Iron, or any Burner or Furniture thereof, that hath been ſet up under the ſaid former Act, or ſhall be ſet up under the Authority of this Act, or wilfully extinguiſh the Light or Lights in any of ſuch Lamps, or ſhall wilfully or maliciouſly pull down, demoliſh, or damage any of ſuch Watch Houſes, Watch Boxes, Stands, or Places for Reception of Watchmen, already ſet up or hereafter to be ſet up as aforeſaid, it ſhall be lawful for any Perſon or Perſons whomſoever, who ſhall ſee any of ſuch Offences committed, to ſeize, alſo for any other Perſon or Perſons to aſſiſt in ſeizing the Offender or Offenders, and he and they is and are hereby required ſo to do by the Authority of this Act, without any other Warrant to convey and deliver him, her, or them into the Cuſtody of a Peace Officer, in order to be ſecured and conveyed before ſome Juſtice of the Peace for the ſaid County; and alſo for the ſaid Truſtees or any Perſon appointed by them to complain of any ſuch Perſon or Perſons to any ſuch Juſtice, who ſhall iſſue his Warrant for the Apprehenſion of ſuch Perſon or Perſons; and on his, her, or their Apprehenſion, ſuch Juſtice ſhall proceed to examine upon Oath any Witneſs or Witneſſes touching any ſuch Offences; and if the Party or Parties accuſed ſhall be convicted, either by his, her, or their Confeſſion, or upon the Information or Evidence of any ſuch Witneſs or Witneſſes aforeſaid, he, ſhe, or they ſo convicted ſhall forfeit any Sum not exceeding the Sum of Forty Shillings for each Lamp, Lamp Poſt, and Lamp Iron, or the Furniture thereof, ſo taken away, broken, thrown down, or damaged, and for every Lamp the Light wherein ſhall have been extinguiſhed, and for every Watch Houſe, Watch Box, Stand, or Place ſo pulled down, demoliſhed, or damaged as aforeſaid; and moreover ſhall make full Satisfaction for any Damage done by him, her, or them as aforeſaid, ſuch Satisfaction to be awarded and levied as herein-after is mentioned with regard to Damage done by Careleſſneſs or Accident.

May be ſeized and taken before a Magiſtrate.

Juſtices of the Peace may award Satisfaction for Damages done to Lamps, careleſsly or accidentally.

LXIX. And be it further enacted, That if any Perſon or Perſons ſhall careleſsly or accidentally break, throw down or damage any Lamp or Lamps already or hereafter to be ſet up as aforeſaid, or the Iron or other Furniture thereof, and ſhall not immediately upon Demand make Satisfaction for the Damage done, it ſhall be lawful for any Juſtice of the Peace for the ſaid County, upon Complaint to him made by one or more credible Witneſs or Witneſſes, to ſummon before him the Party or Parties who ſhall be complained of for doing ſuch Damage as aforeſaid, and upon hearing the Allegations and Proofs on both Sides, or Non-appearance of the Party or Parties ſo complained of, to award ſuch Money by way of Satisfaction to the Truſtees under this Act, or the Perſons injured, for ſuch Damage, as ſuch Juſtice ſhall think reaſonable; and in caſe of Neglect or

Refusal to pay any Money so awarded, to cause the same to be levied as other Fines, Penalties, and Forfeitures are by this Act directed to be levied.

Constables to attend to do Duty in turn every Night.

LXX. And be it further enacted, That the Constables and Headboroughs for the said Parish for the Time being, shall attend every Night by Turn, and shall keep Watch and Ward within the said Parish for such respective Times, and in such Manner as shall be from Time to Time appointed by the said Trustees, and shall in the several Turns and Hours of Watching use their best Endeavours to prevent Mischief happening by Fire, and all Murders, Burglaries, Felonies, Riots, and all other Disorders and Breaches of the Peace; and to that End shall, and they are hereby impowered and required to arrest, apprehend, and detain all Malefactors, Rogues, Vagabonds, and other disorderly Persons and Disturbers of the Peace, who shall be found wandering or misbehaving themselves, and shall carry them, as soon as conveniently may be, before One or more Justice or Justices of the Peace for the said County, to be examined and dealt with according to Law; and which said Constables, or Headboroughs, shall Twice or oftener, at convenient Times in every Night, go about their respective Districts, and take Notice whether all the Patroles and Watchmen perform their Duties in their several Stations, according to such Orders and Regulations, which shall be made for that Purpose as aforesaid; and if any Watchman shall misbehave himself, or neglect his Duty, the said Constables and Headboroughs shall, as soon as conveniently may be, give Notice thereof to the Clerk or Clerks to the said Trustees for the Time being, who is and are hereby authorised to suspend every such Patrole and Watchman from the Execution of his Office, and appoint another Person to officiate therein, until the next Meeting of the said Trustees, when the said Clerk or Clerks shall acquaint the Trustees assembled at such Meeting, with the Complaint against such Watchman, in order for the said Trustees to proceed to the Examination of the Offence; and such Patrole and Watchman shall forfeit any Sum not exceeding Forty Shillings, for each Neglect and Misbehaviour, and shall and may be discharged from the Execution of his Office if the said Trustees shall think proper; and Copies of all Orders and Regulations which shall from Time to Time be made for the better Direction and Government of such Constables, Headboroughs, Beadles, Patroles and Watchmen, shall be signed by the Clerk or Clerks for the Time being, and delivered to the Constables and Headboroughs of the said Parish, and shall be affixed in every Watch-house in the said Parish.

Misbehaviour of Watchmen is to be reported to the Trustees.

Watchman's Duty, and Power in the Absence of the Constable, &c.

LXXI. And be it further enacted, That it shall be lawful for any Patroles, Watchmen and Beadles, or other Officer appointed by the said Trustees, in the Absence of the Constable or Headborough, and they are hereby respectively required, in their several Stations, during the Time of their keeping Watch and Ward, to apprehend all Malefactors, Rogues, Vagabonds, and other disorderly Persons disturbing the Public Peace, and to deliver the Person or Persons so apprehended, as soon as conveniently may be, to the Constable or Headborough, who is hereby required, as soon as conveniently may be, to convey him, her, or them, before some Justice of the Peace for the said County, to be examined and dealt with according to Law.

LXXII. And

Watchmen not attending Beadle may appoint a Substitute, who shall be considered as a regular appointed Watchman for the Night.

LXXII. And be it further enacted, That when and as often as any Patrole or Watchman appointed or to be appointed under the Authority of this Act, shall make Default in appearing at the Watch House, or other Place fixed for that Purpose, at such Hour as shall be from Time to Time appointed by the said Trustees, for the Meeting of the said Patroles and Watchmen, before they shall proceed to their respective Stands or Stations, or when so attending, shall be or appear to be unfit for Duty, then and so often it shall be lawful for the Beadle or Beadles, or any other Officers appointed by the Authority of this Act, who shall be present at such Watch House or Place as aforesaid for the above Purpose, to procure and appoint one other fit and able Person, who shall be willing to undertake such Service, to patrole and watch in the Stead of every such Patrole and Watchman who shall so make Default in appearing as aforesaid; and every such Person so appointed, and undertaking such Service, shall be deemed to be, and shall be for such respective Nights, a Patrole and Watchman appointed in pursuance of this Act, and shall be vested with the several Powers and Authorities hereby given to Patroles and Watchmen, and shall incur and forfeit the same Pains and Penalties for Misbehaviour or Neglect of Duty, as if such Persons had been regularly appointed Patroles and Watchmen under this Act.

Penalty on Victuallers harbouring Watchmen while on Duty.

LXXIII. And be it further enacted, That if any Victualler or Keeper of any Public House, Wine Vaults, or Liquor Shop, shall knowingly harbour or entertain, or suffer to remain in his or her Public House or Premises thereto belonging, any such Patrole or Watchman as aforesaid, during any Part of the Time appointed for his being on Duty, every such Victualler or Keeper shall, on Conviction, forfeit and pay for the first Offence any Sum not exceeding Forty Shillings, and for the Second and every other Offence of the same Kind, a Sum not exceeding Three Pounds.

Penalty on Constables, Headboroughs, and Beadles, for Neglect of Duty.

LXXIV. And be it further enacted, That if any of the said Constables, Headboroughs, Beadles or other Officers shall wilfully neglect in his or their Turn to keep Watch and Ward, and shall not come to keep Watch and Ward in Manner or during the Times which shall be appointed by the said Trustees for his or their Attendance therein, or shall depart from or leave keeping Watch and Ward during the respective Hours appointed by the said Trustees for keeping the same, or shall not go about their respective Districts, and take Notice whether all the Watchmen perform their Duties, or shall otherwise neglect his or their Duty, or misbehave himself or themselves, in each and every of the said Cases the Person or Persons so offending, shall respectively forfeit and pay any Sum not exceeding Three Pounds for every such Offence.

Power to reward Watchmen disabled.

LXXV. And be it further enacted, That it shall be lawful for the said Trustees to give such Rewards in Money, or otherwise, to the Constables, Headboroughs, Beadles, Officers, Patroles or Watchmen respectively to be appointed as aforesaid, who may be disabled or wounded in the Execution of their Offices, as they the said Trustees shall think reasonable, such Money to be paid out of the Monies to be raised for the Purposes of this Act.

Trustees may contribute towards the

LXXVI. And be it further enacted, That for the better Protection of the Lives, Habitations and Property of the Inhabitants of the said Parish, it

it shall and may be lawful to and for the said Trustees to be appointed by virtue of this Act, by and out of the Rates or Assessments to be made for the lighting, cleansing and watching the said Parish, to offer and pay to any Person or Persons any Sum or Sums of Money which they may think proper, and under such Regulations and Restrictions as they shall from Time to Time deem expedient, as Rewards for the Discovery and Apprehension of any Person or Persons who may at any Time or Times hereafter commit any Murders, Burglaries, Highway Robberies, Felonies, or indictable Misdemeanors; or set up any Common or Public Nuisances within the said Parish, over and above any Rewards directed to be paid by any Act or Acts of Parliament; and also to pay any Sum or Sums of Money they may think proper, to any Person or Persons whomsoever, for and towards the Expences of prosecuting any such Person or Persons who shall at any Time or Times hereafter commit, or shall or may be suspected, on such Evidence as the said Trustees shall think reasonable and sufficient, to have committed any such Offence or Offences, or to have or set up any such Common or Public Nuisances as aforesaid within the said Parish.

Apprehension and Prosecution of any Persons committing any Offences within the Parish.

LXXVII. And be it further enacted, That it shall and may be lawful to and for the said Trustees, to pave and keep in Repair, or cause to be paved and kept in Repair, from Time to Time, or to enter into any Contract for paving and keeping in Repair, all or any Part or Parts of the said Squares, Streets, Lanes, Courts, Yards, Alleys, Passages and Places, whether Foot or Carriage Way, within the said Parish, which have been comprized in or paved under the said before-recited Act, passed in the Eleventh Year of the Reign of His present Majesty, and for such Purposes may cause to be dug, carted, and carried out of or brought into the same, or any of them, or any Part or Parts thereof, such Gravel, Stones, and other Materials as they shall judge necessary, and may likewise cause the Ground thereof to be raised or lowered in such Manner as they shall think proper; and may cause all or any Posts or Rails in such Streets or Places within the said Parish as they shall judge useless, to be taken up and removed; and likewise all Steps, Bulks, Stalls, Dungholes, Saw Pits, Shew Glasses and Shew Boards, encroaching upon the Foot Way, as also all Steps and Doors opening or leading from the Foot Way or Carriage Way into Vaults, Cellars, or other Places, to be removed, filled up, or altered, as they the said Trustees shall judge necessary.

Trustees may pave, &c.

LXXVIII. And be it further enacted, That the Property of the Pavement already paved, or which shall hereafter be paved in the Streets, Lanes, and other Public Places within the said Parish of *Saint Luke*, authorized to be paved under and by virtue of the said recited Act of the Eleventh Year of the Reign of His present Majesty, and all Pavements which are now, or which may be hereafter paved and repaired under this Act in any other Part of the said Parish, and all Materials, Implements and Things which shall be then laid down, or may be purchased, provided, or made use of for the Purposes of this Act, shall be and the same are hereby vested in the Trustees to be appointed under and by virtue of this Act for the Time being.

Property of Pavement and Materials vested in the Trustee.

LXXIX. Provided always, and it is hereby enacted, That it shall and may be lawful to and for the said Trustees to order all or any of the said Materials to be made use of in paving or repairing any Street, Square, Lane,

Old Materials may be made use of, &c.

Lane, Court, Yard, Alley, Paſſage or Place within the ſaid Pariſh; and the ſaid Truſtees may from Time to Time hire a Piece of Ground whereon to lay, and diſpoſe of all or any of the ſaid Materials as aforeſaid, for and until ſuch Time as they ſhall have Occaſion or judge it neceſſary to uſe the ſame, any Thing in this Act contained to the contrary thereof in anywiſe notwithſtanding.

Truſtees may ſell old Pavements.

LXXX. And be it further enacted, That the ſaid Truſtees, or any Seven or more of them, ſhall have full Power and Authority from Time to Time to ſell and diſpoſe of all or any Part of the old Pavements or other Materials to ſuch Perſon or Perſons as ſhall be willing to purchaſe the ſame, and to apply the Purchaſe Money for the Purpoſes of this Act.

Truſtees empowered to ſurvey, &c. and to give Orders to repair Pavement, and to pave any Part of the Pariſh.

LXXXI. And be it further enacted, That the Truſtees under this Act are hereby empowered, from Time to Time and at all Times hereafter, to inſpect and ſurvey all ſuch Parts of the ſaid Pariſh of *Saint Luke* as are not compriſed in and have not been paved by virtue of or under the ſaid Act of the Eleventh Year of the Reign of His preſent Majeſty, and which has or has not been already paved, and thereupon in caſe it ſhall appear to the ſaid Truſtees, or any Perſon by them appointed, that ſuch Parts being now paved are not in ſufficient Repair, it ſhall and may be lawful to and for the ſaid Truſtees to iſſue the neceſſary Orders and Notices to the Inhabitants, Owners and Proprietors, and Occupiers of all Meſſuages, Houſes, Lands, and other Tenements adjoining to ſuch Parts of the ſaid Pariſh as are already paved, to pave or repair (as the Caſe may require) the Pavement abutting on the Premiſes held by the Occupiers or belonging to the Perſon to whom ſuch Notice ſhall be given, and in caſe ſuch Occupier or Perſon do not within Ten Days after ſuch Notice, comply therewith, to the Satisfaction of the ſaid Truſtees, or of their Surveyor or Surveyors, it ſhall and may be lawful to and for the ſaid Truſtees to direct ſuch Pavement to be paved or repaired by the Pavior or Paviors to the ſaid Truſtees, or by ſuch Perſon or Perſons as they may from Time to Time appoint for that Purpoſe; and the Expences of ſuch Repair ſhall be paid by ſuch Occupier or other Perſon to the Surveyor of the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall appoint to receive the ſame; and in caſe of Nonpayment thereof on Demand, the Occupier or Perſon to whom ſuch Notice ſhall be given, ſhall forfeit and pay Double the Amount of ſuch Expences, for every ſuch Refuſal or Neglect; but in caſe the ſaid Truſtees ſhall think it will be more expedient that the Places already paved and being out of Repair, (except the preſent Foot Pavements in *Providence Row*, and in the *City Road* in the ſaid Pariſh,) or that other Parts of the ſaid Pariſh being thentofore unpaved, ſhould be thenceforth paved and repaired by them the ſaid Truſtees, that then and in ſuch Caſe it ſhall and may be lawful for the ſaid Truſtees to pave or repair the ſame (as the Exigency of the Caſe may require), and thereupon that ſuch Parts or Places to be paved or repaired, ſhall thenceforth be deemed Places to be paved under the general Proviſions of this Act, and ſhall be rated and aſſeſſed accordingly, and all Proviſions in this Act contained, relating to the paving or repairing thoſe Parts of the Pariſh already compriſed in and paved under the ſaid Act of the Eleventh Year of His preſent Majeſty, ſhall apply and extend to all ſuch other Parts of the ſaid Pariſh which may be paved or repaired under and by virtue of this Act.

LXXXII. And

Power to employ Workmen, &c.

LXXXII. And be it further enacted, That the ſaid Truſtees, or any Three or more of them, ſhall alſo have full Power and Authority to cauſe to be dug, carted, and carried out of or brought into any Streets, Rows, Lanes, Alleys, and Yards, or other Places as aforeſaid, ſuch Gravel, Stones, and other Materials, and to employ ſuch Artificers, Workmen, Labourers, Carters and others, and to iſſue ſuch Money on thoſe Accounts, and to do all and every ſuch other Acts and Things, as the ſaid Truſtees, or any Seven or more of them ſhall judge neceſſary, or conducive to the accompliſhing the Ends and Deſigns of this Act.

Courſe of Channels may be altered.

LXXXIII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Three or more of them, or for their Surveyor or Surveyors, from Time to Time to direct and cauſe the Courſe of any Gutter or Channel running in or through the ſaid Streets, Rows, Lanes, Alleys, or Places, or any of them, to be turned or altered in ſuch Manner as they ſhall think proper, and to direct the Grates already placed, or hereafter to be placed over any Sewers, to be removed and replaced, in ſuch Manner and at ſuch Place and Places as they ſhall think proper, ſo as the ſame be not prejudicial to the public Sewers; and the ſame ſhall from Time to Time be done at the Expence of the ſaid Truſtees, and paid for out of the Monies ariſing by virtue of this Act; any Law, Uſage or Cuſtom o the contrary notwithſtanding.
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Power to raiſe or lower Pipes.

LXXXIV. And be it further enacted, That if for the Purpoſes of this Act, it ſhall at any Time be found neceſſary to raiſe, ſink, or otherwiſe alter the Poſition of any of the Pipes or Plugs laid down or placed by the New River Company, or any other Water Companies, or of any of the Leaden or other Pipes which ſhall be laid into or from any of the ſaid Company's Pipes, which the ſaid Truſtees, or any Three or more them are hereby empowered to cauſe to be done, as often and in ſuch Places as they ſhall think proper, the ſame ſhall be paid for out of the Monies ariſing by virtue of this Act, and ſhall be done with as little Detriment or Inconvenience to the ſaid Companies and other Perſons as the Circumſtances of the Caſe will admit of.

Penalty on altering the Form of Streets, &c. erecting Bulks, placing out Shew Boards, &c.

LXXXV. And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons ſhall alter or cauſe to be altered, the Form of any of the ſaid Squares, Streets, Lanes, Courts, Yards, Alleys, Paſſages or Places hereby directed to be paved or kept in Repair by the ſaid Truſtees, or the Manner of the Pavement thereof, or in anywiſe encroach thereon, upon Pain that every Perſon ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Three Pounds for every ſuch Offence, over and above the Expences of relaying and reinſtating ſuch Pavements, according to the Direction of ſuch Truſtees.

Commiſſioners of Sewers to make and repair Grates.

LXXXVI. And be it further enacted, That when and ſo often as there ſhall be Occaſion to make any new, or to repair any Grate or Grates now being over any Sewer or Sewers belonging to the Commiſſioners of Sewers, within whoſe Juriſdiction the ſaid Pariſh is ſituate, in the ſaid Streets, Rows, Lanes, Alleys or Places, or any of them, the ſame ſhall be made new and repaired by and at the Expence of the ſaid Commiſſioners of Sewers; and the ſame, when ſo made new or repaired, ſhall be laid down

in such Manner as shall be directed by the Surveyor to the Trustees for putting this Act in Execution.

Commissioners of Sewers to repair, empty, and cleanse old Drains.

LXXXVII. And be it further enacted, That when and so often as any Sewer or Drain which is or shall be under the Direction of the Commissioners of Sewers, situate in or communicating with the said Streets, Rows, Lanes, Alleys or Places, or any of them, shall require to be repaired, cleansed or emptied, the said Commissioners of Sewers shall from Time to Time repair, cleanse and empty the same.

New Sewers and Grates may be made by the Trustees, and afterwards cleansed and repaired by Commissioners of Sewers.

