

ANNO SEPTIMO

GEORGII IV. REGIS.

Cap. cxiii.

An Act for amending and enlarging the Powers of an Act passed in the Seventeenth Year of the Reign of His late Majesty, for the better Relief and Employment of the Poor of the Parish of *Saint Mary Abbotts Kensington* in the County of *Middlesex*, and for other Purposes therein mentioned; and for better regulating the said Parish.

[26th *May* 1826.]

WHEREAS by an Act made in the Seventeenth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the better Relief and Employment of the Poor of the Parish of* Saint Mary Abbotts Kensington *in the County of* Middlesex, *and for other Purposes therein mentioned*, the Persons therein named, and the Persons to be elected as therein is mentioned, were appointed Trustees for putting the said Act into execution; and not exceeding Four Persons were required to be appointed Overseers of the Poor of the said Parish in every Year in manner therein explained; and the Churchwardens and Overseers of the Poor of the said Parish, or the major Part of them, together with the Parishioners of the said Parish, in Vestry assembled, were empowered to make general equal Pound Rates or Assessments for and towards the Relief of the Poor, and other the Purposes of the said Act, to be allowed in manner therein mentioned; and if the Churchwardens and Overseers and Parishioners should refuse or neglect to assemble, or 17 G. 3. c. 64.

to make such Rates, or such Rates should be deficient to answer the Purposes of the said Act, the Trustees were authorized to make such Rates in manner therein mentioned: And whereas it is expedient that the Provisions of the said Act for assessing and recovering the Rates thereby authorized to be made should be amended and enlarged: And whereas it is also expedient that the said Trustees should be empowered to contract for the Sale of the Coal Ashes, Dust, and Cinders within the said Parish, and also to provide Watch-houses in the said Parish, and appoint Night Constables and other Officers for the Prevention and Removal of Disorders and Nuisances, and also to appoint proper Officers for the Inspection of Balances, Weights, and Measures within the said Parish: But as the Purposes aforesaid cannot be effected without the Authority of Parliament, may it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Trustees for executing the said recited Act of the Seventeenth Year of the Reign of King *George* the Third, and their Successors, shall be and they are hereby declared to be Trustees for executing this Act and the said recited Act; and all and every the Powers, Authorities, Articles, Exemptions, Provisoes, Penalties, Forfeitures, and all other Matters and Things therein contained, (save and except such as is and are varied, altered, or enlarged,) shall be as good, valid, and effectual for carrying the several Purposes of this Act into execution as if the same had been repeated and re-enacted in the Body of this present Act.

The Trustees under the recited Act and the Powers of that Act extended to the present.

II. And be it further enacted, That the Landlord, Owner, or Lessor of every House, Building, Tenement, or Hereditament within the said Parish the yearly Rent whereof respectively shall not exceed Twenty Pounds, or which shall be let for any less Period than a Year, or in Lodgings or separate Apartments, may, for the Purposes of the said recited Act of the Seventeenth Year of the Reign of King *George* the Third and of this Act, be rated and assessed in respect thereof, and the Rate to be payable in respect of any such House, Building, Tenement, or Hereditament may be recovered either from the actual Occupier or any Person renting the same, or from the Landlord, Owner, or Lessor, and may be levied by Distress and Sale of the Goods and Chattels of such Landlord or Owner or Lessor, wheresoever the same shall be found, or of the Goods and Chattels of any Person or Persons renting and occupying such Premises: Provided always, that every such Person so renting and occupying such Premises who shall pay any such Rate or Assessment to which such Landlord or Owner or Lessor shall be so rated as aforesaid, or from whom the same shall be recovered, shall and may retain and deduct the Amount thereof out of the Rent due or to become due from him, her, or them to such Landlord or Owner or Lessor, and the Receipt or Receipts for Monies so paid shall be a sufficient Discharge, as against such Lessor, Landlord, or Owner, for so much Rent as the same shall amount to: Provided always, that nothing herein contained shall be construed, deemed, or taken to alter, impeach, or make void any Agreement which may exist or be made between any such Landlord, Owner, or Lessor, and any such Tenant or Occupier, with respect to the Payment of such Rates or Assessments, and that no such Landlord, Owner, or Lessor shall be rated in respect of any Increase of Rent reserved or made

Power to assess Landlords for Houses, &c. let at 20*l.* or under, or let for a less Period than a Year, or let in Lodgings or separate Apartments.

payable

payable on account of any Agreement made by or on behalf of such Landlord or Owner or Lessor to pay all or any Part of such Rates or Assessments: Provided also, that in all Cases where the Landlord or Owner or Lessor, not being the Occupier in respect of any such House, Building, Tenement, or Hereditament as aforesaid, shall be rated or assessed for the same in pursuance of the Power herein-before contained, the Rates and Assessments in respect of the same shall be made upon a reduced Rental of Three Fifths of the full Rack Rent or annual Value of such Premises, instead of upon the full Rack Rent or annual Value thereof.

Landlord how to be ascertained.

III. And in order to prevent Dispute touching the Designation of Landlord, Owner, or Lessor, intended to be made in certain Cases liable to Rates by the said recited Act of the Seventeenth Year of the Reign of King *George* the Third or this Act, be it enacted, That the Person or Persons receiving or claiming to be entitled to the Rent of every House, Building, Tenement, or Hereditament, or Part of a Tenement, immediately payable by the Tenant or Occupier thereof, shall be deemed or taken to be the Landlord, Owner, or Lessor of the same for the Purposes of the said former Act or of this Act, and shall continue to be rated and liable to the Payment of all and every such Rates as therein and herein-before mentioned, until some other Person or Persons shall be rated or pay the same, unless the real Landlord, Owner, or Lessor shall declare himself to the said Parishioners in Vestry or the said Trustees.