LXXXVIII. And be it further enacted, That it shall and may be lawful to and for the said Trustees appointed by this Act, or any Seven or more of them, if they shall think it necessary, to make or cause to be made any new public Sewer or Sewers, or public Drain or Drains, to communicate with the said Streets, Rows, Lanes, Alleys and Places, or any of them, and also any new Grate or Grates over such Sewer or Sewers, Drain or Drains, and to cause the same to be placed in such Manner as the Commissioners of Sewers within whose Jurisdiction the said Parish is situate, shall think proper, and the Expences attending the making such new Sewer or Sewers, Drain or Drains, Grate or Grates, shall be borne and paid by the said Trustees out of the Monies arising by this Act; and the same when made and completed, shall be under the Care, Management and Direction of the Commissioners of Sewers in like Manner as the other Sewers now are; and the said Commissioners of Sewers shall cause such Sewer or Sewers, Drain or Drains, to be from Time to Time for ever after repaired, cleansed or emptied, and such Grate or Grates to be from Time to Time made new or repaired, as Occasion shall require.

If Commissioners of Sewers do not perform Works to be done by them, Trustees may do them, and the Expences shall be paid by the former.

LXXXIX. And be it further enacted, That when and so often as it shall be necessary for the said Commissioners of Sewers to do and perform any of the several Works herein-before directed to be done by them, the Clerk or Clerks to the Trustees appointed by this Act, shall give Notice thereof in Writing to the Clerk to the Commissioners of Sewers, who shall thereupon forthwith summon the said Commissioners of Sewers to meet to take the Premises into Consideration, (which they are hereby authorized and required to do), and at the same Meeting, or at any adjourned or other Meeting, to exercise the several Powers and Authorities with which they are or shall be invested, and in case the said Commissioners of Sewers shall neglect or refuse by the Space of Ten Days after such Notice given, to cause the said Works to be done; that then it shall and may be lawful to and for the said Trustees appointed by this Act, or any Seven or more of them, to cause such Works to be done and finished, the Charges and Expences whereof shall be paid by the Trustees for putting this Act in Execution; who shall be reimbursed the same by the Clerk or Treasurer for the Time being to the said Commissioners of Sewers; and in case the said Clerk or Treasurer to the said Commissioners of Sewers shall neglect or refuse to pay what shall have been so paid and disbursed, within Ten Days next after Notice thereof for that Purpose shall be left at the Dwelling House or Place of Abode of such Clerk or Treasurer, which Notice shall be in Writing, and signed by the Clerk to the Trustees for putting this Act in Execution, and annexed to the Bill containing an Account of such Charges and Expences, it shall and may be lawful to and for the said Trustees appointed by

by this Act, or any Seven or more of them, and they are hereby authorized and empowered to bring, or cauſe to be brought, any Action or Actions in the Name of their Clerk or Clerks againſt ſuch Clerk or Treaſurer to the ſaid Commiſſioners of Sewers, for the Recovery of ſuch Sum or Sums of Money as the ſaid Truſtees for putting this Act in Execution, or any Seven or more of them, ſhall have been ſo expended for any of the Purpoſes aforeſaid, in which Action or Actions no Eſſoign, Protection or Wager of Law, or more than one Imparlance ſhall be allowed.

How the Water Pipes when broke are to be repaired.

XC. And be it further enacted, That when and ſo often as it ſhall happen that any Pipe or Pipes belonging to any Water Company ſhall break or burſt in the ſaid Streets, Rows, Lanes, Alleys or other Places, or any of them, it ſhall and may be lawful to and for the Surveyor or Surveyors to the ſaid Truſtees for the Time being, or ſuch other Perſon as the ſaid Truſtees ſhall appoint for that Purpoſe, to give immediate Notice thereof to the Pavior of the Water Company to whom he apprehends ſuch Pipe or Pipes does or do, or may belong, and require him to take up the Pavement and open the Ground at or near the Place where the Water ſhall or may iſſue, by reaſon of ſuch Pipe or Pipes breaking or burſting, within Two Days next after ſuch Notice given to ſuch Pavior, or left at his laſt or uſual Place of Abode; and if upon taking up the Pavement and opening the Ground it ſhall appear that the Pipe or Pipes ſo broke or burſt, does not or do not belong to the Water Company whoſe Pavior ſhall have taken up ſuch Pavement and opened ſuch Ground, that then and in ſuch Caſe the Surveyor or Surveyors, or other Perſon as aforeſaid, ſhall give immediate Notice to the Pavior of that Company to whom it ſhall appear that ſuch Pipe or Pipes do or doth belong, ſuch Notice to be given or left with ſuch Pavior, or at his laſt or uſual Place of Abode; and the Pavior of the Company to whom ſuch Pipe or Pipes ſhall belong, is hereby required to repair the ſame, and fill in the Ground, to the Satisfaction of the Surveyor to the ſaid Truſtees, within Two Days after ſuch Notice ſhall be given or left as aforeſaid; and alſo within Twenty-four Hours after ſuch Pipe ſhall be repaired and the Ground filled in, to give Notice to the Pavior or Paviors contracting with or employed by the ſaid Truſtees, or to the Surveyor or Surveyors, or other Perſon as aforeſaid, of ſuch Pipe or Pipes being repaired, and ſuch Ground being filled in, ſuch Notice to be given to ſuch Pavior, Surveyor, Surveyors or other Perſon, or left at his or their laſt uſual Place of Abode; and in caſe it ſhall happen that the Pavior who firſt receives Notice to take up the Pavement and open the Ground for the Purpoſe aforeſaid, ſhall take up ſuch Pavement and open ſuch Ground, and it ſhall then be diſcovered that the Pipe or Pipes which is, are, or ſhall be burſt or broke, do not belong to the Company to whom he is Pavior, that then and in ſuch Caſe, the Pavior of the Company to whom ſuch Pipe or Pipes do or doth belong, ſhall make Satisfaction to the Pavior who took up ſuch Pavement and opened ſuch Ground for ſuch Work; and in caſe the Pavior to whom ſuch Notice ſhall be ſo given to take up ſuch Pavement and open ſuch Ground, ſhall neglect or refuſe to do the ſame within Two Days after Notice given as aforeſaid, he ſhall for the firſt Offence forfeit any Sum not exceeding Twenty Shillings; for the ſecond Offence any Sum not exceeding Forty Shillings; and for the third and every ſubſequent Offence any Sum not exceeding Three Pounds; and in caſe the Pavior of the Company to whom ſuch Pipe or Pipes ſo broke or burſt ſhall belong, ſhall neglect and refuſe to repair and amend the ſame, and fill in the Ground

Ground ſo taken up, for the Space of Two Days next after ſuch Notice given, or ſhall neglect to give Notice to the Pavior or Paviors contracting with the ſaid Truſtees, or to the Surveyor or Surveyors of the ſaid Truſtees, or to ſuch other Perſons as aforeſaid, ſuch Pavior ſhall for the firſt Offence forfeit and pay any Sum not exceeding Twenty Shillings; for the ſecond Offence any Sum not exceeding Forty Shillings; and for the third and every other Offence any Sum not exceeding Three Pounds; and if the Pavior or Paviors contracting with or employed by the ſaid Truſtees, ſhall neglect or refuſe to re-lay ſuch Pavement ſo broken and taken up for the Reaſons aforeſaid, in a good, ſufficient, and effectual Manner, within Two Days after ſuch Notice given to him as aforeſaid, or if the Surveyor or Surveyors, or other Perſon to whom ſuch Notice ſhall be given, ſhall neglect to acquaint the Pavior contracting with or employed by the ſaid Truſtees of ſuch Notice, then and in every ſuch Caſe, the Perſon or Perſons ſo offending ſhall for the firſt Offence forfeit and pay any Sum not exceeding Twenty Shillings; for the ſecond Offence any Sum not exceeding Forty Shillings; and for the third and any ſubſequent Offence any Sum not exceeding Three Pounds.

Penalties on Paviors of Water Companies neglecting to give their Names and Places of Abode.

XCI. And be it further enacted, That the ſeveral and reſpective Paviors or other Perſons now appointed, or hereafter to be appointed by all the ſeveral and reſpective Water Companies, who ſhall have any Pipe or Pipes laid in, through, or under any of the ſaid Streets, Rows, Lanes, Alleys, or Places, ſhall and they are hereby required, within the Space of Seven Days next after the Firſt Meeting of the Truſtees to put this Act in Execution, or within the Space of Two Days next after he ſhall be appointed to manage and take Care of the Water Pipes belonging to ſuch Company or Companies, to give Notice in Writing to the Surveyor or Clerk to the ſaid Truſtees of his Name and Place of Abode, and to what Company he belongs; and in caſe any ſuch Perſon or Perſons ſhall neglect or refuſe to give ſuch Notice within the reſpective Times aforeſaid, every ſuch Perſon or Perſons ſo offending in either of the ſaid Caſes, ſhall for the firſt Offence forfeit and pay any Sum not exceeding Twenty Shillings; for the ſecond Offence any Sum not exceeding Forty Shillings; and for the third and any ſubſequent Offence any Sum not exceeding Three Pounds.

Pavements when taken up to be re-laid under the Inſpection of the Surveyor.

XCII. And be it further enacted, That when and ſo often as any Part of the Pavement of the ſaid Streets, Rows, Lanes, Alleys, or Places, ſhall be taken up for the Purpoſe of making, repairing, altering, cleanſing, or emptying any Sewer, Vault, or Drain, or of laying, altering, or amending any Water Pipe or Plug, or for any other Purpoſe whatſoever, the Perſon or Perſons ſo taking up ſuch Pavement ſhall immediately give Notice thereof to the Surveyor, Surveyors, or Clerk to the Truſtees for putting this Act into Execution, in order that the ſame may with all convenient Speed be laid down and repaired, and kept in Repair for Three Calendar Months then next, by the Pavior contracting with or employed by the ſaid Truſtees under the Inſpection of the ſaid Surveyor or Clerk, and the Charges and Expences thereof ſhall be paid by the ſaid Truſtees, and they ſhall be reimburſed the ſame on Demand by the Perſon or Perſons, Water Companies or Commiſſioners of Sewers, who ſhall take up, or cauſe or procure to be taken up, the ſaid Pavement, or any Part or Parts thereof.

XCIII. Provided

Truſtees may contract with Companies for relaying ſuch Pavement.

XCIII. Provided always, and be it further enacted, That it ſhall be lawful for the ſaid Truſtees for putting in Execution this Act, or any Seven or more of them, from Time to Time to compound and agree with the ſaid Water Companies and Commiſſioners of Sewers, or any of them, or any other Perſon or Perſons reſpectively, for a certain Sum of Money, by the Foot or other Meaſure as the ſaid Truſtees ſhall think reaſonable, in lieu and inſtead of reimburſing the ſaid Truſtees the Expences of laying down or repairing ſuch Pavement and Ground as ſhall be neceſſarily taken up for any of the Purpoſes aforeſaid.

Monies expended in re-laying the Pavement how to be recovered.

XCIV. And be it further enacted, That in caſe ſuch Perſon or Perſons, Companies of Waterworks, or Commiſſioners of Sewers reſpectively, ſhall neglect or refuſe to pay what the ſaid Truſtees ſhall have ſo paid and diſburſed, or what ſhall be due upon ſuch Contract or Compoſition as aforeſaid, within Two Days next after Notice thereof to be left by the Surveyor or Surveyors to be appointed by the ſaid Truſtees at the Dwelling Houſe or laſt Place of Abode of ſuch Perſon or Perſons, or of the Secretary or Secretaries, Clerk or Clerks of ſuch Water Companies, or Commiſſioners of Sewers reſpectively, which Notice ſhall be printed or written, and ſigned by the Clerk or Clerks to the Truſtees for putting this Act in Execution, by order of the ſaid Truſtees, or any Three or more of them, and annexed to the Bill containing an Account of the Expence of ſuch Repair, or Money due upon ſuch Compoſition, it ſhall and may be lawful to and for the ſaid Truſtees, or any Seven or more of them, and they are hereby authorized and empowered to bring, or cauſe to be brought, any Action or Actions in the Name of their Clerk or Clerks againſt the Secretary or Secretaries, Clerk or Clerks of ſuch Watering Companies, or Commiſſioners of Sewers, for the Recovery of ſuch Sum or Sums of Money reſpectively; and in caſe ſuch Perſon or Perſons hereby directed to give ſuch Notice to the Surveyor or Surveyors, or Clerk or Clerks to the ſaid Truſtees, as is before directed, ſhall neglect ſo to do for the Space of Twenty-four Hours after ſuch Pavement ſhall be ſo taken up, ſuch Perſon or Perſons ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds.

Contracts between Landlord and Tenant not to be affected.

XCV. Provided always, and be it further enacted, That nothing in this Act contained ſhall be deemed or taken to make void any Contract, Covenant, or Agreement between any Landlords and Tenants, touching or concerning the paving any Streets or Places within the ſaid Pariſh; but that every Perſon who is now by virtue of any ſuch Contract or Agreement obliged to pave and keep in Repair any Part of the ſaid Streets and Places, in caſe the ſame be paved or repaired by the ſaid Truſtees under this Act, ſhall in lieu thereof be obliged to pay the Rates hereby directed to be made and aſſeſſed, or ſo much thereof as ſhall by the ſaid Truſtees be deemed juſt and reaſonable, according to the true Meaning of ſuch Contract, Covenant, or Agreement, ſhall remain in force; and in caſe any Diſpute ſhall ariſe between any Landlords and Tenants concerning ſuch Contract, Covenant, or Agreement, the ſaid Truſtees ſhall have Power, and they are hereby required to hear and finally determine the ſame.

Penalty on obſtructing Surveyors.

XCVI. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall at any Time or Times from and after obſtruct, hinder, or moleſt any Surveyor or Surveyors, or other Officer or Officers, Perſon or Perſons whomſoever, who are or ſhall be employed by the ſaid

Truſtees to put this Act in Execution, in the Performance or Execution of their Duty, every Perſon or Perſons ſhall for the firſt Offence forfeit any Sum not exceeding Twenty Shillings; and for the ſecond Offence any Sum not exceeding Forty Shillings; and for the third or any ſubſequeut Offence any Sum not exceeding Three Pounds.

Penalty on driving Wheels, &c. on the Foot Pavement.

XCVII. And be it further enacted, That if any Perſon or Perſons ſhall run, drive, draw, or cauſe to be run, driven, or drawn any Coach, Waggon, Cart, Dray, or other Carriage, or any Wheel, Sledge, Truck, or Wheelbarrow, or ſhall ride, lead, place, or drive, or cauſe to be rode, led, placed, or driven any Horſe, Aſs, Mule, or other Cattle upon any Footways of the ſaid Squares, Streets, Roads, Lanes, Alleys, or public Places within the ſaid Pariſh, every ſuch Perſon or Perſons ſo offending, ſhall forfeit for every ſuch Offence any Sum not exceeding Forty Shillings.

Only Half Rate for Footways.

XCVIII. Provided always, and be it further enacted, That where any of the Foot Pavements only of any Street or Place within the ſaid Pariſh ſhall be paved or repaired by the ſaid Truſtees, by virtue of this Act, the Rate or Rates, Aſſeſſment or Aſſeſſments to be made for and in reſpect to ſuch Pavement of the Footways only, ſhall not exceed One-Half of the Rate or Rates, Aſſeſſment or Aſſeſſments herein-before directed to be made for paving or repairing the Pavement of any of the Squares, Streets, Lanes, Courts, Yards, Alleys, Paſſages, and Places within the ſaid Pariſh as aforeſaid, any Thing herein contained to the contrary notwithſtanding.

Houſes adjoining to the Streets not paved by Truſtees, how to be rated.

XCIX. And be it further enacted, That in caſe any Houſes, Warehouſes, Buildings, or other Premiſes in the ſaid Pariſh, ſhall be partly ſituate in any of the Streets, Rows, Lanes, Alleys, Yards, or other public Places which are paved or repaired by the ſaid Truſtees, and ſhall be partly ſituate in, or adjoining to, or abutting upon any Streets, Rows, Lanes, Alleys, Yards, or other public Places which are not paved or repaired by the ſaid Truſtees, that the Occupiers of ſuch Houſes, Warehouſes, Buildings, or other Premiſes which now are or hereafter ſhall be ſo ſituate, ſhall only be rated and taxed to the Rate or Aſſeſſment for paving or repairing the Pavement of the ſaid Pariſh at ſuch Sum or Sums of Money as the ſaid Truſtees or any Seven or more of them ſhall think reaſonable, not exceeding Two-Thirds of the Rate at which they would have been rated and taxed, if ſuch Houſes, Warehouſes, Buildings, or other Premiſes had ſtood wholly within the Streets, Rows, Lanes, Alleys, Yards, or other public Places within the ſaid Pariſh, paved and repaired by the ſaid Truſtees.

Public Buildings and dead Walls to be rated.

C. And foraſmuch as it is reaſonable that all Public Buildings, and all dead Walls and void Spaces of Ground ſhould be rated towards the Purpoſes of ſuch Part of this Act as relates to the paving and repairing the Pavement in the ſaid Pariſh, it is hereby further enacted, That it ſhall and may be lawful to and for the Veſtrymen or Truſtees in any Rate or Aſſeſſment to be made for paving or repairing the Pavement of and within the ſaid Pariſh, from Time to Time to rate and aſſeſs towards the ſaid Purpoſes of this Act, the Pariſh Church, Parochial and other Chapels, Meeting Houſes, Places for Religious Worſhip, Hoſpitals, Public Schools, and other Public Buildings within the ſaid Pariſh, which now is or hereafter may be built, at a Rate not exceeding One Shilling *per* Square Yard, in any

any one Year, of the Pavement paved or repaired under the Direction of the ſaid Truſtees, ſituate, lying, and being in any ſuch Square, Street, or Place, and adjoining to or abutting on ſuch Pariſh Church, Parochial and other Chapels, Meeting Houſes, Places for Religious Worſhip, Hoſpitals, Public Schools, and other Public Buildings reſpectively, or the Entrance to the ſame; and the ſaid Veſtrymen or Truſtees ſhall alſo at their Diſcretion rate and aſſeſs all and every the Church Yard, Cemeteries, or other Burying Places, dead Walls, and void Spaces of Ground within the ſaid Pariſh, towards the Purpoſes aforeſaid, and which are not charged in reſpect of any Dwelling Houſe or other Building, by the Pound Rate or otherwiſe, by virtue of this Act, ſo that in the whole ſuch Rate or Aſſeſſment ſhall not in any one Year exceed the Sum of One Shilling for every Square Yard of Pavement, paved or repaired under the Direction of the ſaid Truſtees, ſituate as aforeſaid, or belonging to or lying before or at the Side, or adjoining ſuch Church Yard, Cemeteries, or other Burying Places, dead Walls, and void Spaces of Ground, or the Entrance to the ſame; and the ſaid Rate or Rates, Aſſeſſment or Aſſeſſments to be made and paid for ſuch Pariſh Church, Parochial and other Chapels, Meeting Houſes, Places for Religious Worſhip, Hoſpitals, Public Schools, and other Public Buildings, Church Yard, Cemeteries, or other Burying Places, dead Walls, and void Spaces of Ground, ſhall be paid by the Churchwardens or Chapelwardens for the Time being, of ſuch Churches or Chapels, the Deacons, Miniſters, Teachers, or Preachers of ſuch Meeting Houſes for the Time being, the Stewards or Houſekeepers for the Time being of ſuch Hoſpitals, the Maſters or Miſtreſſes for the Time being of ſuch Schools, and the Perſons having the Care or Conduct for the Time being of ſuch other Public Buildings as aforeſaid, the Churchwardens, Miniſters, Owners, or Perſons renting or holding ſuch Church Yard, Cemeteries, or Burial Places, or the Perſons who for the Time being ſhall receive the Money which ſhall be paid for burying the Dead therein; and the reſpective Owner or Owners, Proprietor or Proprietors of ſuch dead Wall or void Spaces of Ground within the ſaid Pariſh, ſhall reſpectively be charged with and ſhall pay ſuch Sums of Money as ſhall from Time to Time be rated, aſſeſſed, or impoſed on the ſaid Premiſes, and which may be recovered and applied in ſuch Manner as other Rates and Aſſeſſments are directed to be recovered and applied by this Act.

For appointing Scavengers and Rakers.