Rates how recoverable.

IV. And be it further enacted, That in case any Person or Persons charged with any Rate or Rates made or to be made by virtue of the said recited Act of the Seventeenth Year of the Reign of King *George* the Third or of this Act shall refuse or neglect, after Demand made by the Collector or Collectors for the Time being, to pay the Money rated or assessed upon him, her, or them respectively, and all Arrears thereof, then and in every such Case it shall be lawful for any One of His Majesty's Justices of the Peace for the said County of *Middlesex*, and he is hereby authorized and required, by Writing under his Hand, to summon every such Person and Persons so charged, and who shall have so refused or neglected to pay as aforesaid, (on Oath being made before such Justice by the Collector for the Time being of his having attended at the Place of Abode of each and every such Person having so refused or neglected to pay the same,) to appear at the Time and Place to be mentioned in such Summons before such Justice, or before any Justice or Justices of the Peace for the same County who shall be then and there present; and it shall be lawful for any Person appointed to collect and receive such Rates, or for any other Person, to serve all and every such Summons and Summonses upon all and every Person and Persons so refusing or neglecting to pay as aforesaid, either by delivering the same to the Person or Persons thereby intended to be summoned, or by leaving the same at his, her, or their last or usual Place or Places of Abode, or at or on the Premises for or in respect whereof the Rate or Rates 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 do or shall attend, and shall not show good and sufficient Cause to such Justice or Justices, either that he, she, or they is or are not chargeable with such Rate or Rates, or that he, she, or

they

they is or are, on account of his, her, or their Poverty, unable to pay the same, then and in every such Case the Person and Persons who shall have been so summoned shall pay as well such Rate or Rates as the reasonable Costs and Charges of such Summons; and in all Cases where the said Rate or Rates, Costs and Charges, shall not be paid upon the Return of such Summons, it shall be lawful for the Justice who shall have issued such Summons, or for any other Justice of the Peace for the said County, and he is hereby authorized and required, on Oath being made before him of the due Service of such Summons as aforesaid, or in case such Person or Persons so refusing to pay as aforesaid shall have removed out of the Limits of this Act, then on Proof of such Summons having been duly issued as aforesaid, to grant a Warrant under his Hand and Seal, authorizing and directing any Collector or Collectors of such Rate or Rates, or any Constable, Headborough, or Beadle of the said Parish, to levy such Rate or Rates, and all Arrears thereof, and the Expenses of the Summons and of the Warrant, by Distress of the Goods and Chattels of the Person or Persons so neglecting or refusing; and if within Five Days next after any Distress shall be made the said Rate or Rates, with all Arrears due thereon, shall not be paid, together with such Costs and Expenses as aforesaid, and the Costs and Charges of taking and keeping the same, then it shall be lawful for the Collector, or the Constable, Headborough, or Beadle, or other Person authorized by the said Warrant, to cause the said Goods and Chattels, or a sufficient Part thereof, to be appraised and sold, rendering to the said Person or Persons the Overplus (if any), after deducting the said Rates and all Arrears thereof, and the reasonable Costs and Charges attending such Appraisement and Sale, which Costs and Charges, in case of Dispute, shall be settled and ascertained by One of His Majesty's Justices of the Peace for the said County of *Middlesex;* and in default of such Distress it shall be lawful for any Justice or Justices to commit such Person or Persons to the Common Gaol or Prison for Debtors for the said County, there to remain, without Bail or Mainprize, for any Time not exceeding Three Calendar Months, unless Payment shall be sooner made of such Sum or Sums of Money as shall have been found to be due and in arrear upon all or any such Rate or Rates as aforesaid, together with all Costs, Charges, and Expenses attending the Recovery thereof, such Costs, Charges, and Expenses to be ascertained and determined by the said Justice or Justices respectively.

If sufficient Goods cannot be found, &c., Persons may be committed to Common Gaol.

Form of Distress.

V. And be it further enacted, That every Warrant of Distress for Nonpayment of any Rates or Assessments authorized and directed to be issued by virtue of the said recited Act of the Seventeenth Year of the Reign of King *George* the Third, or of this Act, shall or may be in the Words or to the Effect following:

‘ Middlesex, to wit. } ‘ To One of the Collectors of the ‘ Rates or Assessments for the Parish of Saint Mary ‘ Abbotts Kensington, and to all Constables, Head- ‘ boroughs, Beadles, and Peace Officers in the County ‘ aforesaid:

‘ WHEREAS the under-mentioned Person [*or* Persons, *if more than* ‘ *One*], now or late an Inhabitant, Owner, Landlord, Lessee, Tene- ‘ ment Holder or Occupier [*or* Inhabitants, Owners, Landlords, Lessees,