CI. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Seven or more of them, to agree by Private Contract or by Public Auction, if they ſhall think fit, for any Time not exceeding One Year, with any Perſon or Perſons to be Raker or Rakers, Cleanſer or Cleanſers of the Streets, Squares, Lanes, Courts, Yards, and other open Paſſages, Ways, and Places within the ſaid Pariſh; and ſuch Perſon or Perſons ſhall on *Friday* in every Week, and oftener when thereunto required by any Three or more of the ſaid Truſtees, bring or cauſe to be brought convenient Carriages into all the Parts aforeſaid, where ſuch Carriages can be drawn near or paſs unto, and at or before their Approach by Bell, Horn, Clapper, or otherwiſe by a loud Noiſe or Cry ſhall give Notice to the Inhabitants of their coming, and give the like Notice in every other Place into which the ſaid Carriages cannot paſs and abide, and ſuch Raker or Rakers, Cleanſer or Cleanſers, ſhall take and carry away or cauſe to be taken and carried away from their reſpective Houſes and Premiſes their Soil, Aſhes, Cinders, Rubbiſh, Duſt, Dirt, and Filth, all which the ſaid Raker or

Rakers, Cleanſer or Cleanſers, ſhall carry away, or cauſe to be carried away, *gratis*, upon Pain of forfeiting any Sum not exceeding Forty Shillings for every Neglect or Default, except all ſuch Rubbiſh, Earth, Duſt, Filth, and Soil as ſhall be occaſioned by building, repairing, amending, or altering any Houſe or Houſes, or any other Building or Buildings; which ſaid Rubbiſh, Earth, Duſt, and Soil thereby occaſioned, ſhall, within the Space of Two Days after being firſt left, be carried away by the Owner or Owners, Occupier or Occupiers of ſuch Houſes and Buildings reſpectively as aforeſaid, upon Pain of forfeiting and paying any Sum not exceeding Five Pounds for every Neglect in removing the ſame; and that if any Perſon or Perſons ſhall refuſe to permit ſuch Soil, Aſhes, Rubbiſh, Duſt, Dirt, or Filth, to be taken away, every ſuch Perſon or Perſons ſo offending ſhall in like Manner forfeit any Sum not exceeding Ten Pounds.

Contractors only to remove Duſt.

CII. And be it further enacted, That if any Perſon or Perſons, other than the Perſon or Perſons ſo employed by or contracting with the ſaid Truſtees for the cleanſing the Streets, Squares, and Places under their Direction, or thoſe employed by and under ſuch Perſon or Perſons, ſhall on any Pretence whatſoever go about to collect or gather, or ſhall aſk for, receive, or carry away any Duſt, Cinders, or Aſhes, it ſhall and may be lawful for any Juſtice or Juſtices of the Peace for the ſaid County of *Middleſex*, upon Complaint to him or them made, to grant a Warrant to bring before him or them ſuch Offender or Offenders, or for any Perſon or Perſons who ſhall ſee any ſuch Offence committed, to ſeize, and alſo for any other Perſon or Perſons to aſſiſt in ſeizing the Offender or Offenders, together with the Horſes, Aſſes, Cattle, Carts, Trucks, Wheelbarrows, or other Carriages or Implements made Uſe of for carrying the ſame away, and by the Authority of this Act, and without any other Warrant, to convey him, her, or them before ſuch Juſtice or Juſtices of the Peace, or any other Juſtice or Juſtices of the Peace for the ſaid County; and ſuch Juſtice or Juſtices ſhall, and he and they is and are hereby authorized and required to examine upon Oath, the Perſon or Perſons apprehending ſuch Offender or Offenders, or any Witneſs or Witneſſes who ſhall appear to give Information or Evidence touching ſuch Offence; and if the Party or Parties ſhall be convicted of going about to collect or gather, aſking for, receiving, or carrying away Duſt, Cinders, or Aſhes, from any Houſe or other Premiſes within the ſaid Pariſh, not being the Perſon or Perſons ſo employed by or contracting with the ſaid Truſtees, or acting with or under his or their Authority, he, ſhe, or they ſhall reſpectively for the firſt Offence forfeit and pay any Sum not exceeding Ten Pounds, for the ſecond Offence any Sum not exceeding Fifteen Pounds, and for the third and every other ſubſequent Offence any Sum not exceeding Twenty Ponnds; one Moiety of which reſpective Penalties ſhall be paid to the Informer or Informers, or to the Perſon or Perſons who ſhall apprehend the Offender or Offenders, and the other Moiety ſhall be applied for the Purpoſes of this Act; and if ſuch Offender or Offenders ſhall not on Conviction pay the ſaid Penalty or Penalties, ſuch Juſtice or Juſtices is and are hereby required, to direct ſuch Horſes, Aſſes, Cattle, Carts, Trucks, Wheelbarrows, or other Carriages or Implements which ſhall have been ſo ſeized, to be appraiſed or ſold, and after deducting out of the Monies to ariſe by ſuch Sale the Penalty or Penalties incurred, together with the reaſonable Charges and Expences of ſuch Diſtreſs and Sale, the Overplus thereof ſhall be

be returned, upon Demand, to the Party or Parties whoſe Horſes and other Things ſhall be appraiſed and ſold; and in caſe there ſhall have been no ſuch Seizure as aforeſaid, or if the Horſes, Aſſes, Cattle, Carts, or other Things which ſhall be appraiſed and ſold, ſhall not produce a ſufficient Sum of Money to pay the ſaid Penalty or Penalties, Charges and Expences; then if ſuch Offender or Offenders ſhall not upon the Conviction pay the ſaid Penalty or Penalties, or ſuch Part or Parts of the ſaid Penalty or Penalties, Charges and Expences, which ſhall remain over and above the Produce of the Horſes, Aſſes, Cattle, Carts, and other Things ſo ſeized and ſold, then ſuch Juſtice or Juſtices is and are hereby required to commit ſuch Offender or Offenders to the Common Gaol or Houſe of Correction for the ſaid County of *Middleſex*, there to be kept to hard Labour for any Time not exceeding Thirty Days, unleſs ſuch Penalty or Penalties ſhall be ſooner paid and ſatisfied.

If Contractor neglect to take away Duſt, &c. for Seven Days, any other Perſon to be at Liberty to take it.

CIII. Provided always, and be it further enacted, That in caſe ſuch Perſon or Perſons ſo employed by, or contracting with the ſaid Truſtees for the Purpoſes aforeſaid, ſhall neglect, for the Space of Seven Days to bring or cauſe to be brought Carts or proper Carriages, into all the Streets, Squares, and other Places as aforeſaid, where ſuch Carriages can paſs, and to give Notice in Manner aforeſaid to the Inhabitants, of their coming for the Purpoſe of taking away ſuch Duſt, Dirt, Soil, Rubbiſh, Filth, Cinders, and Aſhes, and to give the like Notice in every Court, Alley, or Place into which the ſaid Carts and Carriages cannot paſs, that then it ſhall and may be lawful for the Inhabitants of ſuch of the ſaid Streets, Squares, and other Places, after Notice in Writing to ſuch Perſon or Perſons ſo employed by or contracting with the ſaid Truſtees for the Purpoſes aforeſaid, requiring him or them to bring or cauſe to be brought Carts or Carriages to take away their Duſt, Dirt, Filth, Cinders, or Aſhes, to give away or ſell their Duſt, Dirt, Filth, Cinders, or Aſhes to any Perſon or Perſons whomſoever; and that ſuch Perſon or Perſons who ſhall take and carry away the ſaid Duſt, Dirt, Filth, Cinders, or Aſhes, ſhall not be ſubject or liable to any Penalty or Penalties for ſo doing until ſome other Perſon ſhall be appointed by the ſaid Truſtees to collect ſuch Duſt, Dirt, Cinders, or Aſhes, or until a new Contract ſhall be entered into for that Purpoſe; any Thing herein contained to the contrary thereof notwithſtanding.

Powers for preventing Nuiſances.

CIV. And be it further enacted, That if any Perſon or Perſons ſhall, within any Square or Squares, or within any Street or Streets, Place or Places within the ſaid Pariſh, beat or duſt any Carpet or Carpets, or drive any Carriage or Carriages for the Purpoſe of breaking Horſes, or ride any Horſe for the Purpoſe of exerciſing or airing ſuch Horſe, otherwiſe than by paſſing through ſuch Square or Squares, Street or Streets, Place or Places; and that if any Perſon or Perſons ſhall throw, caſt or lay, or cauſe, permit, or ſuffer to be thrown, caſt or laid, any Aſhes, Duſt, Dirt, Rubbiſh, Offal, Dung, (except in Times of Froſt for the Purpoſe of preventing Accidents) Soil, or other Filth or Annoyance, or ſhall ſet or place any Stall, Board, Baſket, Wheelbarrow, Wares, Merchandize, Caſk, or Goods of any Kind whatſoever; or ſhall hoop, waſh, or cleanſe any Pipe, Barrel, Caſk, or Veſſel in or upon any of the Carriage or Footways within the ſaid Pariſh, or ſet out, lay, place, or remain, or cauſe or procure, or permit or ſuffer, to be ſet out, laid, placed, or remain, any Coach, Cart, Wain,

Wain, Waggon, Dray, Sledge, or other Carriage, or Chair, upon any of the ſaid Carriage or Footways, except ſuch Coaches and Chairs as have been or ſhall be hereafter licenſed by the Commiſſioners for regulating and licenſing Hackney Coaches and Chairs, and which ſhall ſtand for Hire according to the Statute and Bye Laws made for thoſe Purpoſes, and alſo except for the neceſſary Time of loading or unloading any Cart, Wain, Waggon, Dray, Sledge, or other Carriage, or taking up or ſetting down any Fare, or waiting for Paſſengers when actually hired, and ſhall not immediately remove the ſame, when required ſo to do by any Perſon whomſoever; or if any Perſon or Perſons ſhall ſet or place, or cauſe to be ſet or placed, in any of the Carriage or Footways, any Timber, Stones, Bricks, Lime, or other Materials or Things whatſoever, unleſs the ſame ſhall be encloſed as in and by this Act is directed, and ſhall not immediately remove the ſame, being thereunto required by any Perſon whomſoever, then and in every ſuch Caſe it ſhall and may be lawful to and for any Juſtice of the Peace for the ſaid County of *Middleſex*, as the Caſe may be, upon Complaint to him made by one or more credible Witneſs or Witneſſes, to iſſue a Warrant requiring ſuch Offender or Offenders to appear before him, at ſuch Time and Place as ſhall be in ſuch Warrant ſpecified; and ſuch Perſon or Perſons, if convicted of the ſaid Offence, ſhall forfeit and pay any Sum not exceeding Five Pounds for every ſuch Offence.

Nuiſances to be removed.

CV. And be it further enacted, That in caſe in any Part or Parts of the ſaid Pariſh any Hog-ſtye, Neceſſary Houſe, or Nuiſance ſhall be in or near any of the Streets, Squares, Ways, Roads, Lanes, Courts, Paſſages, or Public Places within the ſaid Pariſh, it ſhall be lawful for the ſaid Truſtees, upon Complaint thereof to them made by any ſuch Inhabitant, and after due Inveſtigation of ſuch Complaint, by Notice in Writing under the Hand or Hands of their Clerk or Clerks for the Time being, to order that any and every Nuiſance or Nuiſances, Offence or Offences ſhall be forthwith remedied or removed; and if the ſame ſhall not be remedied or removed within Seven Days after ſuch Notice given to the Owner or Owners, Occupier or Occupiers of the Premiſes wherein ſuch Nuiſances ſhall be ſituate, or left for him or them at his or their laſt or uſual Place or Places of Abode, it ſhall and may be lawful to and for the ſaid Truſtees to indict, or cauſe to be indicted, ſuch Perſon or Perſons ſo neglecting or diſobeying ſuch Notice or Notices, at the next General or Quarter Seſſion of the Peace for the County of *Middleſex*, for ſuch Nuiſance or Nuiſances, and ſuch Perſon or Perſons being found guilty thereof, ſuch Nuiſance or Nuiſances ſhall or may be removed, taken down, and abated according to Law with regard to public or common Nuiſances.

No Swine to be ſuffered to go about the Streets.

Seizure may be made thereof.

CVI. And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons whoſoever, ſhall ſuffer any Sort or Manner of Swine to ſtray or go about any Square, Street, Lane, Court, Alley, Yard, Paſſage, or Public Place within the ſaid Pariſh, upon Pain of forfeiting the ſame to the Truſtees under and by virtue of this Act: And it ſhall and may be lawful for all or any of the Truſtees, or their Surveyor or Surveyors, or any Conſtables, Headboroughs, or Beadles of the ſaid Pariſh, at all Times hereafter, all ſuch Swine to ſeize, take, drive, and carry away, and ſell for the beſt Price that can be had, and the Money thereby produced forthwith deliver to the Treaſurer of the ſaid Truſtees, to be applied to the Purpoſes of this Act.

No Lime to be ſlacked in the Street.

CVII. And be it further enacted, That if any Perſon or Perſons ſhall ſift, ſcreen, or ſlack any Lime in any Square, Street, Lane, Court, Paſſage, or Public Place within the ſaid Pariſh, or cauſe the ſame to be ſo done without firſt erecting an Hoard or Incloſure, with the Leave of the Surveyor to the ſaid Truſtees firſt obtained, he, ſhe, or they ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Forty Shillings.

Trap Doors not to be left open.

CVIII. And be it further enacted, That if any Perſon or Perſons whatſoever, ſhall leave open any ſuch Hole, Tunnel, Trap Door, or Cellar Window, in any of the Streets or Public Places of the ſaid Pariſh, ſave and except during ſuch Time as any Coals, Wood, Caſks, or other Things ſhall be putting down or taking out of the ſame, or during ſuch Time as the ſame ſhall be altering, repairing, or amending, or ſhall not ſafely ſecure and cover up the ſame, the Owner or Occupier of the Premiſes to which ſuch Hole, Tunnel, or Trap Door, or Cellar Window ſhall belong, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings.

Perſons digging Earth or leaving Holes for making Vaults, etc. to incloſe the ſame.

CIX. And be it further enacted, That if any Perſon or Perſons whomſoever, ſhall dig out any Earth, or leave any Hole in any Streets or Public Places, before any Houſes or Buildings already built or being built from Time to Time within the ſaid Pariſh, for the Purpoſe of making Vaults or any other Purpoſes whatſoever, and ſhall not incloſe the ſame in a good and ſufficient Manner, to be approved of by the Surveyor or Surveyors for the Time being to the ſaid Truſtees, or ſhall keep up ſuch Incloſure longer than is abſolutely neceſſary, or ſhall not well and ſufficiently fence or rail before the Area or Areas fronting to any Street or Place, every Perſon or Perſons guilty of any of the Offences aforeſaid, ſhall forfeit and pay a Sum not exceeding Five Pounds for every Week that ſuch Nuiſance ſhall be continued.

Bonfires, Fire-works, etc.

CX. And be it further enacted, That if any Perſon or Perſons ſhall make or aſſiſt in making any Fire or Fires, commonly called *Bonfires*, or ſhall ſet fire to, or let off, or throw any Squib, Serpent, Rocket, or other Fireworks, in any of the Roads, Squares, Streets, Lanes, Alleys, Paſſages, and open Places within the ſaid Pariſh; or ſhall drain or ſuffer to be drained, any Soil, Blood or other Filth, in any of the Channels of the ſaid Roads, Squares, Streets, Lanes, Alleys, Paſſages, Open Places and Courts, he, ſhe, or they ſhall forfeit for every ſuch Offence, any Sum not exceeding Forty Shillings.

Steps, &c. projecting to be removed.

CXI. And be it further enacted, That from and after the paſſing of this Act, all Steps projecting into the Footways of the ſaid Streets, Rows, Lanes, Alleys and Public Places, and all Steps and Doors going down out of the Footways into any Cellars, Vaults, or other Places, as likewiſe all Shew Glaſſes or Shew Boards projecting over and beyond the Areas or into the Footways, and all and every other Matters or Things which do or ſhall cauſe or occaſion any Nuiſance, Annoyance, Incroachment or Obſtruction in the ſaid Streets, Rows, Lanes, Alleys, and Public Places, or any or either of them, either in the Foot or Carriage Way thereof, ſhall be from Time to Time removed, fixed, placed, or altered in ſuch Manner and Form as ſhall be approved of by the ſaid Truſtees, or any Three or more of them, or their Surveyor or Surveyors for the Time being; and in caſe any

any Perſon or Perſons ſhall not remove the ſaid Steps, projecting into the Footways of the ſaid Streets, Rows, Lanes, Alleys, and Public Places, and all Steps and Doors going down out of the Footways into any Cellars, Vaults, or other Places as aforeſaid, as likewiſe all Shew Glaſſes or Shew Boards projecting over and beyond the Areas or into the Footways, and all and every other Matters and Things which ſhall cauſe or occaſion any ſuch Nuiſance, Annoyance, Incroachment or Obſtructions, after being thereunto required by the Clerk to the ſaid Truſtees, or by any Surveyor or Surveyors, or any other Perſon or Perſons to be by them appointed for the Purpoſes of this Act, by a written or printed Notice for that Purpoſe to be left in or upon the ſaid Premiſes, immediately remove any ſuch Nuiſance, Annoyance, Incroachment, or Obſtructions, every ſuch Perſon or Perſons ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds.

Penalty on carrying away Slop in other than in covered Carts.

CXII. And be it further enacted, That if any Perſon or Perſons ſhall drive or cauſe to be driven any Cart or other Carriage, with any Soap Lees, Slop, Filth, or Channel Mire, or Dirt therein, through or in any of the ſaid Streets, Squares, Lanes, or other Public Paſſages or Places within the ſaid Pariſh, without ſuch Cart or other Carriage having a proper Covering or Boards called *Flaſh Boards*, to prevent the ſame from ſlopping or ſpilling in any of the ſaid Streets, Squares and Places, or ſhall fill any ſuch covered Cart or other Carriage ſo as to turn over or caſt any Soap Lees, Slop, Mire, or Channel Dirt or Filth, in or upon any of the ſaid Streets, Squares or other Places, it ſhall and may be lawful for any Perſon or Perſons whomſoever to ſeize and apprehend, and to aſſiſt in ſeizing and apprehending the Offender or Offenders, and by the Authority of this Act, and without any other Warrant, to convey him or them before ſome Juſtice of the Peace for the ſaid County, which Juſtice is hereby authorized and required to hear Evidence and determine upon ſuch Offence, and every Perſon ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds: Provided always, that in caſe the Perſon or Perſons ſo offending cannot be apprehended, then the Owner or Owners of ſuch Cart or Carriage in which ſuch Soap Lees, Slop, Filth, Mire or Channel Dirt ſhall be put or placed, ſhall be liable to and ſhall forfeit and pay ſuch Penalty as aforeſaid.

Perſons guilty of certain Nuiſances may be fined.

CXIII. And be it further enacted, That if any Perſon or Perſons ſhall begin to empty any Bog-houſe or Bog-houſes, or to take away any Night Soil from any Houſe or Houſes within the ſaid Squares, Streets, Lanes, Alleys, Paſſages, and Public Places in the ſaid Pariſh, or come with Carts or Carriages for that Purpoſe, ſave and except between the Hours of Eleven of the Clock in the Night and Five of the Clock in the Morning, from *Lady Day* to *Michaelmas*, and between Eleven of the Clock at Night and Six of the Clock in the Morning from *Michaelmas* to *Lady Day*; or if any Perſon or Perſons ſhall put or caſt, or cauſe to be put or caſt, out of any Cart, Tub, or otherwiſe, any ſuch Night Soil in or near any of the Squares, Streets, Lanes, Alleys, Paſſages, and Public Places within the ſaid Pariſh, it ſhall be lawful for any Conſtables, Headboroughs, Patroles, Beadles or Watchmen (and they are hereby ſtrictly charged and required, and directed ſo to do), or any other Perſon or Perſons whomſoever, to apprehend and carry any Perſon or Perſons guilty of the ſaid Offences to any Watch Houſe of the ſaid Pariſh, and from thence to convey him, her,

her, or them, as ſoon as conveniently may be, before ſome Juſtice of the Peace for the ſaid County of *Middleſex*, who (upon Oath made of ſuch Offence or Offences as aforeſaid) ſhall commit every ſuch Offender or Offenders to the Houſe of Correction for the ſame County, for any Time not exceeding Thirty Days, to be computed from the Day of Commitment, and the Owner or Owners of any Carts, Carriages, Horſes or Beaſts employed in and about emptying or removing ſuch Night Soil, ſave and except within the Hours hereby allowed, ſhall forfeit a Sum not exceeding Five Pounds for every ſuch Offence, and any Perſon or Perſons may ſeize ſuch Carts or Carriages, or the Horſes or Beaſts drawing the ſame, and drive, remove, or take ſuch Carts or Carriages, Horſes or Beaſts to ſuch Place in or near the ſaid Pariſh, as the Surveyor or Surveyors, or other Perſon appointed by the ſaid Truſtees, ſhall order and direct, there to be detained until the Owner or Owners ſhall pay the ſaid Penalty, together with all Charges relating thereto; and in caſe the ſame ſhall not be demanded, and the ſaid Penalty and Charges paid, within Five Days next after ſuch Seizure, then it ſhall be lawful for ſuch Surveyor or Perſon to order the ſame to be appraiſed and ſold, and the Money ariſing therefrom ſhall be applied in Payment of ſuch Penalty and Charges, returning the Overplus (if any) to the Owner or Owners thereof on demand.