‘ Tenement

'Tenement Holders or Occupiers, *if more than One,*] of the Tenement '[*or* Tenements, *if more than One Person be included in the Warrant,*] or 'other Hereditaments within the said Parish, was and is or were and are '[*as the Case may be*] liable to the Payment of the Sum or Sums of Money 'set opposite to his, her, or their Name or respective Names [*as the 'Case may be*] hereunder written, by virtue of a Rate or Rates duly made 'under and by virtue of a certain Act passed in the Seventeenth Year of 'the Reign of His late Majesty King George the Third, intituled [*here set 'forth the Title of the said recited Act of that Year*], and of another Act 'passed in the Seventh Year of the Reign of His Majesty King George 'the Fourth, intituled [*here set forth the Title of this Act*]: And whereas 'the said Person or Persons hath or have [*as the Case may be*] refused 'or neglected to pay the Sum or the several Sums set at or opposite his, 'her, or their Name or Names [*as the Case may be*] hereunder written, 'due from him, her, or them by virtue of such Rate or Rates [*as the Case 'may be*], and the said Sum or several Sum and Sums of Money is or are '[*as the Case may be*] still remaining due and owing, as appeareth upon 'Oath to me, One of His Majesty's Justices of the Peace for the said County; 'and the said Person or several Persons [*as the Case may be*] having been 'summoned to appear to answer the Premises, as also appeareth to me 'the said Justice upon Oath, and the said Person or several Persons, or 'any of them, [*as the Case may be,*] not having shown any sufficient 'Cause why such Sum or Sums of Money [*as the Case may be*] should 'not be paid by him, her, or them respectively [*as the Case may be*]; 'as also appeareth to me upon Oath; now these are therefore in His 'Majesty's Name to will and require you, or either of you, forthwith to 'levy the said Sum or several Sums of Money [*as the Case may be*] due 'from the said Person or Persons [*as the Case may be*], and hereunder 'set opposite to his, her, or their Name or Names respectively [*as 'the Case may be*], and the Two several Sums of [*according to the 'Amount of the Costs and Charges for the Summons, and for the Warrant, 'or for either of them,*] [*as the Case may be,*] for the Costs and Charges of 'the said Summons, and of these Presents, by Distress and Sale of his, 'her, or their respective Goods and Chattels [*as the Case may be*], such 'Goods and Chattels being kept for the Space of Five Days before the 'same are sold, rendering to him, her, or them respectively [*as the Case 'may be*] the Overplus (if any), on Demand, and the reasonable Charges 'of such Distress, and of any Removal, or keeping Possession, Appraise-'ment, or Sale thereof, being first deducted; and if no sufficient Dis-'tress can be had or taken, then that you certify the same to me, to the 'end that such further Proceedings may be had therein as to the Law 'doth appertain; and I 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, this 'Day of in the Year of our 'Lord

'*A.B.*

'*C.D.* for a House let to

'*E.F.* for a House let in separate Tenements.

'*G.H.* the Landlord for Houses in compounded for.

'*I.K.* for a House offered to be let ready furnished.'

And further, that One or more Rate or Rates, Assessment or Assessments, may be included in each and every or any such Warrant as aforesaid.

Collectors may anticipate Rates from Persons about to remove.

VI. And be it further enacted, That in order to avoid any Loss which may happen by Tenants or Occupiers of Houses, Buildings, Lands, Tenements, or Hereditaments, or Parts of Tenements, removing from the same before the Quarter Day on which the Rates or Assessments charged by virtue of the said recited Act of the Seventeenth Year of the Reign of King *George* the Third, or of this Act, on the said Houses, Tenements, or Hereditaments, or Parts of Tenements, shall become due and payable, it shall be lawful for the Collector or Collectors of such Rates, Twenty-eight Days before every such Quarter Day, or at any other subsequent Time before such Quarter Day, to demand and receive from all such Persons so removing the respective Rates and Assessments which would be due from and payable by him, her, or them on such Quarter Day, and in case of Nonpayment thereof to enforce the Payment of such Rate or Rates, Assessment or Assessments, in the same Manner and with the same Powers as in case of Nonpayment of such Rates or Assessments upon or after the Quarter Day on which the same would have become due and payable.

Persons removing and Persons coming in to pay Rates in proportion.

VII. And be it further enacted, That in case any Person or Persons shall remove out of or from or quit the Possession of any House, Building, Land, Tenement, or Hereditament, or Part of a Tenement, before any Rate or Rates, Assessment or Assessments charged or to be charged thereon respectively by virtue of the said recited Act of the Seventeenth Year of the Reign of King *George* the Third, or of this Act, shall be paid and discharged, and if any Person or Persons shall enter into the Occupation of any House, Building, Land, Tenement, or Hereditament, or Part of a Tenement, out of or from which any Person or Persons shall have so removed before such Rate or Rates, Assessment or Assessments, shall have been paid and discharged, then and in every such Case the Person or Persons so removing out of or from or quitting the Possession of, and the Person or Persons entering into the Occupation of any such House, Building, Land, Tenement, or Hereditament, or Part of a Tenement, shall be respectively subject and liable to the Payment of all such Rates or Assessments in proportion to the Time that such Person or Persons respectively shall have possessed or occupied the same respectively, in the same Manner as if the Person or Persons so removing or quitting as aforesaid had remained in the Possession and Occupation of such House, Building, Land, Tenement, or Hereditament, or Part of a Tenement, or the Person or Persons so entering into the Occupation thereof had been originally rated and assessed in such Rates or Assessments, which Proportion, in case of Dispute, shall be settled by any One Justice of the Peace for the County of *Middlesex*, whose Determination shall be final.

Trustees may relieve poor Persons.

VIII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees present at any Special or General Meeting, or any Three or more of them, from Time to Time and at any Time or Times to exonerate and release any poor Householder or Householders, or Occupier or Occupiers of any House, Building, Land, Tenement, or Here-

Hereditament, or Part of a Tenement, from the Payment of all or any Part of the Rate or Rates made or to be made by virtue of the said recited Act of the Seventeenth Year of King *George* the Third or of this Act, for and during such Time or Times and in such Proportion or Proportions as the said Trustees shall think him, her, or them incapable of paying.