Hoard ſhow to be erected.

CXIV. And be it further enacted, That no Perſon or Perſons whatſoever ſhall erect or build any Hoard, or erect any Poſts, Bars, Rails, Boards or other Thing by way of Incloſure, for the Purpoſe of making Mortar and depoſiting or ſifting, ſcreening or ſlacking any Bricks, Stone, Lime, Sand, or any other Materials for building or repairing any Houſe, Shop, Warehouſe, Coach Houſe, Stable or Tenement, or other Works, or for any other Purpoſe, without Leave or Licence firſt had and obtained under the Hand or Hands of the Surveyor or Surveyors for the Time being to the ſaid Truſtees, who is and are hereby required to grant the ſame forthwith, on every Perſon ſo applying for ſuch Licence, paying to the ſaid Surveyor or Surveyors the Sum of Two Shillings and Sixpence.

Puniſhment for erecting Hoards without Leave.

CXV. And be it further enacted, That if any ſuch Hoard or Incloſure ſhall be erected or built without the Leave or Licence of the ſaid Surveyor or Surveyors, ſo had and obtained or ſigned as aforeſaid, or ſhall be ſet up in any other Manner, or continued for any longer Time, than ſhall be allowed or expreſſed in ſuch Licence, then and in either of the ſaid Caſes, it ſhall and may be lawful for the ſaid Truſtees to cauſe the ſame to be pulled down and removed, and to be kept and detained until the Owner or Owners, or his, her, or their known Servant or Servants, ſhall and do pay to the Perſon or Perſons in whoſe Cuſtody the ſame ſhall be, a Sum not exceeding Three Pounds, together with the Charges of removing the ſame; and in caſe the ſame ſhall not be claimed, and the ſaid Penalty and Charges paid, within the Space of Five Days next after the Seizure thereof, then it ſhall and may be lawful to and for the ſaid Truſtees to order the ſame to be appraiſed and ſold, and the Money ariſing therefrom ſhall be applied to the Purpoſes of this Act.

Truſtees may incloſe unoccupied Land.

CXVI. And be it further enacted, That it ſhall and may be lawful, when any Land or Ground in any of the Streets, Squares, Rows, Alleys, or other Places within the ſaid Pariſh ſhall be left vacant, unoccupied and uninclofed,

unincloſed, ſo as to be dangerous for Paſſengers, Horſes, or Carriages, to erect or build any Hoards, or to place any Poſts, Bars, Rails, Boards, or other Things by way of Incloſure, for the Purpoſe of incloſing the ſaid Land or Ground; and the Expence or Expences of ſuch Erection or Erections ſhall be paid by the Owner or Owners of ſuch Land or Ground to the Surveyor or Surveyors to the ſaid Truſtees, or to ſuch Perſon or Perſons as they may from Time to Time appoint, to demand and receive the ſame, and in caſe of Non-payment of the Expence or Expences of ſuch Erection or Erections on Demand, it ſhall and may be lawful to and for the Surveyor and Surveyors to the ſaid Truſtees, or ſuch Perſon or Perſons as they ſhall from Time to Time direct and appoint, and they are hereby authorized and empowered to commence and proſecute One or more Action or Actions, Suit or Suits, againſt ſuch Perſon or Perſons, in any of His Majeſty's Courts of Record at *Weſtminſter*, or to proceed in any Court of Requeſts within the County of *Middleſex*; wherein he and they ſhall recover a reaſonable Satisfaction for the Expence or Expences of ſuch Erection or Erections, together with full Coſts of Suit.

Footways to be ſwept once a Day.

CXVII. And be it further enacted, That every Occupier of any Houſe, Tenement, Warehouſe, Shop, Shed, Coach Houſe, Stable, Chapel, Meeting Houſe, or other Public or Private Building within the ſaid Pariſh, ſhall once in every Day, between the Hours of Eight and Ten of the Clock in the Forenoon of each Day, except *Sunday* in every Week, *Good Friday*, *Chriſtmas Day*, and Faſts appointed by Proclamation, ſcrape, ſweep and cleanſe the Footways all along the Front of their reſpective Houſes, Tenements, Warehouſes, Shops, Sheds, Coach Houſes, Stables, Chapels, Meeting Houſes, or other Public or Private Building, or cauſe the ſame to be ſcraped, ſwept and cleanſed; and in Default thereof, for every ſuch Offence forfeit and pay any Sum not exceeding Ten Shillings, to be levied by Warrant under the Hand and Seal or Hands and Seals of One or more Juſtice or Juſtices of the Peace for the ſaid County of *Middleſex*, upon the Oath of One credible Witneſs, which Oath the ſaid Juſtice or Juſtices is and are hereby empowered and required to adminiſter.

Houſes to be numbered, &c.

CXVIII. And be it further enacted, That the ſaid Truſtees, or any Seven or more of them, may order and direct the Houſes within the Streets, Squares, Rows, Lanes, Alleys, Yards, Terraces and Places, or any of them, within the ſaid Pariſh, to be numbered with Figures, placed or painted over the Doors thereof, or ſuch other Part of the ſaid Houſes reſpectively as they the ſaid Truſtees, or any Seven or more of them, or their Surveyor or Surveyors ſhall think proper; and may alſo order and direct to be engraved, painted, or otherwiſe deſcribed, on a conſpicuous Part of ſome Houſe or other Building, at or near the End or Corner of each Street, Square, Row, Lane, Alley, Yard, Terrace and Place, the Name by which ſuch reſpective Street, Square, Row, Lane, Alley, Yard, Terrace and Place, is uſually or properly called or known; and if any Perſon or Perſons ſhall wilfully deſtroy, injure, obliterate, or deface any ſuch Number, Figure, Name or Deſcription, or any Part thereof, or cauſe or procure the ſame to be done, and ſhall be convicted thereof, by his or their own Confeſſion, or by the Oath of One or more credible Witneſs or Witneſſes, before One or more Juſtice or Juſtices of the Peace for the County of *Middleſex*, which Oath ſuch Juſtice or Juſtices is and are hereby

empowered to adminiſter, every ſuch Perſon ſo offending, for every ſuch Offence ſhall forfeit and pay any Sum not exceeding Twenty Shillings.

Penalty on Owners not reſtoring Numbers.

CXIX. And be it further enacted, That when any Number or Numbers, Figure, Name or Deſcription, ſhall be engraven, painted, or otherwiſe deſcribed, placed, or affixed as aforeſaid, on any Houſe or Building within the ſaid Pariſh, ſhall be deſtroyed, injured, obliterated, or defaced, the Owner or Owners, Occupier or Occupiers of any ſuch Houſe or Building where the Number, Figure, Name or other Deſcription ſhall have been ſo deſtroyed, injured, obliterated or defaced, ſhall, upon perſonal Notice given to him, her or them, or upon Notice in Writing left at his, her or their laſt or moſt uſual Place of Abode, by the Clerk of the ſaid Truſtees, or by ſuch other Perſon or Perſons as the ſaid Truſtees ſhall appoint, cauſe the ſame Number, Figure, Name or Deſcription to be in the ſame or like Manner engraven, painted or deſcribed, placed or affixed on ſuch Houſe or Building within Three Days after ſuch Notice; and in caſe of Neglect or Refuſal to comply with ſuch Order, ſuch Owner or Occupier ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Twenty Shillings.

Truſtees may cauſe the Roads and the Streets to be watered.

CXX. And be it further enacted, That the ſaid Truſtees ſhall have Power to cauſe all the Roads, open Places, Squares, Streets, Lanes, Alleys, Paſſages, and Courts within the ſaid Pariſh, not being Turnpike Roads, to be cleanſed, and alſo to be watered as often as they ſhall think fit; and alſo to cauſe any Well or Wells to be dug or ſunk, in ſuch Places as they ſhall think proper within any of the ſaid Roads, open Places, Squares, Streets, Lanes, Alleys, Paſſages, and Courts (ſo as the ſame do not interfere or affect the Public Sewers or Drains or Watercourſes, and ſo as no Vault, Cellar, or other Building be thereby deſtroyed or damaged), and alſo any Pump or Pumps to be erected in or near ſuch Places, for the Purpoſe of cleanſing or watering the ſaid open Places, Roads, Squares, Streets, Lanes, Alleys, Paſſages, and Courts, not being Turnpike Roads.

No Part of the Monies raiſed by this Act to be applied for the Repairs of any Road, Way, or Paſſage other than the yearly Payment to the Truſtees of Old Street Turnpike Road.

CXXI. And whereas in and by the ſaid recited Act of the Thirty-third Year of the Reign of His preſent Majeſty, it was enacted, That the Truſtees under that Act ſhould not apply any of the Rates or Aſſeſſments to be impoſed by virtue of that Act, (except the yearly Payment to be made to the Truſtees of *Old Street Road* in lieu of Statute Labour upon the ſaid Road), to the Purpoſes of ballaſting, gravelling, or repaving any Road, Way, or Paſſage, but that the ſame ſhould from Time to Time be repaired by the Landlord or Landlords, Owner or Owners, Occupier or Occupiers reſpectively, of Lands, Houſes, Tenements, Hereditaments, or Premiſes next adjoining on each Side of ſuch Road, Way, or Paſſage; but ſufficient Proviſions or Powers were not given by the ſaid Act to compel ſuch Landlord, Owners or Occupiers to repair ſuch Roads, Ways, and Paſſages: Be it hereby further enacted, That the Truſtees under this Act ſhall not apply any of the Rates or Aſſeſſments to be impoſed by virtue of this Act (except the yearly Payment to be made to the Truſtees of *Old Street Road* in lieu of Statute Labour on the ſaid Road, as herein-after is mentioned) to the Purpoſes of ballaſting, draining, gravelling, or repairing any Road, Way, or Paſſage; but the ſame ſhall from Time to Time be repaired by the Landlord or Landlords, Owner or Owners, Occupier or Occupiers reſpectively of Lands, Houſes, Tenements, Hereditaments, or

Occupiers of adjoining Property to repair.

Premiſes next adjoining, on each Side of ſuch Road, Way, or Paſſage, to the Satisfaction of the ſaid Truſtees or their Surveyor from Time to Time, any Thing herein contained to the contrary notwithſtanding: And in caſe the ſaid Truſtees ſhall determine that any of the ſaid Roads, Ways, or Paſſages within the ſaid Pariſh require to be ballaſted, drained, gravelled, or repaired, it ſhall and may be lawful for them to direct ſuch Landlord or Landlords, Owner or Owners, Occupier or Occupiers reſpectively of Lands, Houſes, Tenements, Hereditaments, or Premiſes next adjoining on each Side of ſuch Road, Way, or Paſſage, to ballaſt, drain, gravel, and effectually to repair the ſame, by Notice under the Hand of their Clerk or Clerks, to be given to or left for each and every of the ſaid Landlord or Landlords, Owner or Owners, Occupier or Occupiers of ſuch adjoining Premiſes reſpectively, at their laſt then preſent or known Place or Places of Abode, or by affixing the ſame to and upon ſuch adjoining Premiſes; and that if any ſuch Landlord or Landlords, Owner or Owners, Occupier or Occupiers of ſuch adjoining Premiſes ſhall not ſo ballaſt, drain, gravel, and effectually repair ſuch Roads, Ways, or Paſſages, to the Satisfaction of the ſaid Truſtees, or of their Surveyor or Surveyors, within One Calendar Month after ſuch Notice or Notices ſhall be given, left or affixed as aforeſaid, each and every ſuch Landlord, Owner and Occupier ſhall forfeit and pay the Sum of Five Pounds, to be ſued for, recovered, and applied in the ſame Manner as other Penalties are by this Act directed to be ſued for, recovered, and applied.

Truſtees may improve Streets, etc.

CXXII. And be it further enacted, That for the Improvement of the ſaid Pariſh, and for the Public Advantage, it ſhall and may be lawful to and for the Truſtees to be appointed by virtue of this Act, to alter, widen, turn, and extend any of the Streets, Lanes, Roads, Squares, Rows, Alleys, and Places within the ſaid Pariſh, except Turnpike Roads, and to lengthen and continue and open the ſame from the Sides or End of any Streets, Lanes, Roads, Square, Row, Alley, and Place within the ſaid Pariſh, into any other Street, Lane, Road, Square, Row, Alley, and Place within the ſaid Pariſh, and to raiſe, level, lower, drain, ballaſt, gravel, or pave ſuch new Part or Parts of any ſuch Streets, Lanes, Roads, Squares, Rows, Alleys, and Places, ſo altered, widened, extended, opened, or lengthened as aforeſaid: And that if any Houſes, Walls, Buildings, Lands, Tenements, and Hereditaments, or any Part thereof, ſhall be adjudged by the ſaid Truſtees, to project into, obſtruct, or prevent them from ſo altering, turning, widening, extending, lengthening, continuing, and opening the ſaid Streets, Lanes, Roads, Squares, Rows, Alleys, and Places within the ſaid Pariſh, and that the Poſſeſſion, Occupation, and Purchaſe of ſuch Houſes, Walls, Buildings, Lands, Tenements, or Hereditaments, will be neceſſary for that Purpoſe, it ſhall and may be lawful to and for the ſaid Truſtees to be appointed by virtue of this Act, and they ſhall have full Power and Authority to treat, contract, and agree, or to employ any Perſon or Perſons to treat, contract, and agree with the ſeveral Owner or Owners, Occupier or Occupiers of all ſuch Houſes, Walls, Buildings, Lands, and Hereditaments of what Nature, Tenure, Kind, or Quality whatſoever, for the Purpoſes aforeſaid, and to pay for the ſame ſuch Sum and Sums of Money, as ſhall be agreed upon by the ſaid Truſtees and the Owner or Owners, Occupier or Occupiers thereof, out of the Money to ariſe and be raiſed by virtue of this Act, and to pull down, uſe, ſell, or diſpoſe of ſuch Houſes, Walls, and Buildings, and the Materials thereof,

and may purchaſe Lands for that Purpoſe,

and lay the Scites thereof, and alſo ſuch other Lands, Tenements, or Hereditaments, or ſo much thereof, as they the ſaid Truſtees ſhall think proper, into the ſaid Streets, Lanes, Roads, Squares, Rows, Alleys, and Places: And all ſuch new Parts of ſuch Streets, Lanes, Roads, Squares, Rows, Alleys, and Places, and the Owners and Occupiers of Houſes and Buildings therein and adjoining thereto, ſhall be ſubject to all the Rates, Aſſeſſments, Powers, Proviſions, Orders, Clauſes, and Things, by virtue of this Act directed to be made and in this Act contained, to which and in the ſame Manner as the preſent Streets, Squares, and Public Places, included in this Act, and the Owners and Occupiers of Houſes, Buildings and Premiſes therein and adjoining thereto, are liable and ſubject.

Corporate or Collegiate Bodies, and incapacitated Perſons enabled to ſell.

CXXIII. And be it further enacted, That it ſhall and may be lawful for all Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail, or others having a partial or qualified Intereſt or Eſtate in any Houſes, Lands, Tenements, or Hereditaments, Huſbands, Femes Covert, Guardians, Truſtees, and Feoffees in Truſt for Charities or other Purpoſes, Committees, Executors, or Adminiſtrators, and all other Perſons whomſoever, not only on Behalf of themſelves and their reſpective Heirs, Executors, Adminiſtrators, and Succeſſors, but alſo on Behalf of all Perſons entitled in Reverſion or Remainder, expectant on an Eſtate Tail, and on Behalf of all Perſons entitled in Reverſion or Remainder expectant on an Eſtate for Life or other leſs Eſtate, or by way of Executory Deviſe, in caſe ſuch Perſon ſhall be incapacitated or decline to treat, and on Behalf of their reſpective Wives and *Ceſtuique* Truſts, whether Infants, Iſſue unborn, Lunatics, Ideots, Femes Covert, or others, and for all and every other Perſon or Perſons whomſoever, who are and ſhall be ſeized, poſſeſſed of, or intereſted in any ſuch Houſes, Lands, Tenements, or Hereditaments, to treat and agree with the ſaid Truſtees as aforeſaid, for the abſolute Sale thereof, and to ſell and convey to them, or to ſuch Seven Truſtees as the ſaid Truſtees may appoint for that Purpoſe, by Feoffment, Leaſe and Releaſe, or Bargain and Sale, by Deed indented and inrolled in any of His Majeſty's Courts of Record at *Weſtminſter*, for ſuch valuable Conſideration as ſhall be *bonâ fide* agreed upon for ſuch Houſes, Lands, Tenements, or Hereditaments, as ſhall be adjudged neceſſary and convenient for the Purpoſes aforeſaid; and that all Contracts, Agreements, Sales, or Conveyances, which ſhall be *bonâ fide* made for the Purpoſe aforeſaid, ſhall be good and effectual in the Law, to all Intents and Purpoſes; any Thing to the contrary thereof in anywiſe notwithſtanding.

When Parties refuſe or are unable to treat, etc. the Truſtees to iſſue a Precept for impannelling a Jury.

CXXIV. And be it further enacted, That if any Body or Bodies Politic, Corporate or Collegiate, or any other Perſon or Perſons ſeiſed or poſſeſſed of or intereſted in any ſuch Houſes, Buildings, Lands, Tenements or Hereditaments as aforeſaid, ſhall refuſe to treat or agree, or ſhall not agree, or by reaſon of Abſence or Diſability cannot agree with the ſaid Truſtees, or with any Perſon or Perſons authorized by them for the Sale and Conveyance of their reſpective Eſtates and Intereſts therein, or cannot be found or known, or ſhall not produce and evince a clear Title to the Premiſes they are in Poſſeſſion of, or to the Intereſt they claim therein, to the Satisfaction of the ſaid Truſtees, or of the Perſon or Perſons ſo authorized by them, then and in every ſuch Caſe it ſhall be lawful for the ſaid Truſtees, or any Seven or more of them, and they are hereby required to

iſſue

who are to be drawn as the Act of the 3d Year of King Geo. II. directs.

issue a Warrant or Warrants, Precept or Precepts, directed to the Sheriff or Bailiff of the County, Division, District or Liberty, wherein the Premises shall respectively lie or be, who is hereby authorized, directed, and required accordingly to impannel, summon and return a competent Number of substantial and disinterested Persons qualified to serve on Juries, not less than Forty-eight nor more than Seventy-two, and out of such Persons so to be impannelled, summoned, and returned, a Jury of Twelve Men shall be drawn by some indifferent Person to be by the said Trustees appointed, in such Manner as Juries for the Trial of Issues joined in His Majesty's Courts at *Westminster* are by an Act made in the Third Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for the better Regulation of Juries*, directed to be drawn; which Persons so to be impannelled, summoned, and returned as aforesaid, are hereby required to come and appear before the Justices of the Peace for the County, Division, District, or Liberty wherein the Premises shall lie or be, at some Court of General or Quarter Sessions of the Peace to be holden in and for the same County, Division, District, or Liberty, or at some Adjournment thereof, as in such Warrant or Warrants, Precept or Precepts, shall be directed and appointed, and to attend such Court or General or Quarter Sessions from Day to Day until discharged by the said Court; and all Parties concerned shall and may have their lawful Challenges against any of the said Jurymen, but shall not be at Liberty to challenge the Array; and the said Justices are hereby authorized and empowered, by Precept or Precepts, from Time to Time, as Occasion shall require, to call before them all and every Person and Persons whomsoever, who shall be thought proper and necessary to be examined as a Witness or Witnesses, on his, her or their Oath or Oaths, touching or concerning the Premises; and the said Justices, if they think fit, shall and may, on the Application of either Party, likewise authorize the said Jury to view the Place or Places or Premises in question, in such Manner as they shall direct; and the said Justices shall have Power to adjourn such Court from Day to Day, as Occasion shall require, and to command such Jury, Witnesses and Parties to attend until all such Affairs for which they were summoned shall be concluded; and the said Jury upon their Oaths (which Oaths, as also the Oaths of such Person or Persons as shall be called upon to give Evidence, the said Justices are hereby empowered and required to administer) shall enquire of the Value of such Houses, Buildings, Lands, Tenements, or Hereditaments, and of the proportionable Value of the respective Estates and Interests of all and every Person and Persons seised or possessed thereof, or interested therein, or of or in any Part or Parts thereof, and shall assess and award the Sum or Sums of Money to be paid to such Person or Persons, Party or Parties respectively, for the Purchase of such Houses, Buildings, Lands, Tenements or Hereditaments, and of such respective Estates and Interests therein, and also for Goodwill, Improvements, or any Injury or Damage whatsoever, that may affect any such Person or Persons, Party or Parties, either as Leaseholders or Tenants at Will, provided that such Goodwill shall be estimated by what, in the Opinion of such Jury, the same would have been worth in case the Improvements intended by this Act had not been in Contemplation; and the said Justices shall and may give Judgment for such Sum or Sums of Money so to be assessed, which Verdict or Verdicts, and the Judgment and Judgments, Determination and Determinations thereupon (Notice in Writing being given to the Person or Persons interested or claiming so to be, at least

Jurymen may be challenged.

Justices on the Application of either Party, may direct a View of the Premises.

Jury to assess the Value on Oaths.

Verdict of the Jury, etc. to be final, pre-

Fourteen

Fourteen Days before the Time of the Meeting of the ſaid Juſtices as aforeſaid, and Jury, by leaving ſuch Notice at the Dwelling Houſe of ſuch Perſon or Perſons, or at his, her, or their laſt uſual Place or Places of Abode, or with ſome Tenant or Occupier of the Premiſes reſpectively intended to be valued) ſhall be binding and concluſive to all Intents and Purpoſes whatſoever againſt all Bodies Politic, Corporate, and Collegiate; and all and every Perſon and Perſons claiming any Eſtate, Right, Title, Truſt, Uſe or Intereſt in, to, or out of ſuch Houſes, Buildings, Lands, Tenements, or Hereditaments and Premiſes, in Poſſeſſion, Reverſion, Remainder or Expectancy, as well Infants and Iſſue unborn, Lunatics, Idiots, and Femes Covert, and Perſons under any other legal Incapacity or Diſability, as all other Ceſtuique Truſts, their, his, and her Heirs, Succeſſors, Executors and Adminiſtrators, and againſt all other Perſons whomſoever; and the ſaid Verdicts, Judgments and Determinations, and all other Proceedings of the ſaid Juſtices and Juries ſo to be made, given, and pronounced as aforeſaid, ſhall be fairly written on Parchment, and ſigned by the Clerk of the Peace for the Time of the County, Diviſion, Diſtrict, or Liberty, wherein the Premiſes ſhall reſpectively lie or be; and in caſe it ſhall ſo happen that the Sum or Sums of Money ſo to be aſſeſſed and awarded, in conſequence of ſuch Refuſal to treat and agree as aforeſaid, as the Value of ſuch Houſes, Buildings, Lands, Tenements, or Hereditaments, or as ſuch proportional Value as aforeſaid; and as the Recompence and Satisfaction to be made for the Injury or Damage ſuſtained as before mentioned reſpectively, ſhall not exceed the Sum or Sums of Money which the ſaid Truſtees, or any Perſon or Perſons authorized by them, ſhall have previouſly offered to pay as and for ſuch Value, Recompence and Satisfaction, then and in every ſuch Caſe all the reaſonable Coſts, Charges, and Expences of cauſing and procuring ſuch Value and Recompence to be aſſeſſed and awarded as aforeſaid, and of ſo aſſeſſing and awarding the ſame, ſhall be borne and paid by the Body or Bodies Politic, Corporate, or Collegiate, or other Perſon or Perſons ſo ſeiſed or poſſeſſed of or intereſted in ſuch Houſes, Buildings, Lands, Tenements, or Hereditaments, and ſo refuſing to treat and agree as before mentioned reſpectively; and the ſaid Truſtees are hereby authorized and empowered to deduct and retain the ſaid Coſts, Charges, and Expences, out of the Sum or Sums of Money ſo to be aſſeſſed or awarded as aforeſaid, or out of any Part thereof: Provided always, that in all Caſes where any Perſon or Perſons ſhall by reaſon of Abſence have been prevented from treating about ſuch Recompence or Satisfaction as aforeſaid, ſuch Coſts and Charges ſhall be borne and paid by the ſaid Truſtees in Manner aforeſaid.

Previous Notice being given to the Parties intereſted.

If the Sum aſſeſſed ſhall not exceed the Sum offered.

Coſts of ſuch Aſſeſſment, &c. to be paid by ſuch Body Politic, &c. and the Truſtees may retain the ſame out of the Sum ſo aſſeſſed.

CXXV. And be it further enacted, That the ſaid Juſtices ſhall have Power from Time to Time to impoſe any reaſonable Fine, not exceeding the Sum of Ten Pounds, on ſuch Sheriff or Bailiff, or his Deputy or Deputies, Bailiffs or Agents reſpectively making Default in the Premiſes, and on any of the Perſons who ſhall be ſummoned and returned on any ſuch Jury or Juries, and ſhall not appear, without ſufficient Excuſe, or appearing ſhall refuſe to be ſworn on the ſaid Jury or Juries, or being ſo ſworn ſhall not give his or their Verdict; and alſo on any Perſon or Perſons who ſhall be ſummoned to give Evidence touching any of the Matters aforeſaid, and ſhall not attend, or attending ſhall refuſe to be ſworn, or to affirm, or who ſhall refuſe to give his, her, or their Evidence, and on any Perſon or Perſons who ſhall in any other Manner wilfully neglect

The Juſtices at General or Quarter Seſſions empowered to impoſe Fines for Non-attendance, &c.

glect his, her, or their Duty in the Premiſes contrary to the true Intent and Meaning of this Act; and from Time to Time to levy ſuch Fine or Fines, by Order of the ſaid Juſtices, by Diſtreſs and Sale of the Offender's Goods and Chattels, together with the reaſonable Charges of every ſuch Diſtreſs and Sale, returning the Overplus (if any) to the Owner or Owners; and that a Copy of the Order of the ſaid Juſtices, ſigned by the Clerk of the Peace for the Time being of the County, Diviſion, Diſtrict, or Liberty, wherein the Premiſes ſhall lie or be, as the Caſe ſhall require, ſhall reſpectively be ſufficient Authority to the Perſon or Perſons therein to be appointed, and to every other Perſon acting or aiding and aſſiſting therein, to make ſuch Diſtreſs and Sale; and all ſuch Fines ſhall be paid to the Treaſurer to the ſaid Truſtees for the Time being, to be applied to the Purpoſes of this Act.

Application of Compenſation where amounting to 200*l.*

CXXVI. And be it further enacted, That if any Money ſhall be agreed or awarded to be paid for any Lands, Buildings, Tenements or Hereditaments, or for any other Matter, Right, or Intereſt, of what Nature or Kind ſoever, purchaſed, taken, or uſed by virtue of the Powers of this Act, for the Purpoſe thereof, which ſhall belong to any Corporation, Feme Covert, Infant, Lunatic, or Perſon or Perſons under any other Diſability or Incapacity, ſuch Money ſhall, in caſe the ſame ſhall amount to the Sum of Two Hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the ſaid Truſtees, together with the Name or Names of ſuch Perſon or Perſons as ſuch of the Truſtees for executing this Act ſhall by Writing ſigned by them direct and appoint, to the Intent that ſuch Money ſhall be applied under the Direction and with the Approbation of the ſaid Court, to be ſignified by an Order made upon a Petition to be preferred in a ſummary Way by the Perſon or Perſons who would have been entitled to the Rents and Profits of the ſaid Lands, Buildings, Tenements, or Hereditaments, in the Purchaſe of Land Tax, or Diſcharge of any Debt or Debts, or ſuch other Incumbrance, or Part thereof, as the ſaid Court ſhall authoriſe to be paid, affecting the ſame Lands, Buildings, Tenements or Hereditaments, or affecting other Lands, Buildings, Tenements or Hereditaments ſtanding ſettled therewith to the ſame or the like Uſes, Intents, or Purpoſes; or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted, under the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Meſſuages, Lands, Buildings, Tenements, or Hereditaments, which ſhall be conveyed and ſettled to, for, and upon ſuch and the like Uſes, Truſts, Intents, and Purpoſes, and in the ſame Manner as the Meſſuages, Lands, Buildings, Tenements and Hereditaments, which ſhall be ſo purchaſed, taken, or uſed as aforeſaid, ſtood ſettled or limited, or ſuch of them as at the Time of making ſuch Conveyance and Settlement ſhall be exiſting undetermined and capable of taking Effect; and in the mean Time and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall, by Order of the Court of Chancery upon Application thereto, be inveſted by the ſaid Accountant General in his Name in the Purchaſe of Three Pounds *per Centum* Conſolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and annual Produce of the ſaid Conſolidated or Reduced Bank Annuities

Annuities ſhall from Time to Time be paid, by Order of the ſaid Court, to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the ſaid Lands, Buildings, Tenements and Hereditaments ſo hereby directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

Application where the Compenſation does not amount to 200l. but exceeds 20l.

CXXVII. Provided always, and be it further enacted, That if any Money ſo agreed or awarded to be paid for any Lands, Buildings, Tenements, or Hereditaments, or for any other Matter, Right, or Intereſt of what Nature or Kind ſoever, purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Corporation, or to any Perſon or Perſons under Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two Hundred Pounds, and ſhall exceed the Sum of Twenty Pounds, then and in all ſuch Caſes the ſame ſhall, at the Option of the Perſon or Perſons for the Time being entitled to the Rents and Profits of the Hereditaments ſo purchaſed, taken, or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees, in caſe of Infancy or Lunacy, to be ſignified in Writing under their reſpective Hands, be paid into the Bank in the Name and with the Privity of the ſaid Accountant General of the High Court of Chancery, and be placed to his Account as aforeſaid, in order to be applied in Manner herein-before directed; or otherwiſe the ſame ſhall be paid, at the like Option, to Two Truſtees to be nominated by the Perſon or Perſons making ſuch Option, and approved of by Seven or more of the ſaid Truſtees (ſuch Nomination and Approbation to be ſignified in Writing under the Hands of the nominating and approving Parties), in order that ſuch Principal Money and the Dividends ariſing thereon may be applied in any Manner herein-before directed, ſo far as the Caſe be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application where the Money is leſs than 20l.

CXXVIII. Provided alſo, and be it further enacted, That where ſuch Money ſo agreed or awarded to be paid as next before mentioned, ſhall be leſs than Twenty Pounds, then and in all ſuch Caſes the ſame ſhall be applied to the Uſe of the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Hereditaments and Premiſes ſo purchaſed, taken, or uſed for the Purpoſes of this Act, in ſuch Manner as the ſaid Truſtees, or any Seven or more of them, ſhall think fit; or in caſe of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Uſe and Benefit of ſuch Perſon or Perſons ſo entitled reſpectively.

Money allowed for Lands, &c. purchaſed, how to be charged and tendered.

Eſtates purchaſed to veſt abſolutely in the Truſtees.

CXXIX. And be it further enacted, That upon Payment of any ſuch Sum or Sums ſo agreed or aſſeſſed to the Party or Parties to whom the ſame ſhall be ſo awarded, or depoſiting the ſame in the Bank of *England*, in Manner by this Act directed, as the Caſe may be; the ſaid Lands, Tenements, and Hereditaments, in reſpect whereof the ſame ſhall have been ſo paid or depoſited as aforeſaid, ſhall veſt in the Truſtees for the Time being, in Manner for the Purpoſes aforeſaid; who ſhall be deemed in Law to be in the actual Poſſeſſion thereof, to all Intents and Purpoſes whatſoever freed and diſcharged from all former and other Eſtates, Rights, Titles, Intereſts, Claims, and Demands whatſoever.

CXXX. Pro-

Where any Queſtion ſhall ariſe touching the Title to Money to be paid, the Perſon who ſhall be in Poſſeſſion of the Lands, &c. at the Time of ſuch Purchaſe, ſhall be deemed entitled thereto, according to ſuch Poſſeſſion, unleſs, &c.

CXXX. Provided always, and be it further enacted, That where any Queſtion ſhall ariſe touching the Title of any Perſon to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, in purſuance of this Act, for the Purchaſe of any Lands, Tenements, or Hereditaments, or of any Eſtate, Right, or Intereſt in any Lands, Tenements, or Hereditaments to be purchaſed in purſuance of this Act, or to any Bank Annuities to be purchaſed with any ſuch Money, or the Dividends or Intereſt of any ſuch Bank Annuities, the Perſon or Perſons who ſhall have been in Poſſeſſion of ſuch Lands, Tenements, or Hereditaments, at the Time of ſuch Purchaſe, and all Perſons claiming under ſuch Perſon or Perſons, or under the Poſſeſſion of ſuch Perſon or Perſons, ſhall be deemed and taken to have been lawfully entitled to ſuch Lands, Tenements or Hereditaments according to ſuch Poſſeſſion, until the contrary ſhall be ſhewn to the Satisfaction of the ſaid Court of Chancery; and the Dividends or Intereſt of the Bank Annuities to be purchaſed with ſuch Money, and alſo the Capital of ſuch Bank Annuities, ſhall be paid, applied, and diſpoſed of accordingly, unleſs it ſhall be made appear to the ſaid Court that ſuch Poſſeſſion was a wrongful Poſſeſſion, and that ſome other Perſon or Perſons was or were lawfully entitled to ſuch Lands, Tenements or Hereditaments, or to ſome Eſtate or Intereſt therein.

The Court of Chancery may order reaſonable Expences of Purchaſe to be paid by the Truſtees.

CXXXI. Provided alſo, and be it further enacted, That where by reaſon of any Diſability or Incapacity of the Perſon or Perſons, or Corporation, entitled to any Lands, Tenements, or Hereditaments, to be purchaſed under the Authority of this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the Court of Chancery, and to be applied in the Purchaſe of other Lands, Tenements, or Hereditaments, to be ſettled to the like Uſes in purſuance of this Act, it ſhall be lawful for the ſaid Court of Chancery to order the Expences of all Purchaſes, from Time to Time to be made in purſuance of this Act, or ſo much of ſuch Expences as the ſaid Court ſhall deem reaſonable, to be paid by the ſaid Truſtees, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Tenants at Will, etc. to deliver Poſſeſſio on Six Months Notice.

CXXXII. And be it further enacted, That every Tenant at Will, or Leſſee for a Year, or any other Perſon or Perſons in Poſſeſſion of any ſuch Houſes, Buildings, Lands, Tenements, and Hereditaments, or any Part thereof, which ſhall be purchaſed by virtue and for the Purpoſes of this Act, and who ſhall have no greater Intereſt in the Premiſes than as Tenant at Will, or Leſſee for a Year, or from Year to Year, ſhall deliver up the Poſſeſſion of ſuch Premiſes to the ſaid Truſtees, or to ſuch Perſon or Perſons as the ſaid Truſtees ſhall appoint to take Poſſeſſion of the ſame, upon having Six Calendar Months Notice to quit ſuch Poſſeſſion, from the ſaid Truſtees or any Seven or more of them, or from the Perſon or Perſons ſo authorized by them; and ſuch Perſon or Perſons in Poſſeſſion ſhall, at the End of the ſaid Six Calendar Months, whether ſuch Notice be given with reference to the Time or Times of ſuch Tenants holding or not, or ſo ſoon as he, ſhe, or they ſhall be required, peaceably and quietly deliver up the Poſſeſſion of the ſaid Premiſes, to the ſaid Truſtees, or any Three or more of them, or the Perſon or Perſons authorized by the ſaid Truſtees to take Poſſeſſion thereof; and in caſe any ſuch Tenant ſhould be compelled to quit before the Expiration of

of his or her Term in any ſuch Premiſes, then and in ſuch Caſe the ſaid Truſtees ſhall, and they are hereby required to make Satisfaction and Compenſation for the Loſs or Damage which he or ſhe ſhall or may ſuſtain thereby; and in caſe any Difference or Diſpute ſhall ariſe as to the Amount of ſuch Satisfaction or Compenſation, the ſame ſhall or may be determined, ſettled, and aſcertained by a Jury in ſuch and the like Manner as the Sum or Sums of Money to be paid for the Purchaſe of any Lands, Tenements, or Hereditaments is herein directed to be determined, ſettled and aſcertained; and that in caſe any ſuch Perſon or Perſons ſo in Poſſeſſion as aforeſaid ſhall refuſe to give ſuch Poſſeſſion as aforeſaid, it ſhall and may be lawful to and for the ſaid Truſtees, or any Seven or more of them, to iſſue their Precept or Precepts to the Sheriff of the ſaid County of *Middleſex*, to deliver Poſſeſſion of the ſaid Premiſes to ſuch Perſon or Perſons as ſhall in ſuch Precept or Precepts be nominated to receive the ſame; and the ſaid Sheriff is hereby required to deliver ſuch Poſſeſſion accordingly of the ſaid Premiſes, and to levy ſuch Coſts as ſhall accrue from the Iſſuing and Execution of ſuch Precept or Precepts, on the Perſon or Perſons ſo refuſing to give Poſſeſſion as aforeſaid, by Diſtreſs and Sale of his, her, or their Goods.

Mortgagees on Tender of Principal and Intereſt, to convey;

CXXXIII. And be it further enacted, That all and every Perſon and Perſons, who ſhall have any Mortgage or Mortgages, on ſuch Houſes, Buildings, Lands, Tenements, and Hereditaments, not being in Poſſeſſion thereof by virtue of ſuch Mortgage or Mortgages, ſhall, on the Tender of the Principal Money and Intereſt due thereon, together with the Amount of Six Calendar Months' Intereſt on the ſaid Principal, by the ſaid Truſtees, or any Three or more of them, or by ſuch Perſon or Perſons as they ſhall appoint, immediately convey, aſſign, and transfer ſuch Mortgage or Mortgages to the ſaid Truſtees, or any Seven or more of them, or to ſuch Perſon or Perſons as they ſhall appoint; or in caſe ſuch Mortgagee or Mortgagees ſhall have Notice in Writing from the ſaid Truſtees or any Seven or more of them, or from ſuch Perſon or Perſons as they ſhall appoint, that they will pay off and diſcharge the Principal Money and Intereſt which ſhall be due on the ſaid Mortgage or Mortgages at the End or Expiration of Six Calendar Months, to be computed from the Day of giving ſuch Notice, that then at the End of the ſaid Six Calendar Months, on Payment of the Principal and Intereſt ſo due, ſuch Mortgagee or Mortgagees ſhall convey, aſſign, and transfer his, her or their Intereſt in the Premiſes to the ſaid Truſtees, or any Seven or more of them, or to ſuch Perſon or Perſons as ſhall be appointed in Truſt for them; and in caſe the Mortgagee or Mortgagees ſhall refuſe to convey and aſſign as aforeſaid on ſuch Tender or Payment, that then all Intereſt on every ſuch Mortgage ſhall from thenceforth ceaſe and determine.

On refuſal, Intereſt to ceaſe.

The Truſtees not to pay to Mortgagees more than the real Value of Premiſes.

CXXXIV. Provided always, and be it further enacted, That in caſe the Sum due upon any ſuch Mortgage or Mortgages, with all Intereſt due thereon ſhall amount to more than the real Value of the Premiſes, to be aſcertained as directed by this Act, then the ſaid Truſtees ſhall not be liable to pay to the Mortgagee or Mortgagees more than ſuch real Value of ſuch Premiſes ſo aſcertained as aforeſaid.