Omissions in Rate may be supplied and Errors corrected.

IX. And be it further enacted, That if it shall appear to the said Trustees, or any Seven or more of them, at any Special or General Meeting, or to the Parishioners in Vestry assembled, at any Time or Times after any Rate or Assessment for the Relief and Employment of the Poor of the said Parish and other the Purposes of the said recited Act of the Seventeenth Year of the Reign of King *George* the Third, and of this Act, shall have been made, signed, and allowed, according to the Powers and Authorities of the said last-mentioned recited Act or of this Act, that the Name or Names of any Person or Persons who ought to be included in such Rate or Assessment hath or have been omitted therein, or that the Name or Names of any Person or Persons hath or have been inserted in such Rate or Assessment, as Inhabitants, Owners, Landlords, Lessees, Tenants, Holders, or Occupiers of any Messuage or Messuages, Lands, Tenements, or Hereditaments, for or in respect of which some other Person or Persons ought to have been rated or assessed, or in case any Messuage or Tenement which at the Time of making such Rate or Assessment was empty and unoccupied shall become occupied by any Person or Persons within the Meaning of the said last-mentioned recited Act or of this Act, or that any other Alteration or Amendment of such Rate or Assessment may, in the Opinion of the said Trustees or of the said Vestry, be deemed necessary, then and in any of the said Cases it shall be lawful for the said Trustees, or for the said Parishioners in Vestry assembled, to add or insert or cause to be added and inserted to or in such Rate or Assessment the Name or Names of such Person or Persons so omitted, and the Name or Names of the Person or Persons who shall have become the Occupier of such Messuage or Tenement which was at the Time of making such Rate empty and unoccupied as aforesaid, together with the Sum or Sums of Money for which he, she, or they ought to be rated and assessed, and the Amount of such Rate or Assessment in respect thereof, and also to insert and substitute or cause to be inserted and substituted the Name or Names of such Person or Persons as may be the Inhabitants, Owners, Landlords, Lessees, Tenants, Holders, or Occupiers of any Messuages or Hereditaments, instead of and for the Name or Names of the Person or Persons incorrectly inserted in such Rate or Assessment as the Inhabitants, Owners, Landlords, Lessees, Tenants, Holders, or Occupiers of any Messuages or Hereditaments at the Time of making such Rate, or otherwise from Time to Time to alter and amend the said Rate or Assessment as they may from Time to Time deem necessary, and that every such Addition, Insertion, Substitution, Alteration, and Amendment to or in such Rate or Assessment shall be valid and effectual in the Law to all Intents and Purposes, and the Monies charged to any Person or Persons in consequence thereof shall and may be demanded, received, and recovered in the same Manner as if the Name or Names of the Person or Persons, or other Alterations and Amendments, had been inserted and made in such Rate or Assessment at the Time of and previous to the original making or signing thereof.

X. And

Power to contract for Sale of the Dust, &c.

X. And be it further enacted, That it shall be lawful for the Trustees or any Seven or more of them, at any Special or General Meeting or Meetings, from Time to Time to contract for any Period of Time they may think proper with any Person or Persons for the Sale and Removal, from the Houses and Premises of the Inhabitants, of the Coal Dust, Cinders and Ashes, and Rubbish that may be made, arise, or accrue within any Part or Parts of the said Parish of *Saint Mary Abbotts Kensington*, save and except within such Districts or Parts of the same Parish as are comprised in the Acts of Parliament herein-after mentioned; that is to say, an Act passed in the Thirty-fifth Year of the Reign of His
35 G. 3. c. 74. late Majesty King *George* the Third, intituled *An Act for keeping in repair the Footways in the* High Street *of the Town of* Kensington *in the County of* Middlesex, *and for lighting and watching the said Street, and also certain Courts and Alleys communicating therewith, and for removing and preventing Encroachments, Nuisances, and Annoyances therein;* an Act passed in the Forty-third Year of the Reign of His said late Majesty King
43 G. 3. c. 10. *George* the Third, intituled *An Act for paving, repairing, lighting, watching, and otherways improving* Kensington Square, *and* Young Street *and* James Street, *communicating therewith, in the Parish of* Saint Mary Abbotts Kensington *in the County of* Middlesex, *and for removing and preventing Nuisances, Annoyances, and Encroachments therein;* an Act passed in the Fifty-ninth Year of the Reign of His said late Majesty King *George* the
59 G. 3. c. 120. Third, intituled *An Act for paving, cleansing, lighting, watching, watering, planting, and otherwise improving* Edwardes Square, Earl's Terrace, Leonard's Place, Edward's Place, Kensington Place East, *and* Kensington Place West, *in the Parish of* Saint Mary Abbotts Kensington *in the County of* Middlesex; and an Act passed in the Fifth Year of the Reign
5 G. 4. c. 108. of His present Majesty, intituled *An Act to provide for the paving, gravelling, lighting, and watching certain Footways and Carriageways in and near* Brompton Square *in the Parish of* Saint Mary Abbotts Kensington *in the County of* Middlesex, *and to provide for the Maintenance of a Garden and Shrubbery in the said Square;* and such Contractor or Contractors, and his, her, or their Servant or Servants, shall, once or oftener in every Week, bring or cause to be brought convenient Carriages into all such Parts of the said Parish where such Carriages can be drawn near or pass into, and shall give Notice to the Inhabitants of his or their Approach by the ringing of a Bell, and shall give the like Notice in every other Place into which the said Carriages cannot pass, and shall then and there abide and stay a convenient Time, and shall then and there, upon Application of any of the said Inhabitants, take and carry or cause to be taken and carried away, *gratis*, from the Houses and Premises, all such Coal Dust, Cinders, Ashes, and Rubbish therein as he, she, or they may require, upon pain of forfeiting any Sum not exceeding Forty Shillings for every Neglect or Default so to do, except all such Rubbish as shall be occasioned by building, amending, or altering any House or Houses or other Buildings; and all Monies which shall arise from such Contract or Contracts as aforesaid shall be paid into the Hands of the Treasurer for the Time being to the said Trustees, and be applied in aid of the Rates of the said Parish authorized to be raised by the said recited Act of the Seventeenth Year of the Reign of King *George* the Third and this Act: Provided always, and it is hereby declared, that nothing herein contained shall be construed or deemed to authorize the compulsory Removal of any such Coal Dust, Cinders, Ashes, or