Bargains and Sales to have the Force of

CXXXV. And be it further enacted, That the Conveyance of any ſuch Eſtate or Intereſt of any Feme Covert to the ſaid Truſtees, or any Seven or

Fines and Recoveries.

or more of them for the Time being, or any Perſon or Perſons in Truſt for them, by Indenture or Indentures of Bargain and Sale, ſealed and delivered by ſuch Feme Covert in the Preſence of and atteſted by Two credible Witneſſes, and duly acknowledged, and to be enrolled in the High Court of Chancery within Six Calendar Months after the making thereof, ſhall as effectually and abſolutely convey the Eſtate and Intereſt of ſuch Feme Covert in the Premiſes, as any Fine or Fines, Recovery or Recoveries, would or could do if levied or ſuffered thereof in due Form of Law; and further, that all Bargains and Sales whatſoever to be made of any ſuch Houſes, Buildings, Lands, Tenements, and Hereditaments, as ſhall be purchaſed by the ſaid Truſtees for the Time being, by virtue and for the Purpoſes of this Act, and enrolled as aforeſaid, ſhall have the like Force, Effect, and Operation in Law, to all Intents and Purpoſes, as any Fine or Fines, Recovery or Recoveries whatſoever, would have had if levied or ſuffered by the Bargainer or Bargainers, or any Perſon or Perſons ſeiſed of or entitled to any Eſtate or Intereſt in the Premiſes in Truſt for ſuch Bargainer or Bargainers, in any Manner or Form whatſoever.

Upon Payment of Principal and Intereſt into the Bank, Premiſes to veſt in the Truſtees.

CXXXVI. And be it further enacted, That upon Payment of the Principal Money and Intereſt due on any Mortgage as aforeſaid into the Bank of *England*, at the End of Six Calendar Months from the Day of giving ſuch Notice as aforeſaid, for the Uſe of the Mortgagee or Mortgagees, the Caſhier or Caſhiers of the Bank ſhall give a Receipt or Receipts for the ſaid Money, in like Manner as is herein-before directed in Caſes of other Payments into the Bank; and thereupon all the Eſtate, Right, Title, Intereſt, Uſe, Truſt, Property, Claim, and Demand, of the ſaid Mortgagee or Mortgagees, and of all and every Perſon and Perſons in Truſt for him, her, or them, ſhall veſt in the ſaid Truſtees, and they ſhall be deemed to be in the actual Poſſeſſion of the Premiſes comprized in ſuch Mortgage or Mortgages, to all Intents and Purpoſes whatſoever.

Monies to be paid or tendered before any Uſe made of the Premiſes.

CXXXVII. And be it further enacted, That all Sums of Money, or other Conſideration, Recompence or Satisfaction, to be paid or made purſuant to any ſuch Agreement or Verdict as aforeſaid, or in Diſcharge of any ſuch Mortgage, ſhall be paid or tendered to the Party or Parties entitled to the ſame, or paid into the Bank of *England* as aforeſaid, before the ſaid Truſtees, or any Perſon or Perſons authorized by them, ſhall proceed to pull down any Houſe or Houſes, or other Erections or Buildings comprized in or affected by ſuch Agreement, Verdict, or Mortgage reſpectively, or to uſe the Ground for any of the Purpoſes of this Act.

Truſtees may ſell Eſtates;

Perſons of whom they were bought having the firſt Offer.

CXXXVIII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Seven or more of them, from Time to Time abſolutely to ſell and diſpoſe of all or any of the Freehold or Leaſehold Eſtates, Lands, Houſes, Hereditaments and Premiſes which ſhall hereafter be conveyed to them in purſuance of this Act; provided the ſaid Freehold or Leaſehold Eſtates, Lands, Houſes, Hereditaments and Premiſes ſo purchaſed, are firſt offered for ſuch Sale to the reſpective Perſon or Perſons of or from whom the Premiſes reſpectively were purchaſed by or on Behalf of the ſaid Truſtees; and if ſuch Perſon or Perſons reſpectively ſhall not then and thereupon agree (except with reſpect to and on Account of the Price thereof as herein-after mentioned,) or ſhall refuſe, (except with reſpect to and on account of the Price thereof) to purchaſe the

the ſame reſpectively, an Affidavit, to be made and ſworn before a Maſter in the High Court of Chancery, or before One of His Majeſty's Juſtices of the Peace for the ſaid County of *Middleſex*, (who are hereby reſpectively empowered to take the ſame) by ſome Perſon or Perſons no way intereſted in the ſaid Freehold or Leaſehold Eſtates, Lands, Houſes, Hereditaments or Premiſes, ſtating that ſuch Offer was made by or on the Behalf of the ſaid Truſtees, and that ſuch Offer was not then and thereupon agreed to, or was refuſed by the Perſon or Perſons to whom the ſame was ſo offered, ſhall in all Courts whatſoever be ſufficient Evidence and Proof, that ſuch Offer was made and was not agreed to, or was refuſed by the Perſon or Perſons to whom ſuch Offer was made, as the Caſe may be; and in caſe ſuch Perſon or Perſons ſhall be deſirous of repurchaſing the ſame, and he, ſhe or they, and the ſaid Truſtees ſhall differ and not agree with reſpect to the Price thereof, then the Price or Prices thereof ſhall be aſcertained by the Jury, in the Manner herein-before directed with reſpect to the diſputed Value of Premiſes to be purchaſed by the ſaid Truſtees in purſuance of this Act; and the Expence of hearing and determining ſuch Difference ſhall be borne and paid in like Manner as is herein-before directed with reſpect to ſuch Purchaſe made by the ſaid Truſtees (*mutatis mutandis*) and the Money to ariſe by the Sale or Sales which may be made by the ſaid Truſtees of ſuch Freehold or Leaſehold Eſtates, Lands, Houſes, Hereditaments and Premiſes, ſhall be applied to the Purpoſes of this Act; but the Purchaſer or Purchaſers thereof ſhall not be anſwerable or accountable for any Miſapplication or Non-application of the Money paid by him or them for ſuch Freehold or Leaſehold Eſtates, Lands, Houſes, Hereditaments and Premiſes.

That certain Eſtates ſhall not be affected by this Act without Conſent.

CXXXIX. Provided always, and be it further enacted, That this Act, or any of the Powers, Authorities, Clauſes, Proviſions, Matters or Things herein contained, ſhall not at any Time, or in any Manner extend to empower the ſaid Truſtees, or any of them, or any other Perſon or Perſons whomſoever, to purchaſe, take, uſe, injure or damage any of the Lands, Tenements or Hereditaments of or belonging to the Reverend *Samuel Parr*, Doctor of Laws, as Prebendary of the Prebend of *Wenlock*, one of the Prebends of the Cathedral and Metropolitical Church of *Saint Paul*, in the City of *London*, or any Part or Parts of ſuch Lands, Tenements, or Hereditaments; or to erect or make any Buildings or other Erections, Roads or other Works in or upon the ſame, or any Part thereof, without the Conſent in Writing of the Lord Biſhop of *London* for the Time being, and of the Prebendary of the ſaid Prebend for the Time being, under their reſpective Hands for that Purpoſe firſt had and obtained; nor to purchaſe or uſe any other Lands, Tenements, or Hereditaments, within the ſaid Pariſh without the like Conſent in Writing, under the reſpective Hands of the Perſon or Perſons, Bodies Politic, Corporate or Collegiate, entitled in Poſſeſſion to the Freehold of ſuch reſpective Lands, Tenements, or Hereditaments, or the reſpective Huſbands, Guardians, Truſtees, or Committees of ſuch Perſon or Perſons, if he, ſhe, or they be Femes Covert, Infants, Lunaticks, or Idiots, for that Purpoſe alſo firſt had and obtained.

Power for the Truſtees to borrow Money,

CXL. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Seven or more of them, to borrow and take up for the Purpoſes of this Act, at Intereſt, on the Credit of the Rates and Aſſeſſments to be made and aſſeſſed by virtue of this Act, any

and may assign the Rates and Assessments as a Security.

Sum or Sums of Money, not exceeding in the Whole the Sum of Twenty thousand Pounds, to be applied for the Purposes of this Act; and the said Trustees are hereby fully authorized and empowered to assign over the Rates and Assessments arising by virtue of this Act, or any Part thereof, the Costs and Charges of assigning the same being paid out of the said Rates and Assessments, as a Security for any such Sum or Sums of Money to be borrowed, with Interest, to such Person or Persons, or their Trustee or Trustees, as shall advance the same, on Parchment, under the Hands of Seven of the said Trustees for the Time being, by the following Words of Assignment, or by any other Words to the same Effect:

Form of Assignment, or Debenture.

'BY virtue of an Act made in the Fiftieth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for making more effectual Provision for lighting, watching, paving, cleansing, regulating and improving the Streets and other Public Places in the Parish of* Saint Luke *in the County of* Middlesex, We the Undersigned Seven of the Trustees for lighting, watching, cleansing, and paving the Streets and other Public Places in the said Parish of *Saint Luke*, in Consideration of the Sum of of lawful Money of *Great Britain*, to us in Hand paid by do assign unto the said his, her, or their Executors, Administrators and Assigns, or Successors and Assigns, [as the Case may be,] all and singular the Rates and Assessments arising by virtue of the said Act, and all the Estate, Right, Title and Interest of the said Trustees, of, in and unto the same, to hold unto the said his, her or their Executors, Administrators and Assigns, (or Successors and Assigns), until the Sum of together with Interest for the same, after the Rate of *per Centum per Annum*, shall be repaid. Witness our Hands.'

Persons taking such Assignments to be entitled to their Proportion of the Rates.

And all and every Person and Persons, Body or Bodies Politick, Corporate or Collegiate, Aggregate or Sole, to whom such Appointment or Assignment shall be made, shall be equally entitled to their Proportion of the said Rates and Assessments, according to the respective Sums in such Assignment mentioned to be advanced, to secure the Repayment thereof with Interest as aforesaid, without any Preference, by reason of Priority of Assignment, or on any other Account whatever; and the Money so borrowed as aforesaid, shall be applied in and about the several Purposes of this Act, and in carrying the same and the several Provisions, Powers and Authorities herein contained, into full Execution.

And the Money so borrowed to be applied for the Purposes of this Act.

And Assignments transferable by Indorsement.

CXLI. And be it further enacted, That all and every Person and Persons, Body or Bodies Politic, Corporate or Collegiate, Aggregate or Sole, to whom such Assignment or Assignments shall be made as aforesaid, or who shall be entitled to the Money thereby secured, may from Time to Time, personally, or by Attorney thereunto lawfully authorized, assign or transfer his, her or their Right, Title, Interest or Benefit to the said Principal and Interest Money thereby secured, to any Person or Persons, Body or Bodies Politic, Corporate or Collegiate, Aggregate or Sole whatsoever, by indorsing on the Back of such Security, before one credible Witness, who shall subscribe his Name thereto, the following Words, or Words to the like Effect, (*videlicet*,)

I Do

'I Do transfer this Aſſignment, with all my Right and Title to the Principal Money thereby ſecured, and to all the Intereſt Money now due or hereafter to be due, unto *C. D.* his, her or their Executors, Adminiſtrators, Succeſſors and Aſſigns. Dated this Day of Witneſs *E. F.* *A. B.*' Form of Indorſement.

Which Transfer ſhall, within Fourteen Days from the Date thereof, be produced and notified to the Clerk or Clerks to the ſaid Truſtees for the Time being, who ſhall enter the ſame in a Book to be kept for that Purpoſe as herein-after mentioned; and after ſuch Entry made, but not till then, every ſuch Aſſignment ſhall entitle any ſuch Aſſignee or Aſſignees, his, her, and their Executors, Adminiſtrators, Succeſſors and Aſſigns, to the Benefit thereof and Payment thereon; and ſuch Aſſignee or Aſſignees may aſſign the ſame again, and ſo *toties quoties*; but in caſe any Sum ſo aſſigned ſhall not exceed the Sum of One Hundred Pounds, it ſhall be lawful for the Perſon or Perſons entitled to ſuch Aſſignment reſpectively, by an Indorſement of his, her or their proper Names, to transfer his, her or their Property in ſuch Aſſignment, to any other Perſon or Perſons, without Notice thereof to the ſaid Clerk or Clerks, or any Entry being made thereof in the ſaid Book or Books; and all ſuch laſt mentioned Transfers or Aſſignments ſhall entitle ſuch Aſſignee or Aſſignees, his, her and their Executors, Adminiſtrators, Succeſſors or Aſſigns, to the Benefit thereof and Payment thereon; and ſuch Aſſignee or Aſſignees may in like Manner aſſign or transfer the ſame again, and ſo *toties quoties*; and it ſhall not be in the Power of any ſuch Perſon or Perſons, who ſhall have made any ſuch Aſſignment, to make void, releaſe or diſcharge the ſame, or any Monies thereby due, or any Part thereof: Provided nevertheleſs, that the ſaid Truſtees may at all Times pay off and diſcharge all ſuch Aſſignments, or any Part or Parts thereof, and alſo any Monies due on Securities given and granted under and by virtue of the ſaid Two ſeveral recited Acts when and as they may think proper, upon giving Notice to ſuch Perſon or Perſons entitled to the ſame, or his or their Aſſignee or Aſſignees, and upon giving Two Calendar Months Public Notice thereof in *The London Gazette*, and One more Public Newſpaper; and at the Expiration of the ſaid Two Calendar Months after ſuch Notice, all Intereſt ſhall ceaſe to be paid on the ſaid Principal Monies to be ſecured by ſuch Aſſignments under this Act, or by the Securities granted under and by virtue of the ſaid Two ſeveral recited Acts.

No Entry required if Security ſhall not exceed 100*l.* but may paſs by Indorſement of Aſſignees Names only.

CXLII. And be it further enacted, That the Intereſt of the Money which ſhall be borrowed on the Mortgage or Aſſignment of the Rates and Aſſeſſments as aforeſaid, ſhall, from the Time the ſaid Money or any Part thereof ſhall have been advanced, be paid Half Yearly by the Treaſurer or Treaſurers to the ſaid Truſtees to the ſeveral Parties entitled thereto. Intereſt on Monies borrowed to be paid Half-yearly.

CXLIII. And whereas many Perſons may prefer to advance ſuch Money as may be neceſſary for the Purpoſes of this Act not exceeding Twenty Thouſand Pounds in the whole as aforeſaid, for the Purchaſe of Annuities, to be ſecured upon and payable out of the Rates and Aſſeſſments to be made by virtue of this Act, be it therefore further enacted, That it ſhall and may be lawful to and for any Perſon or Perſons to contribute, advance and pay, into the Hands of the ſaid Truſtees, or to their Treaſurer for the Time being, or to ſuch Perſon or Perſons as they may appoint, any Sum or Sums of Money for the Purpoſes of this Act, for the abſo- Money may be borrowed on Annuities.

lute Purchaſe of One or more Annuity or Annuities to be paid and payable during the full Term of the natural Life of ſuch Perſon or Perſons, being of the Age of Forty Years or upwards, as ſhall be nominated by or on the Behalf of ſuch reſpective Contributors at the Time of Payment of their reſpective Purchaſe Monies; all which Annuities ſo to be purchaſed, ſhall be payable and paid by the ſaid Treaſurer or Treaſurers to the ſaid Truſtees for the Time being, out of the Monies to ariſe by or from the ſaid Rates and Aſſeſſments, by Half Yearly Payments; the firſt Payments to be made to the reſpective Purchaſers, or their Aſſigns, at the Expiration of Six Calendar Months after Payment of their reſpective Purchaſe Monies, the Rate whereof ſhall be ſettled and adjuſted by a public Sale of the ſaid Annuities by the ſaid Truſtees to the beſt Bidder for the ſame, or ſhall be ſuch as the ſaid Truſtees ſhall think reaſonable, and at any Monthly or General Meeting ſhall approve.

Annuities chargeable on the Rates.

CXLIV. And be it further enacted, That all and every the Annuity or Annuities ſo to be purchaſed under or by virtue of this Act, ſhall be, and are hereby charged upon, and ſhall be paid and payable, from Time to Time out of the Monies ariſing by the Rates and Aſſeſſments to be made by virtue of this Act; and all and every the Purchaſer and Purchaſers duly paying the Conſideration or Purchaſe Money, at the Rate aforeſaid, for any ſuch Annuity or Annuities as aforeſaid, or his, her or their reſpective Executors, Adminiſtrators or Aſſigns, ſhall have, receive and enjoy, and be entitled by virtue of this Act to have, receive and enjoy, the reſpective Annuity or Annuities ſo to be purchaſed out of the ſaid Rates or Aſſeſſments by this Act appointed for Payment thereof as aforeſaid, during the natural Life of the Perſon to be nominated by each of ſuch Purchaſers as before mentioned; and that all and every ſuch Purchaſer and Purchaſers, and their Executors, Adminiſtrators, or Aſſigns, ſhall have good, ſure, abſolute and indefeaſible Eſtates and Intereſts in the Annuity or Annuities ſo by him, her or them reſpectively to be purchaſed, according to the Tenor and true Meaning of this Act.

Form of Security.

CXLV. And be it further enacted, That all and every the Annuity and Annuities, to be granted and ſecured under and by virtue of this Act, ſhall be ſo granted by a Writing on Parchment, and ſhall be ſigned by Seven of the ſaid Truſtees for the Time being, and ſhall be in the Words or to the Effect following, (that is to ſay,)

Form of Annuity of Grant.

‘ WE of the Truſtees appointed by or in purſuance of an Act, ‘ paſſed in the Fiftieth Year of the Reign of King *George* the Third, ‘ intituled (*here ſet forth the Title of this Act*) in Conſideration of the Sum ‘ of paid by *A. B.* to *C. D.* the Treaſurer appointed ‘ in purſuance of the ſaid Act, do hereby grant unto the ſaid *A. B.* an An- ‘ nuity or Yearly Sum of to be paid out of the Rates ‘ or Aſſeſſments to be raiſed, levied and collected by virtue of the ſaid Act; ‘ which Annuity or Yearly Sum of ſhall be paid to ‘ the ſaid *A. B.* or his or her Aſſigns, during the Term of his or her ‘ natural Life (or, as the Caſe may be), to the ſaid *A. B.* his Executors, ‘ Adminiſtrators and Aſſigns, upon the Day of ‘ and the Day of in every Year, by equal Half- ‘ yearly Payments, and up to the Day of the Death of the ſaid *A. B.* (or, ‘ as the Caſe may be). In Witneſs whereof we the ſaid Truſtees have here- ‘ unto

'unto ſet our Hands the Day of in the Year
'of our Lord One thouſand eight hundred and :'

And alſo that all and every Perſon and Perſons, to whom any ſuch Annuity or Annuities ſhall be ſo granted and ſecured as aforeſaid, and his, her and their Executors, Adminiſtrators and Aſſigns, ſhall and may, by Indorſement on his, her or their reſpective Securities, aſſign or transfer his, her or their Right and Intereſt to and in the Annuities thereby reſpectively ſecured, in the Words or to the Effect following, (that is to ſay,) Form of Aſſignment.

'I Do hereby aſſign and transfer the within written Security, and the Annuities (or Annuity) thereby granted or ſecured unto Executors, Adminiſtrators, or Aſſigns, (as the Caſe may be). Witneſs my Hand and Seal this Day of in the Year of our Lord One thouſand eight hundred and .' Form of Transfer of Grant of Annuity.

Which Transfer ſhall, within Twelve Days after the Date thereof, be produced and notified to the Clerk or Clerks to the ſaid Truſtees for the Time being, who ſhall enter the ſame in a Book to be kept for that Purpoſe as herein-after mentioned; and after ſuch Entry made, but not till then, every ſuch Aſſignment ſhall entitle any ſuch Aſſignee or Aſſignees, his, her or their Executors, Adminiſtrators, Succeſſors and Aſſigns, to the Benefit thereof and Payment thereon.

CXLVI. Provided always, That no Monies ſhall be obtained by the Sale of Annuities, unleſs at or until after a public Meeting of the ſaid Truſtees, to be held for that Purpoſe, whereof Seven Days' Notice ſhall be given in ſome Public Newſpaper printed and publiſhed within the Cities of *London* or *Weſtminſter*. Annuities to be granted only after public Notice.

CXLVII. And be it further enacted, That no Annuity or Annuities granted and ſecured under and by virtue of the ſaid Two ſeveral recited Acts, or to be granted and ſecured under this Act, ſhall be paid and recoverable, unleſs upon the Demand of each Half-yearly Payment thereof the Perſon for whoſe Life the ſame ſhall have been ſo granted and ſecured, ſhall perſonally appear before the Treaſurer, or Clerk or Clerks to the ſaid Truſtees, to whom the Perſon or Perſons entitled to receive ſuch Annuity or Annuities ſhall then produce, or cauſe to be produced, the original Security or Securities for the ſame; or in caſe of his or her Non-appearance, the Perſon or Perſons entitled to receive ſuch Annuity, or his, her or their Agent or Agents, ſhall produce ſuch Security or Securities, and a Certificate to the ſaid Treaſurer, or Clerk or Clerks, of the Life of ſuch Ceſtuique Vie, ſigned by the officiating Miniſter of the Pariſh wherein he, ſhe or they ſhall be reſiding upon the Day when ſuch Annuity became due, or ſuch other Evidence as ſhall be ſatisfactory to the ſaid Treaſurer, Clerk or Clerks of ſuch Ceſtuique Vie ſhall be then in the United Kingdom of *Great Britain* and *Ireland*, and in caſe ſuch Ceſtuique Vie ſhall not be within the ſaid United Kingdom, then ſuch other good and ſufficient Proof of his or her living upon the Day when each Half-yearly Payment of the ſaid Annuity or Annuities ſhall reſpectively become due, ſhall be produced to the ſaid Treaſurer, Clerk or Clerks, as ſhall be ſatisfactory to him or them; and it ſhall not be neceſſary, in order to render valid the Grant of any ſuch Annuity or Annuities, to enrol or regiſter a Memorial thereof, purſuant to the Proviſions contained in an Act paſſed in the Seventeenth No Annuity to be paid or recoverable unleſs a proper Certificate be produced.

Year of His preſent Majeſty's Reign, intituled *An Act for regiſtering the Grants of Life Annuities, and for the better Protection of Infants againſt ſuch Grants.*

If Annuitants die other Annuities may be granted.

CXLVIII. Provided always, and be it further enacted, That in caſe any Annuitant or Annuitants, Nominee or Nominees, to whom and for whoſe Lives any Annuity or Annuities may be granted under and by virtue of this Act, ſhall die, it ſhall and may be lawful for the ſaid Truſtees to permit any Perſon or Perſons to purchaſe of them the ſaid Truſtees, one or more Annuity or Annuities in the Room of ſuch Annuitant or Annuitants, Nominee or Nominees ſo dying, upon the Life of ſuch other Perſon or Perſons, upon ſuch Terms and Conditions, and payable in ſuch Manner as above mentioned; or in caſe the ſaid Truſtees ſhall call in and pay off any Aſſignments or Mortgages of the ſaid Rates or Aſſeſſments, it ſhall and may be lawful for them to borrow on ſimilar Aſſignments and Securities other Sum or Sums of Money, ſo that the Sum or Sums to be contributed for the Purchaſe of any Annuity or Annuities to be granted by virtue of this Act, together with the Monies borrowed on Intereſt as aforeſaid, ſhall not at any one Time exceed the ſaid Sum of Twenty thouſand Pounds.

Annuities to be deemed perſonal Eſtate. That Truſtees ſhall not be perſonally liable.

CXLIX. Provided always, and be it hereby further enacted, That all Monies advanced and paid, and all Aſſignments, Securities, and Annuities given and granted under and by virtue of this Act, ſhall be and be deemed Perſonal Eſtate and Effects: And alſo that the ſaid Truſtees for the Time being, ſigning or executing ſuch Mortgages, Aſſignments, or Grants, or their Eſtates or Effects, ſhall in nowiſe be charged with nor reſponſible, either at Law or in Equity, for the Payment of any of the Monies or Annuities thereby granted or ſecured, or intended ſo to be.

Securities incorrectly granted, or not executed under former Acts may be amended and granted.

CL. And be it further enacted, That in caſe any Annuities have been granted, or Securities given by the Commiſſioners or Truſtees acting in execution of the ſaid Two ſeveral recited Acts, or any or either of them, for any Sum or Sums of Money lent or paid by any Perſon or Perſons to the ſaid Commiſſioners or Truſtees for the Purpoſes of the ſaid Two ſeveral recited Acts, and applied to the ſame, but which are not valid and effectual becauſe the ſaid Commiſſioners or Truſtees had previouſly borrowed and received all the Monies which under and by virtue of ſuch Two ſeveral recited Acts they were empowered to borrow and to receive: And in caſe the ſeveral Perſons who have received and do now poſſeſs, and are entitled to ſuch Grants of Annuities, or to ſuch Securities, and to the Receipt of ſuch Monies, and to the Principal and Intereſt due and to become due on ſuch Securities, ſhall and do within Six Months from the paſſing of this Act, appear before the Truſtees to be appointed by virtue of this Act, at any Monthly or General Meeting, and prove to their Satisfaction that the Purchaſe Monies paid for ſuch Annuities, and the principal Money intended to be ſecured by ſuch Securities, were *bona fide* paid and advanced; and that ſuch Monies have been applied for the Purpoſes of the ſaid Two ſeveral recited Acts, or either of them; and alſo ſhall deliver up ſuch Grants and Securities to the ſaid Truſtees to be cancelled; or if any Sum or Sums of Money have been actually paid or advanced by any Perſon or Perſons for the Purpoſes of the ſaid Two ſeveral Acts, or either of them, who have not received the Grants or Securities which

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ought to have been executed and delivered to him, her, or them, he, ſhe, or they proving the ſame to the Satisfaction of the ſaid Truſtees as before mentioned, it ſhall and may be lawful for the ſaid Truſtees, or any Seven or more of them, to ſign and deliver either Grants of Annuities for the Lives of the ſame Perſons, or Aſſignments of the Rates for the ſame Sums, and at the ſame Rate of Intereſt as may be ſpecified in ſuch Grants of Annuities, or in ſuch Aſſignments or Securities as may be delivered up by ſuch Perſon or Perſons to be cancelled, or as the ſaid Commiſſioners or Truſtees acting under the ſaid recited Acts, had agreed and promiſed to grant and give to ſuch Perſon or Perſons as may have paid or lent any Sum or Sums of Money to the ſaid Commiſſioners or Truſtees under the ſaid Two ſeveral recited Acts, without having received the Grants or Securities which ought to have been executed and delivered to them, in the Form and Manner by this Act preſcribed for the Grants of Annuities and the Aſſignment of the Rates to be given and granted by virtue hereof; and ſuch Annuities and principal Monies and Intereſt granted and ſecured by ſuch Grants and Aſſignments, ſhall be charged upon the Rates and Aſſeſſments to be made by virtue of this Act: Provided always, that the Purchaſe Monies of ſuch Annuities, and the Monies paid for ſuch Aſſignments, ſhall not be included in nor form Part of the Sum of Twenty Thouſand Pounds which the ſaid Truſtees are empowered by this Act to borrow and receive for the Purpoſes of this Act.

Securities to be entered in a Book.

CLI. And be it further enacted, That the Clerk or Clerks to the ſaid Truſtees for the Time being, ſhall enter in a Book or Books to be for that Purpoſe provided and kept by the ſaid Truſtees, a Copy or Copies, or an Extract or Extracts of or from all Securities given for Monies borrowed, and of and from the Grants of all Annuities granted by virtue or in purſuance of this Act, or by virtue or in purſuance of the ſaid Two ſeveral recited Acts, which may be due and payable at the Time of paſſing this Act; and alſo of all Aſſignments of the Grants of ſuch Annuities, or of ſuch Securities for Monies borrowed, expreſſing in Words at length the Names, Surnames, Additions, Places of Abode, and Deſcriptions of all ſuch Perſons as ſhall from Time to Time be entitled to ſuch Annuities and Securities, and alſo the Name, Surname, Addition, Place of Abode, and other Deſcription of every Perſon for whoſe Life any Annuity or Annuities have been or ſhall be granted, and the Days whereon the Intereſt of the ſaid Securities and the ſaid Annuities ſhall be payable; to which Book and Books the Perſon and Perſons entitled to and poſſeſſed of ſuch Annuities or Securities, and all and every the Perſon and Perſons liable to the Payment of the ſaid Rates and Aſſeſſments, ſhall at all ſeaſonable Times have Acceſs, with free Liberty to inſpect the ſame, or to make or take Extracts or Copies thereof or therefrom, without Fee or Reward.

Contracts may be entered into.

CLII. And be it further enacted, That the ſaid Truſtees, at any of their General Meetings to be held in purſuance of this Act, ſhall and may, and they are hereby authorized and empowered, from Time to Time to contract or agree with any Perſon or Perſons whomſoever, for lighting, cleanſing, paving, and repairing the Pavement of and within the ſaid Pariſh, and for doing and executing all or any of the Works which under and by virtue of this Act the ſaid Truſtees may direct to be done and executed; and alſo to purchaſe or provide, either by Contract or other-

wiſe, from Time to Time, ſuch Goods, Materials, and Things whatſoever, as they ſhall think proper for effectually executing the Powers and Proviſions of this Act; and ſhall pay or order the Payment of the Monies due or to become due upon any ſuch Contracts, Agreements, or Purchaſes, to the Perſon or Perſons entitled to receive the ſame, by and out of all or any Monies which ſhall or may be paid to or received by them by virtue of this Act.

Notice to be given of Meetings for making Contracts.

CLIII. Provided always, That previous to the Day appointed for the Meeting of the ſaid Truſtees for the making of any Contracts they may deem expedient for the better Execution of this Act, Seven Days Notice of ſuch Meeting to make ſuch Contracts, ſhall be given in ſome of the Public Newſpapers, expreſſing the Nature, Objects, and Conditions of each of ſuch Contracts, in order that any Perſon or Perſons willing to undertake the ſame, may make Propoſals for that Purpoſe, to be offered and preſented to the ſaid Truſtees, or to their Clerk or Clerks, at the Time and Place mentioned in ſuch Notice.

All Contracts to be entered in Books.

CLIV. And be it further enacted, That the ſaid Truſtees ſhall cauſe the Particulars of all Contracts, or Agreements, which ſhall in anywiſe relate to the carrying into Execution the Purpoſes of this Act, and all Receipts and Payments, Debts and Credits, and every Matter or Thing relative thereto, and alſo Minutes of their Proceedings, to be fairly entered by their Clerk or Clerks in a Book or Books to be provided for thoſe Purpoſes.

Truſtees and Veſtrymen to bear their own Expences.

CLV. And be it further enacted, That at all Meetings to be held in purſuance of this Act, the Truſtees and Veſtrymen preſent at ſuch Meetings ſhall pay and defray their own Expences, and that no Monies ſhall be expended, except ſuch as ſhall be neceſſary to be expended for and in the Execution of this Act.

Clerk to deliver Copies of Accounts after Demand.

CLVI. And be it further enacted, That it ſhall be lawful for all and every the Annuitants and Creditors of the ſaid Pariſh, and all Perſons rated to the Rates or Aſſeſſments made in the ſaid Pariſh in purſuance of this Act, at all convenient Times to peruſe and inſpect, and to make and take Extracts from all Rates or Rate Books, and all other Book or Books, Accounts, Vouchers, Papers, and Writings whatſoever, which have been or ſhall be kept under any of the ſaid recited Acts, or under this preſent Act, in relation to the Affairs of the ſaid Pariſh, in the Cuſtody or Power of the ſaid Truſtees for the Time being, without Fee or Reward; and that the Clerk or Clerks to the ſaid Truſtees, within Twenty Days after Demand made thereof in Writing, ſigned by any One of the Perſons before mentioned, and delivered to or left for him, at his uſual or laſt Place of Abode, ſhall make and deliver, or cauſe to be made and delivered, a Copy or Copies of all and every ſuch Book and Books, Accounts, Vouchers, Papers and Writings whatſoever, or of any Part or Parts thereof, to the Perſon or Perſons demanding the ſame, he or they paying for the ſame, on the Delivery thereof, at and after the Rate of Two Shillings for every Three Hundred Words contained in ſuch Copy or Copies ſo demanded and delivered as aforeſaid; and in caſe any ſuch Clerk ſhall at any Time refuſe or wilfully neglect to make and deliver, or cauſe to be made and delivered ſuch Copy or Copies of all and every

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ſuch Book and Books, Accounts, Vouchers and Papers, and of every Part thereof reſpectively, to the Perſon or Perſons demanding the ſame, within Twenty Days after Demand thereof as aforeſaid, then every ſuch Clerk ſhall, for every Refuſal or Neglect, forfeit and pay the Sum of Fifty Pounds, one Moiety thereof to the Treaſurer to the Truſtees for the Time being, to be applied in Aid of the Rates for the Purpoſes of this Act, and the other Moiety to any Perſon or Perſons who ſhall ſue for the ſame in any of His Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt, or on the Caſe, wherein no Eſſoign, Protection, Wager of Law, nor more than one Imparlance ſhall be allowed.

Truſtees to print Abſtract of Accounts annually.

CLVII. And be it further enacted, That the ſaid Truſtees for the Time being, ſhall within Two Months after the Twenty-fourth Day of *June*, in each and every Year, cauſe their Clerk or Clerks to tranſcribe from the Books of Account kept by them of and for the Uſe of the ſaid Pariſh, a true Statement of the Accounts of all the Monies received and paid by them during the preceding Year; diſtinguiſhing for what ſuch Monies were received and paid, and ſhewing in what Sum the ſaid Pariſh, at the Expiration of the Year, was in Debt or entitled to Credit, and which Statement of the Accounts ſhall contain an Account of all Rates made, and of the Deficiencies in the Collection thereof during the preceding Year, and diſtinguiſhing the Rates made, and the Deficiencies ariſing in each Liberty of the ſaid Pariſh; and which Statement of the Accounts ſhall be printed, and every Inhabitant of the ſaid Pariſh, rated to the Rates to be made by virtue of this Act, on paying Two Shillings ſhall receive one ſuch Statement of the Accounts from the Clerk or Clerks to the ſaid Truſtees; and every ſuch Clerk or Clerks, who ſhall neglect or refuſe to do as above directed, ſhall for every Offence forfeit and pay the Sum of Twenty Pounds, one Moiety thereof to the Treaſurer to the Truſtees for the Time being, and the other Moiety to any Perſon or Perſons who ſhall ſue for the ſame, in any of His Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt or on the Caſe, wherein no Eſſoign, Protection, or Wager of Law, or more than one Imparlance ſhall be allowed.

Truſtees to ſue and be ſued in the Name of the Clerk.

CLVIII. And be it further enacted, That the Truſtees to be appointed under this Act, ſhall and may ſue and be ſued, and take all Bonds and Securities in the Name or Names of their Treaſurer or Treaſurers, Clerk or Clerks for the Time being, to be appointed under this Act, and that no Action or Suit which may be brought by or againſt the ſaid Truſtees, or any of them, in relation to this Act, in the Names of their Treaſurer or Treaſurers, Clerk or Clerks, ſhall abate or be diſcontinued by the Death or Removal of ſuch Treaſurer or Treaſurers, Clerk or Clerks, or by the Act of him or them, without the Conſent of the ſaid Truſtees, as the Caſe may be, but the Treaſurer or Treaſurers, Clerk or Clerks for the Time being, ſhall always be deemed Plaintiff or Plaintiffs, Defendant or Defendants, in every Action or Suit, as the Caſe may be: Provided always, that all and every ſuch Treaſurer or Treaſurers, Clerk or Clerks ſhall be reimburſed out of the Monies to be raiſed by virtue of this Act, all ſuch Coſts, Damages, and reaſonable Expences as he or they ſhall be put unto or become charged or chargeable with, by reaſon of his or their being ſo made Plaintiff or Defendant, or Plaintiffs or Defendants as aforeſaid, provided that the ſaid Action or Defence ſhall be proſecuted, carried on and continued with the Conſent of the ſaid Truſtees, as the Caſe may be.

Inhabitants not deemed incompetent Witneſſes.

CLIX. And be it further enacted, That no Inhabitant of the ſaid Pariſh ſhall, in any Action, Proſecution, Information, Cauſe, Hearing, Examination, or Proceeding whatſoever, relating to or concerning the Execution of this Act, or concerning the ſaid Pariſh, be deemed an incompetent Witneſs on Account of his or her being charged with or liable to pay any Rate or Aſſeſſment to be raiſed, levied, and collected by virtue of this Act.

Orders to be entered in Books, and good Evidence.

CLX. And be it further enacted, That all Acts, Orders, and Proceedings of the ſaid Veſtrymen, and of the Truſtees at their Meetings, ſhall be entered in a Book or Books to be kept by the Clerk or Clerks for that Purpoſe, and ſigned by the Chairman for the Time being, at their next Meeting, or ſome ſubſequent Meeting, and all Acts, Orders, and Proceedings, ſhall then be deemed and taken to be original Acts, Orders, and Proceedings, and ſuch Books ſhall and may be produced and read as Evidence in all Courts whatſoever, of all ſuch Acts, Orders, and Proceedings.

How Juſtices are to proceed on Complaint of Truſtees.

CLXI. And be it further enacted, That in all Caſes where one or more Juſtice or Juſtices of the Peace is or are, or may be empowered by Law to proceed on the Complaint of the Truſtees, or any of them, it ſhall and may be lawful for ſuch Juſtice or Juſtices of the Peace, and he and they are hereby required to proceed on the Complaint of any one of the ſaid Truſtees, or of their Surveyor or Collector, or of any Perſon or Perſons whom any Three or more of them ſhall appoint for that Purpoſe, in ſuch and the like Manner, to all Intents and Purpoſes, as if ſuch Complaint had been made by ſuch Truſtees, or any of them; and that in every Caſe wherein no Proviſion is made by this Act, by how many of the ſaid Truſtees, any Act, Matter, or Thing ſhall be done, the ſame ſhall be as effectual, if done by any Three or more of them, as if done by all the ſaid Truſtees for the Time being.

Juſtices may act notwithſtanding their being Truſtees.

CLXII. And be it further enacted, That any Juſtice of the Peace in and for the ſaid County of *Middleſex*, ſhall and may do any Act or Deed relative to the Office of a Juſtice of the Peace, hereby directed or otherwiſe, notwithſtanding he ſhall or may at the ſame Time be a Truſtee for carrying into Execution the ſeveral Purpoſes of this Act, and ſhall and may act in the Execution of this Act, notwithſtanding he ſhall be an Inhabitant of the ſaid Pariſh, or ſhall pay the Rates to be made by virtue of this Act; any Law, Statute, or Uſage to the contrary notwithſtanding.

Power for Juſtices to make Allowance to Informers.

CLXIII. And be it further enacted, That it ſhall be lawful for the Juſtice or Juſtices of the Peace, before whom any Offender or Offenders ſhall be convicted of any Offence againſt this Act, or againſt any Bye Law, Rule, or Order made in purſuance hereof, if he or they ſhall think fit, to allow and pay any Part of the Fine, Penalty, or Forfeiture which ſhall be impoſed upon and received of any ſuch Offender, convicted before him or them of any ſuch Offence as aforeſaid, (unleſs herein otherwiſe directed) not exceeding One-Half Part thereof, to the Informer or Informers againſt ſuch Offender, in ſuch Shares and Proportions as to ſuch Juſtice or Juſtices ſhall ſeem meet.

CLXIV. And

Power to adminiſter Oaths.

CLXIV. And be it further enacted, That in all Caſes where the ſaid Truſtees, or any Juſtice or Juſtices of the Peace is or are by this Act, or ſhall or may be by any Bye Law, Rule, or Order to be made in purſuance thereof, authorized or required, or ſhall deem it neceſſary or expedient, to examine any Perſon or Perſons on Oath or Affirmation, it ſhall be lawful for ſuch Truſtees, and ſuch Juſtice or Juſtices reſpectively, and they and he are and is hereby reſpectively authorized and required to adminiſter ſuch Oath or Affirmation, and that if any Perſon or Perſons ſhall upon his, her, or their Examination upon Oath or Affirmation before the ſaid Truſtees, or Juſtice or Juſtices reſpectively, wilfully and corruptly give falſe Evidence, ſuch Perſon or Perſons ſo offending, and being thereof duly convicted, ſhall be, is and are hereby declared to be ſubject and liable to ſuch Pains and Penalties as by any Law now in being Perſons convicted of wilful and corrupt Perjury are ſubject and liable to.

For compelling the Attendance of Witneſſes.