Rubbish against the Will of the Owner or Owners thereof, or to prevent any such Owner or Owners from using the same or any Part thereof, upon any Part of his, her, or their Lands within the said Parish, but only to prevent such Owner or Owners from selling or disposing of the same or any Part thereof.

Penalty for taking away Dust, &c. by any other than the Contractor.

XI. And be it further enacted, That if any Person or Persons, other than such Contractor or Contractors, his, her, or their Agent or Agents, shall on any Pretence whatsoever, during the Existence of any Contract with the said Trustees, go about to collect or gather, or shall ask for, receive, or carry away, any such Coal Dust, Cinders, Ashes, or Rubbish within the said Parish (except in the Districts herein-before excepted), it shall be lawful for any Justice of the Peace for the said County of *Middlesex*, upon Complaint to him made, to grant a Warrant to bring before him or any other Justice of the Peace for the said County such Offender or Offenders, and also for any Person or Persons who shall see any such Offence or Offences committed to seize, and also for any other Person or Persons to assist in seizing, such Offender or Offenders, and also to seize all and every such Horses, Asses, Carts, Trucks, Wheelbarrows, or other Carriages, Gears, Harness, Implements, Sacks, and Bags, as may be made use of for carrying away the same, and by the Authority of this Act, and without any other Warrant or Authority, to convey him, her, or them before such Justice of the Peace; and such Justice shall and he is 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 such Party or Parties shall be convicted of so going about to collect or gather, or of asking for, receiving, or carrying away, any such Coal Dust, Cinders, Ashes, or Rubbish from any Houses or other Premises within the said Parish (save and except within the Districts herein-before excepted), (not being the Person or Persons employed or appointed by or contracting with the said Trustees to collect the Coal Dust, Cinders, Ashes, or Rubbish from the Houses and Premises therein, or not acting with or under his, her, or their Authority), then he, she, or they shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds, one Half whereof shall be paid to the Informer or Informers, or to the Person or Persons who shall apprehend the Offender or Offenders, and the other Half shall be paid and shall belong to the Person or Persons so contracting with the said Trustees for the Time being as aforesaid; and if such Offender or Offenders shall not on Conviction pay the said Penalty, such Justice is hereby required to direct all or any of such Horses, Asses, Cattle, Carts, Trucks, Wheelbarrows, or other Carriages, Gears, Harness, Implements, Sacks, or Bags, which shall have been so seized, to be appraised and sold, and after deducting out of the Monies to arise by such Sale the Penalty incurred, together with the reasonable Charges and Expenses of such Warrant, and of such Distress, Appraisement, and Sale, the Overplus thereof (if any) shall be returned, upon Demand, to the Party or Parties whose Horses, Asses, Cattle, or other Things shall have been so seized, appraised, and sold; and in case there shall have been no such Seizure as aforesaid, or if the Horses, Asses, Cattle, or other Things which shall be so appraised and sold shall not produce a sufficient Sum of Money to pay the said Penalty, Charges, and Expenses, then (unless such Offender or Offenders shall pay such Penalty, Charges, and Expenses, or

so much thereof as shall remain over and above the Produce of the Things so seized and sold,) such Justice is hereby required to commit such Offender or Offenders to the Common Gaol or House of Correction for the said County, there to be kept to hard Labour for any Time not exceeding Three Calendar Months, unless such Penalty, Charges, and Expenses, and every Part thereof, shall be sooner paid and satisfied.

Power to Trustees to purchase or rent Messuages, &c. in Fee for erecting Watch-houses.

XII. And be it further enacted, That it shall and may be lawful for the said Trustees, or any Seven or more of them, at any General or Special Meeting or Meetings, from Time to Time to purchase, take, or hire from any Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Fee Tail, General or Special, Tenants by the Courtesy of *England*, Tenants in Dower, Tenants for any Term or Terms of Years absolute, or determinable on any Life or Lives, Feoffees in Trust, Executors or Administrators, Husbands seised or entitled in right of their Wives, Guardians of Infants, Committees of Lunatics, Idiots, and Persons *non compos mentis*, and all other Trustees and Persons whomsoever (who shall be willing and desirous to sell or let), for such Sum or Sums of Money or yearly Rent and for such Time as they shall think proper, any Messuages, Buildings, Lands, Tenements, or Hereditaments whatsoever within the said Parish (not exceeding in the whole Half an Acre of Land), for the Purpose of providing One or more Watch-house or Watch-houses for the said Parish, when and where they may think proper, and for such Purpose to repair, alter, and convert, or pull down and rebuild, any such Messuages or Buildings, or to erect and build anew any such Erections and Buildings as they may deem suitable and convenient, and from Time to Time to keep and maintain the same in good and sufficient Repair, and from Time to Time to pay all such Monies as may be requisite for such Purposes out of the Monies to be received in respect of the Rates authorized to be raised in virtue of the said recited Act of the Seventeenth Year of the Reign of King *George* the Third and this Act.