CLXV. And be it further enacted, That it ſhall and may be lawful to and for any Juſtice or Juſtices, who is and are made competent, empowered, or required to hear and determine any Complaint under or by virtue of this Act, to iſſue a Summons under his or their Hand and Seal or Hands and Seals to any Perſon or Perſons whomſoever, to attend as a Witneſs or Witneſſes, and to give Evidence upon Oath or ſolemn Affirmation before any ſuch Juſtice or Juſtices of the Peace, touching any Matter of Fact contained in any Information or Complaint, for any Offence againſt this Act, or againſt any Bye Law, Rule, or Order made in purſuance thereof, whether on the Part of the Proſecutors or of the Perſon or Perſons complained of, and which Summons ſuch Juſtice or Juſtices as aforeſaid are hereby required to iſſue, if thereunto required; and if ſuch Perſon or Perſons ſo ſummoned as aforeſaid, upon being paid or tendered a reaſonable Sum for his or their Coſts and Charges, Trouble, and Attendance, ſhall refuſe or neglect to appear at the Time and Place to be for that Purpoſe appointed, without a reaſonable Excuſe for ſuch his, her, or their Refuſal or Neglect, to be approved of by ſuch Juſtice or Juſtices, or appearing ſhall refuſe to be examined on Oath (or ſolemn Affirmation) and give Evidence before ſuch Juſtice or Juſtices, then and in every ſuch Caſe every ſuch Perſon ſhall forfeit for every ſuch Offence any Sum not exceeding Five Pounds.

Notices may be ſerved perſonally or by leaving the ſame.

CLXVI. And be it further enacted, That all Notices and Summonſes which are directed and required to be given by this Act, or which are or may be directed or required to be given by any Bye Law, Rule, or Order to be made in purſuance of this Act, or which ſhall or may be neceſſary for carrying into Execution any of the Powers of this Act, or any or either of ſuch Bye Laws, Rules, or Orders, of which the Manner of ſerving the ſame is not particularly directed by this Act, ſhall be printed or written, and ſhall or may be ſerved either by delivering the ſame perſonally to the Perſon or Perſons to whom ſuch Notices reſpectively are to be given, or by leaving the ſame at his, her, or their uſual or laſt known Place or Places of Abode.

Fines and Penalties how to be levied and obtained

CLXVII. And be it further enacted, That all Penalties, Forfeitures, and Fines by this Act inflicted or impoſed, or authorized to be impoſed (the

(the Manner of levying and recovering whereof is not herein otherwise directed), shall upon Proof of the Offences respectively before any One or more Justices of the Peace for the said County of *Middlesex*, either by the Confession of the Party or Parties offending, or by the Information of One or more Witness or Witnesses, upon Oath, (which Oath such Justice or Justices of the Peace is and are hereby empowered and required to administer without Fee or Reward), be levied by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant or Warrants under the Hand and Seal or Hands and Seals of such Justice or Justices; which Warrant or Warrants such Justice or Justices is and are hereby empowered and required to grant; and the Penalties and Forfeitures when recovered, after rendering the Overplus, if any there be, upon Demand, to the Party or Parties whose Goods and Chattels shall be so distrained and sold, (the Costs, Charges, and Expences of making such Distress and the keeping and selling thereof being first deducted), shall be paid to the Treasurer for the Time being to the said Trustees, and applied towards the Purposes of this Act, and in Aid of the Rates to be made in pursuance of this Act; but nevertheless, it shall and may be lawful to and for the said Trustees, at any Meeting to be held in pursuance of this Act, to order their Treasurer for the Time being, in any Case in which no Reward has been awarded by any Justice to any Informer, to pay such Part of the said Penalties to the Informer as they shall judge reasonable, not exceeding One Moiety thereof; and in every such Case, where Distress is directed to be made, levied, or taken by this Act, and sufficient Distress shall not be found, and such Penalties, Forfeitures, and Fines shall not be forthwith paid, it shall and may be lawful for such Justice or Justices of the Peace, and he and they is and are hereby authorized and required, by Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction of the County of *Middlesex*, there to remain without Bail or Mainprize for any Time not exceeding One Month for the first Offence, and for the Second, and every other Offence of the same Kind, for any Time not exceeding Three Months; unless such Penalties, Forfeitures or Fines, and all reasonable Charges and Expences attending the same, shall be sooner paid and satisfied.

Form of Conviction.

CLXVIII. And be it further enacted, That all and every Justice or Justices of the Peace, before whom any Person or Persons shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn up in the following Words, or any other Form of Words to the same Effect; (that is to say),

'BE it remembered, That on this Day of in the Year of our Lord *A. B.* is duly convicted before of His Majesty's Justices of the Peace for the County of *Middlesex*, of having [*here state the Offence against the Act, as the Case may be*] contrary to the Form of the Statute in that Case made and provided; and I [*or* we, *as the Case may be*], do declare and adjudge that the said *A. B.* hath forfeited for his *or* her [*as the Case may be*] said Offence the Sum of

'Given under my Hand, *or*, Hand and Seal, *or*, our Hands, *or*, our Hands and Seals [*as the Case may be*] the Day and Year first above written.'

CLXIX. And

Diſtreſs not to be deemed unlawful for Want of Form, &c.

CLXIX. And be it further enacted, That where any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers on account of any Defect or Want of Form in any Proceedings relating thereto; nor ſhall the Party or Parties be deemed a Treſpaſſer or Treſpaſſers *ab initio*, on account of any Irregularity which ſhall be afterwards done by the Party or Parties diſtraining, but the Perſon or Perſons aggrieved by ſuch Irregularity may recover full Satisfaction for the ſpecial Damage incurred by an Action on the Caſe.

Plaintiff not to recover if Tender of Amends hath been made.

CLXX. Provided always, That no Plaintiff or Plaintiffs ſhall recover in any Action to be commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, unleſs Notice in Writing of ſuch intended Action, ſhall have been given to the Clerk or Clerks of the ſaid Truſtees, or left at his or their laſt or uſual Place or Places of Abode, Twenty-one Days before ſuch Action ſhall be commenced, ſigned by the Attorney for the intended Plaintiff or Plaintiffs, ſpecifying the Cauſe or Cauſes of ſuch Action; nor ſhall any Plaintiff or Plaintiffs recover in ſuch Action for Satisfaction for ſpecial Damage or otherwiſe, or for any ſuch Irregularity, Treſpaſs, or other Proceedings, if Tender of ſufficient Amends ſhall be made by or on the Behalf of the Party or Parties who ſhall have committed, or cauſed to be commited every or any ſuch Irregularity, Treſpaſs, or wrongful Proceeding before ſuch Action ſhall be brought; and in caſe no ſuch Tender ſhall have been made, it ſhall and may be lawful for the Defendant or Defendants in any ſuch Action, by Leave of the Court where ſuch Action ſhall depend, at any Time before Iſſue be joined in ſuch Action, to pay into ſuch Court ſuch Sum of Money as he, ſhe, or they ſhall think fit, whereupon ſuch Proceedings, or Order and Judgment, ſhall be had, made, or given in and by ſuch Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Perſons aggrieved may appeal to the Quarter or General Seſſions.

CLXXI. Provided always, and be it further enacted, That if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves aggrieved by any Rate or Rates, Aſſeſſment or Aſſeſſments, or by any Bye Law, Rule, or Order made in purſuance of this Act, or any other Matter or Thing done or directed to be done in purſuance of this Act, ſuch Perſon or Perſons ſhall apply for Relief to the ſaid Truſtees, at any Meeting to be held within Thirty Days next after Demand made of ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, or next after any ſuch Matter or Thing done and committed by, or by an Order of the ſaid Truſtees, by which ſuch Perſon or Perſons ſhall think himſelf, herſelf, or themſelves aggrieved; and the ſaid Truſtees are hereby authorized and empowered to give ſuch Relief in the Premiſes as to them ſhall ſeem neceſſary; and if ſuch Perſon or Perſons ſhall not be ſatisfied with the Determination of ſuch Truſtees, he, ſhe, or they may appeal to a Quarter or General Seſſions of the Peace to be holden for the County of *Middleſex*, as the Caſe ſhall be, within Three Months next after ſuch Determination of the ſaid Truſtees ſhall be made, ſuch Appellant firſt giving, or cauſing to be given Seven Days Notice at the leaſt, in Writing, of his, her, or their Intention to bring ſuch Appeal, and of the Matter thereof, to the Clerk or Clerks of the ſaid Truſtees, or leaving ſuch Notice for him or them, at his or their laſt or uſual Place

or Places of Abode, and within Three Days next after such Notice, entering into a Recognizance before One of His Majesty's Justices of the Peace for the said County, with Two sufficient Sureties, in the Sum of Forty Pounds conditioned to try such Appeal, and to abide the Order of, and to pay such Costs as shall be awarded by the Justices at such Quarter or General Sessions; and the said Justices at such Quarter or General Sessions of the Peace for the said County, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and determine the Causes and Matters of such Appeal in a summary Way, and award such Costs to the Parties appealing or appealed against, as they the said Justices shall think proper, and the Determination of such Justices, at their Quarter or General Sessions, shall be final, binding, and conclusive.

**Proceedings not to be quashed for Want of Form, nor removeable by Certiorari.**

CLXXII. And be it further enacted, That no Rate or Rates, Assessment or Assessments, nor any Proceeding to be had touching the Conviction of any Offender or Offenders against this Act, or any Order made, or any other Matter or Thing to be done or transacted in or relating to the Execution of this Act, or in pursuance or by virtue thereof, shall be vacated or quashed for Want of Form, nor be removed or removeable by *Certiorari*, or by any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*; any Law, Statute, or Usage to the contrary notwithstanding.

**Limitation of Actions.**

CLXXIII. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, until after Thirty Days Notice in Writing shall be thereof given to the Clerk or Clerks to the said Trustees, or after sufficient Satisfaction made or tendered, or after Six Calendar Months next after the Fact committed, for which such Action or Actions, Suit or Suits shall be so brought; and all such Actions or Suits shall be laid and tried in the County of *Middlesex* or City of *London*, and not in any other County, City, or Place; and that the Defendant or Defendants in such Action or Actions, Suit and Suits, and every of them, may plead the General Issue, and give this Act, and the special Matter in Evidence, at any Trial or Trials which shall be had thereupon; and that the Matter or Thing for or on which such Action or Actions, Suit or Suits shall be brought, was done in pursuance and by the Authority of this Act; and if the said Matter or Thing shall appear to have been so done, or if it shall appear that such Action or Suit was brought before Twenty-one Days Notice was given as before directed, or that sufficient Satisfaction was made or tendered or paid into Court as aforesaid, or if any such Action or Suit shall not be commenced within the Time before for that Purpose limited, or shall be laid in any other County, City, or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants therein; and if a Verdict shall be found for such Defendant or Defendants, or if the Plaintiff or Plaintiffs in such Action or Actions, Suit or Suits, shall become nonsuited, or suffer a Discontinuance of such Action or Actions, Suit or Suits, or if upon a Demurrer or Demurrers in such Action or Actions, Suit or Suits, Judgment shall be given for the Defendant or Defendants therein, then and in either of the

**Treble Costs.**

Cases aforesaid, such Defendant or Defendants shall have Treble Costs, and shall have such Remedy and Remedies for recovering the same, as any Defendant

Defendant or Defendants may have for the Recovery of his, her, or their Coſts in other Caſes by Law.

For paying Money annually to the Truſtees of Old Street Road in lieu of Statute Labour.

CLXXIV. And whereas by an Act of Parliament made and paſſed in the Sixth Year of the Reign of His late Majeſty King *George* the Second, intituled *An Act for providing a Maintenance for the Rector of the new Church near* Old Street, *in the Pariſh of* Saint Giles Cripplegate; and for other Purpoſes therein mentioned, after reciting (amongſt other Things,) that all the Roads and Highways lay in the Diſtrict appointed for the then new intended Pariſh, and the Number of Houſes in the ſaid new intended Pariſh were many more than the old Pariſh, it is enacted, that the ſaid Roads and Highways ſhould, from and after the Commencement of the ſaid Act, be repaired by the Means and Methods provided by the Laws then in being, and all and every Sum and Sums of Money which ſhould be expended and laid out in and for the repairing the ſame, ſhould be paid and diſburſed by the ſaid Pariſhes reſpectively, in the Proportions following, (that is to ſay), Five-Eighth Parts thereof by the ſaid new intended Pariſh, commonly called *The Lordſhip Part*, and the other Three-Eighth Parts thereof by the ſaid old Pariſh, commonly called *The Freedom Part*: And whereas by an Act of Parliament made and paſſed in the Twelfth Year of the Reign of His preſent Majeſty, intituled *An Act for enlarging the Term and Powers of Two Acts made in the Twenty-ſixth and Twenty-ninth Years of the Reign of His late Majeſty King* George *the Second, for repairing and widening* Old Street *Road, in the Pariſhes of* Saint Luke, *and* Saint Leonard Shoreditch, *in the County of* Middleſex; it is (amongſt other Things) enacted, that the ſaid ſeveral Pariſhes of *Saint Giles Cripplegate*, and *Saint Luke*, ſhould pay or cauſe to be paid the yearly Sum of Sixty-one Pounds, which ſaid Sum of Money ſhould be paid by the Churchwarden or Churchwardens of the Pariſh of *Saint Giles Cripplegate*, and by the Treaſurer or Treaſurers of the Four Rates collected or to be collected in the ſaid Pariſh of *Saint Luke*, in ſuch Manner and at ſuch Times, and under ſuch Penalties and Forfeitures in Default of Payment, as are preſcribed in and by the former Acts in caſe of Non-payment thereof; now be it enacted, That the ſaid Truſtees under this Act ſhall and may, and are hereby required, from Time to Time, to pay and apply ſo much of the Monies to be raiſed by the ſaid Rates or Aſſeſſments from Time to Time appointed to be made and aſſeſſed by virtue of this Act, as ſhall be ſufficient to defray Five-Eighth Parts of the ſaid yearly Sum of Sixty-one Pounds, ſo to be paid in lieu of the Statute Labour to be performed by the Inhabitants of the ſaid Pariſhes reſpectively, and that the other Three-Eighth Parts of the ſaid yearly Sum of Sixty-one Pounds ſhall be paid and diſburſed by the ſaid Pariſh of *Saint Giles Cripplegate*.

This Act not to extend to that Part of the Pariſh of Saint Luke, within the Limits of the Acts 20 and 31 G. 3.

CLXXV. Provided always, and be it further enacted and declared, That nothing herein contained ſhall extend or be conſtrued, adjudged, deemed, or taken to extend, to that Part of the ſaid Pariſh which is within the Limits of an Act made in the Twentieth Year of the Reign of His preſent Majeſty, intituled *An Act for repairing, lighting, watching, and cleanſing the High Street or Road, called* Goſwell Street, *leading from* Alderſgate Bars, *without* Alderſgate London, *to the Houſe of* Woodhouſe Coker *Gentleman, near the Turnpike, at the End of the ſaid Street or Road, in the County of* Middleſex, *and alſo* Bull Yard, Glaſs Houſe Yard, *the North Side*

*of* Fan's Alley, Mount Hill, *and* Willow Court, *contiguous to the ſaid Street or Road, on the Eaſt and Weſt Sides thereof, and for removing Nuiſance therefrom, and preventing the like for the future;* or within the Limits of an Act made in the Thirty-firſt Year of the Reign of His preſent Majeſty, intituled *An Act for paving, lighting, watching, repairing, and keeping in Repair* Finſbury Square, *in the Pariſh of* Saint Luke, *in the County of* Middleſex, *and Part of the Manor of* Finſbury, *and certain other Streets and Places communicating with or near to the ſaid Square, and for preventing and removing Nuiſances and Annoyances within the ſame.*

The yearly Payment provided to be paid by the laſt mentioned Act to the Truſtees under 27 G. 2. to be paid to the Truſtees under this Act, &c.

CLXXVI. Provided always, That the Yearly Sum of Money which the Truſtees under the laſt mentioned Act are thereby directed to pay to certain Truſtees under the Act paſſed in the Twenty-ſeventh Year of the Reign of His late Majeſty King *George* the Second, ſhall be paid to the Truſtees for the Time being under this Act, and the like Powers, Proviſions, Penalties, and Forfeitures, as were given and granted by an Act paſſed in the Thirty-firſt Year of His preſent Majeſty, for the aſcertaining and recovering of ſuch Yearly Sum of Money to the Truſtees under the ſaid Act of the Twenty-ſeventh Year of His late Majeſty, are hereby given and granted to the Truſtees under this Act, as fully and effectually as if the ſame were herein repeated and re-enacted; and the Penalties and Forfeitures incurred by the Non-payment of the ſaid Yearly Sum of Money, or any Part thereof, or in any Manner relating to the ſame, may be recovered by the Truſtees under this Act, in like Manner as the Truſtees under the ſaid Act of the Twenty-ſeventh Year of His late Majeſty were enabled to recover the ſaid Penalties and Forfeitures by the ſaid Act of the Thirty-firſt of His preſent Majeſty: Provided always, that if any Perſon or Perſons who ſhall have committed any Offence againſt this Act ſhall have been convicted thereof, ſuch Perſon or Perſons ſhall not be liable to any Conviction, or to pay any Fine or Forfeiture, or be impriſoned for the like Offence by the Authority of any Act other than this Act; nor ſhall any Perſon or Perſons who ſhall have been convicted by the Authority of any other Act now in force within the ſaid Pariſh of *Saint Luke*, of any Offence alſo againſt this Act, be liable to pay any Fine or Forfeiture, or ſuffer Impriſonment for the ſame Offence by the Authority of this Act.

This Act not to vary the Powers of Truſtees, as to the Turnpike Roads, made and repaired under 26 G. 2. 29 G. 2. 32 G. 3. and 1 G. 3. 23 G. 3. and 40 G. 3.

CLXXVII. Provided always, and be it further enacted, That nothing herein contained ſhall extend, or be conſtrued, adjudged, deemed, or taken to extend, to inveſt the Truſtees to be appointed by virtue of this Act, with any Powers or Authorities to encroach upon, damage, pave, dig, water, widen, turn, extend, alter, or interfere with any Turnpike Roads within the ſaid Pariſh made, widened, or repaired by virtue of an Act made in the Twenty-ſixth Year of the Reign of His late Majeſty King *George* the Second, intituled *An Act for repairing and widening a Road from the Stones End near* Shoreditch *Church, to the Centre of the Bridge in* Old Street Road, *and through* Old Street *in the Pariſh of* Saint Luke, Middleſex, *to the Weſt End of the ſaid Street next the Pavement in* Goſwell Street; and another Act made in the Twenty-ninth Year of His ſaid late Majeſty's Reign, intituled *An Act to enable the Truſtees for repairing* Old Street Road, *to repair, widen, and make a Road from the Sign of the* Red Lion *on* Windmill Hill, *through* Worſhip Street, *to the Ditch Side next the Eaſt End of* Holywell Mount, *and through a certain Ground to the Sign of*

*the* London Apprentice, *in the Parishes of* Saint Luke *and* Saint Leonard Shoreditch, *in the County of* Middlesex, *or to lay open, repair, and widen a Road from the said* Red Lion *through the* Dog Bar *into the* Old Street Road, *in the said County*; and another Act made in the Twelfth Year of the Reign of His present Majesty, for enlarging the Term and Powers of the said Two Acts; and also of another Act made in the Twenty-ninth Year of His present Majesty's Reign, to enlarge the Term and Powers of the said Three Acts, and also for repairing and keeping in Repair the said Road leading from *Worship Street* to *Crown Street*, along the East Side of *Moorfields*; and also by virtue of an Act made in the First Year of the Reign of His present Majesty, intituled *An Act for making, widening, and repairing a Road from the North East Side of* Goswell Street Road *next* Islington, *in the County of* Middlesex, *and near to the Road called* The New Road, *over the Fields and Grounds to* Old Street Road *opposite to the* Dog House Bar, *and at and from the* Dog House Bar *to the End of* Chiswell Street, *by the* Artillery Ground; and also of another Act made in the Twenty-third Year of the Reign of His present Majesty, for enlarging the Term and Powers of the said Act passed in the First Year of the Reign of His present Majesty; and also of another Act made in the Forty-third Year of the Reign of His present Majesty, for continuing the Term and altering and enlarging the Powers of the said Two Acts passed in the First and Twenty-third Years of the Reign of His present Majesty; but that the Trustees to be appointed by virtue of this Act, shall have and be invested with such and the same Powers and Authorities only as were possessed by the Commissioners and Trustees appointed by virtue of and under the said Two several recited Acts.

How the Expences of this Act shall be paid.

CLXXVIII. And be it further enacted, That all Costs, Charges and Expences of passing this Act, and all other Charges incident to or attending the obtaining thereof, shall be borne, paid, and defrayed out of the first Monies to be levied, collected and received by virtue of this Act, or out of any Monies at the Time of passing this Act in the Hands of any Treasurer, Collectors, or other Persons, raised, collected or received by virtue of the said recited Acts or any of them.

Public Act.

CLXXIX. 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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LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1814.