Incapacitated Persons empowered to sell.

XIII. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Fee Tail, General or Special, Tenants by the Courtesy of *England*, Tenants in Dower, Tenants for any Term or Terms of Years absolute, or determinable on any Life or Lives, (except Lessees or Tenants at Rack Rents,) Feoffees in Trust, Executors or Administrators, Husbands seised or entitled in right of their Wives, Guardians of Infants, Committees of Lunatics, Idiots, and Persons *non compos mentis*, and all other Trustees and Persons whomsoever, (not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their respective Wives, Wards, or Cestuique Trust, whether Infants or Issue unborn, Lunatics, Idiots, or otherwise disabled,) and for all Femes Covert who are or shall be seised, possessed of, or interested in their own Right, or entitled to Dower or any other Interest therein, and also for the Vicar for the Time being of the said Parish, under the Sanction and Authority of the Patron and Ordinary of the said Vicarage, and for all or every other Person or Persons who are or shall be seised, possessed of, or interested in any Lands, Tenements, or Hereditaments, or any Part thereof, which shall be thought necessary by the said Trustees to be purchased for the Purpose or Purposes last aforesaid, (not exceeding in the whole

whole Half an Acre of Land,) and under the Authority of this Act to contract and agree with the said Trustees or their Clerk for the Sale of the Fee Simple and Inheritance in possession or any lesser Estate or Interest of and in such Lands, Tenements, and Hereditaments, or any Part thereof, or for the Enfranchisement of any Copyhold Lands or Tenements, and to convey such Lands, Tenements, and Hereditaments respectively to the said Trustees.

Form of Conveyance to Trustees.

XIV. And be it further enacted, That all such Conveyances and Assurances of Lands, Tenements, or Hereditaments to be made to the said Trustees may be made in the Form and to the Effect following, but with such Additions, Omissions, and Variations as Circumstances may render necessary; (that is to say,)

'I [*or* We] of in the County of
'in consideration of the Sum of
'paid and applied by the Trustees for carrying into execution an Act
'passed in the Seventh Year of the Reign of King George the Fourth,
'intituled "An Act" [*here insert the Title of this Act*], do hereby grant,
'bargain, sell, and release to the said Trustees all [*here describe the Pre-*
'*mises to be conveyed*], of or to which Premises I am seised or entitled
'[*or* in right of] [*here state for what Estate or in what Right the Party*
'*conveying is seised or entitled*], and every Part thereof, with their and
'every of their Rights, Members, and Appurtenances, and the Reversion
'and Reversions, Remainder and Remainders, Rents, Issues, and Profits
'of the same Premises and every Part thereof, to hold to the said Trus-
'tees and their Successors for ever [*or* for and during, *&c.*] [*here state*
'*the Term, Estate, or Interest intended to be conveyed, if less than the Fee*
'*Simple*]. In witness whereof I [*or* we] have hereunto set my [*or* our]
'Hand and Seal [*or* Hands and Seals], this Day of
'in the Year of our Lord .'

And all such Conveyances so made and executed shall be good, valid, and effectual to all Intents and Purposes whatsoever, as to and against the Persons making the same, their Heirs and Assigns, and their respective Wives, Wards, and Cestuique Trusts, and all other Persons claiming or to claim by, from, under, through, or in trust for them respectively, or in remainder, reversion, or expectancy after their Estates respectively, and the same shall be deemed and construed to bar the Dower of any Wives of Persons so conveying, and also to bar all Estates Tail, Remainders, Reversions, Conditions, Conditional Limitations, Executory Devises, Trusts, and other Estates and Interests whatsoever of and in the Premises conveyed, as effectually as Fines or Common Recoveries would do if levied or suffered by proper Parties in due Form of Law (any Law, Statute, Usage, or Custom to the contrary thereof notwithstanding); and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life or Tail, Tenants by the Courtesy or in Dower, Tenants for Years (except Lessees at Rack Rents), Feoffees in Trust, and other Trustees, Executors, Administrators, Husbands, Guardians, Committees, and other Persons herein-before authorized to convey as aforesaid, are and shall be hereby indemnified for what they shall do by virtue and in pursuance of this Act.

XV. And

Application of Monies when amounting to 200*l.*

XV. And be it further enacted, That if any Monies which shall be paid or agreed to be paid for the Purchase of any Messuages, Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of this Act, of or from any Bodies Politic, Corporate, or Collegiate, Tenants for Life or in Tail, Tenants by the Courtesy or in Dower, Lessees (except as before excepted), Feoffees in Trust, Executors, Administrators, Husbands seised or entitled in right of their Wives, Guardians, Committees, or other Trustees, Femes Covert, Persons under Disabilities or Incapacities, herein-before authorized to sell and convey in manner aforesaid, which shall amount to or exceed the Sum of Two hundred Pounds, the same shall with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there (*ex parte* the Trustees of the Parish of *Saint Mary Abbotts Kensington*) pursuant to the Method prescribed by an Act passed in the First Year of the
1 G. 4. c. 35. Reign of His present Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward, and shall, when so paid in, there remain until there shall be an Order made upon a Petition to be preferred in a summary Way by the Body or Bodies, Person or Persons, who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase or Redemption of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or any Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, 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 Lands, Tenements, or Hereditaments, or Parts or Shares of Lands, Tenements, and Hereditaments, (if desirable,) 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 Lands, Tenements, or 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 Purchase and Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until such Purchases shall be made the said Money shall, by Order of the said Court, 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 meantime and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purpose aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Body or Bodies, Person or Persons, who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments herein-before directed to be purchased with such Monies as aforesaid, in case such Purchase or Settlement were made.

XVI. Pro-

When under 200*l.* and amounting to 20*l.*

XVI. Provided always, and be it further enacted, That if any such Monies shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Body or Bodies, Person or Persons, for the Time being entitled to the Rents and Profits of the Lands and Tenements or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiotcy, or Lunacy, (but Femes Covert not to be under Disability to consent,) to be signified in Writing under their respective Seals or Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, 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 Body or Bodies, 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 Seals or Hands of the nominating and approving Parties,) in order that such Principal Money, and the Dividends arising therefrom, may be applied in the Manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

When less than 20*l.*

XVII. Provided also, and be it further enacted, That when such Monies shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Body or Bodies, Person or Persons, who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Trustees shall think fit; or in case of Infancy, Idiotcy, or Lunacy, then such Money to be paid 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.

In case of disputed Titles, who to be deemed Owners.

XVIII. Provided always, and be it further enacted, That where any Question shall arise, touching the Title of any Body or Person to any Monies to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, in pursuance of this Act, for the Purchase or Enfranchisement of any Lands, Tenements, or Hereditaments in pursuance of this Act, or to Bank Annuities to be purchased with such Money, or the Dividends or Interest of any such Bank Annuities, the Body or Bodies, Person or Persons, who shall have been in possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Bodies and Persons claiming under such Body or Bodies, 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 shown to the Satisfaction of the said Court of Exchequer; and the Dividends and 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.

Court of Exchequer may direct Costs to be paid.

XIX. 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 Bank, or 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 Exchequer to order the Expenses of all Purchases from Time to Time to be made with such Monies, or so much of such Expenses as the said Court shall deem reasonable, (with the necessary Costs and Charges of obtaining such Orders,) to be paid out of the Monies to which such Order or Orders shall relate.

On Payment of Money, Land to vest in the Trustees.

XX. And be it further enacted, That upon Payment of the Money contracted and agreed to be paid for the Purchase of any such Lands, Tenements, or Hereditaments as aforesaid, by the said Trustees of the Poor, to the Party or Parties respectively entitled to such Monies, or upon Payment thereof into the Bank of *England* in manner herein-before directed, the Lands, Tenements, and Hereditaments for the Purchase whereof the same Monies shall be paid shall vest in the said Trustees for the Time being for ever, for effecting the Objects and Purposes of the said recited Act and this Act.

Trustees may sell Lands purchased by them, and not wanted for the Purposes of this Act.

XXI. And be it further enacted, That it shall be lawful for the said Trustees, or any Seven or more of them, acting in execution of the said recited Act and this Act, to sell and dispose of, for a Consideration in Money, all or any Part or Parts of the Lands, Tenements, and Hereditaments which may have been so purchased, and which in the Judgment of such Trustees, or the major Part of them present at any General or Special Meeting to be holden in pursuance of the said former Act or of this Act, shall not be wanted for the Purposes of this Act.

Receipt of the Treasurer or Clerk to be effectual Discharge.

XXII. And be it further enacted, That upon Payment of the Money which shall arise by or from the Sale or Sales of such Lands, Tenements, and Hereditaments, or any Part or Parts thereof, it shall and may be lawful for the Treasurer or Clerk for the Time being to the said Trustees to sign and give a Receipt or Receipts for the Money for which the same shall be sold, which Receipts shall be sufficient Discharges to any Person or Persons for the Money therein and thereby expressed or acknowledged to be received; and such Person or Persons, having *bonâ fide* paid the same, shall not afterwards be answerable or accountable for any Loss, Misapplication, or Nonapplication of such Purchase Money, or any Part thereof.

Form of Conveyance by Trustees.

XXIII. And be it further enacted, That such Messuages, Lands, Tenements, and Hereditaments as shall be sold by the said Trustees under any of the Powers of this Act shall and may be conveyed by a Deed or Deeds of Bargain and Sale, under the Hands and Seals of any Seven or more of the said Trustees for the Time being, which Deed or Deeds shall

shall be in the Form or to the Effect following, with such Additions, Omissions, and Alterations as Circumstances may render expedient; (that is to say,)

'WE, [*or* more] of the Trustees of the Parish of Saint Mary Abbotts Kensington in the County of Middlesex, acting in pursuance of an Act passed in the Seventeenth Year of the Reign of His late Majesty King George the Third, and of another Act passed in the Seventh Year of the Reign of His Majesty King George the Fourth, or one of them, the first intituled "An Act," *&c.*, and the other intituled "An Act," *&c.*, [*see for the Titles of the Acts,*] do hereby, in consideration of the Sum of Sterling paid to our Treasurer by of the Payment whereof is hereby acknowledged, absolutely grant, bargain, and sell to and his Heirs all [*describe the Premises to be conveyed*], with their Rights, Members, and Appurtenances, and the Reversion and Reversions, Remainder and Remainders, Rents, Issues, and Profits of the same, to hold unto the said and his Heirs for ever, or for and during, *&c.* [*here state any other Term or Interest, if the Fee Simple is not to be conveyed*]. In witness whereof we have hereunto set our Hands and Seals, this Day of in the Year of our Lord'

XXIV. And be it further enacted, That in all Conveyances to be made by the said Trustees under or by virtue of the Powers and Provisions of this Act the Words "grant, bargain, and sell" shall amount to and be construed and adjudged in all Courts of Judicature to be express Covenants to the Grantee or Purchaser, his, her, or their Heirs, Executors, Administrators, and Assigns, from the said Trustees, for themselves and their Successors, that they the said Trustees, notwithstanding any Act done by them, were at the Time of the Execution of such Grant or Conveyance seised or possessed of the Lands, Tenements, and Hereditaments thereby granted, bargained, and sold of an indefeasible Estate of Inheritance in Fee Simple, or for such other Estate or Term and Interest as shall be expressed to be thereby granted and conveyed, free from all Incumbrances, and for quiet Enjoyment thereof against the said Trustees and their Successors and Assigns for ever, and all claiming under them, indemnified and saved harmless by the said Trustees from all Incumbrances committed by the said Trustees, and also for further Assurance of such Lands, Tenements, and Hereditaments thereby granted, to be made by the said Trustees, and all claiming under them, unless the same shall be restrained and limited by express particular Words contained in such Conveyances or any of them; and such Purchasers or Grantees, and his, her, and their several Heirs, Executors, Administrators, and Assigns respectively, shall and may, in any Action or Actions to be brought, assign a Breach or Breaches thereupon, as they might do in case such Covenants were expressly inserted in such Conveyances.

The Words "grant, bargain, and sell," to be construed as express Covenants for Title.

XXV. And be it further enacted, That the Monies arising from the Sale of such Messuages, Lands, Tenements, and Hereditaments shall be applied and disposed of by the said Trustees for the Purposes of the said

Application of Monies arising from such Sales.

said recited Act of the Seventeenth Year of the Reign of King *George* the Third and of this Act.

Vesting Watch-houses in Trustees.

XXVI. And be it further enacted, That all Watch-houses, and all Matters and Things purchased or provided by the said Trustees for the Purposes of this Act, and all Dust, Ashes, Soil, Manure, Dirt, and Rubbish which shall be deposited or laid, or be swept, gathered, or collected by the Trustees for executing this Act, shall belong to and be the Property of the said Trustees, and shall be and are hereby vested in the said Trustees; and the said Trustees shall and may cause any Action or Actions to be brought, or direct any Bill or Bills of Indictment to be preferred, (as the Case may require,) against any Person or Persons who shall steal, take, or carry away, detain, deface, damage, injure, or destroy, the Buildings, Matters, and Things hereby vested in the said Trustees as aforesaid, or any of them, or any Part or Parts thereof; and in all such Actions and Bills of Indictment respectively it shall be sufficient to state generally that the Buildings, Matters, or Things for or on account of which such Action or Actions shall be brought, or such Bill or Bill of Indictment shall be preferred, is or are the Property of the Trustees for executing an Act passed in the Seventh Year of the Reign of King *George* the Fourth, intituled *An Act for amending and enlarging the Powers of an Act passed in the Seventeenth Year of the Reign of His late Majesty, for the better Relief and Employment of the Poor of the Parish of* Saint Mary Abbotts Kensington *in the County of* Middlesex, *and for other Purposes therein mentioned, and for better regulating the said Parish*, without mentioning or specifying the Names of all or any of the said Trustees.

7 G. 4. c. 113.

Trustees may appoint Watch-house Keepers, &c.

XXVII. And be it further enacted, That the said Trustees, or any Seven or more of them, at any Special or General Meeting, shall from Time to Time appoint and employ such Number of able-bodied Watch-house Keepers, Serjeants or Constables of the Night, and Street Keepers, as they shall think sufficient, not exceeding Three in Number at any One and the same Time to each Watch-house, as Watch-house Keepers, Serjeants or Constables of the Night, nor Six in the whole as Street Keepers, for the proper Protection of the Inhabitants, Houses and Property, Streets and other Places within the said Parish, by Day and Night, and provide all such Watch-house Keepers, Serjeants or Constables, and Street Keepers with such Clothing, Arms, Ammunition, and Weapons, and shall assign to them such Beats or Rounds and Duties, and appoint such Hours for them to be on Duty, and also such Wages, Rewards, and Gratuities or Remunerations for Services, and also to make such Rules, Orders, and Regulations relating to such Watch-house Keepers, Serjeants or Constables of the Night, and Street Keepers, and their Duties, as to the said Trustees shall seem meet, and also shall and may offer and give to the said Persons such Salaries and Wages, and such Gratuities and Rewards for apprehending Felons and other Offenders within the said Parish, as to them shall seem proper, and shall and may contribute to or defray the Expenses of prosecuting any such Felons and Offenders, for the Protection of the Inhabitants of the said Parish, or in defending any of the said Persons or other Officers of the said Trustees in the Execution of their Duty, as they shall think proper; and the said Salaries, Wages, Rewards, Gratuities, and the Costs of such Prosecutions or Defences,

Defences, and all other Expenses that may be incurred by the said Trustees for the Protection and Guard of the Inhabitants, shall and may be paid by the said Trustees or their Treasurer out of the Monies arising from the Rates authorized to be raised by the said recited Act and this Act.

Regulations to be hung up in the Watch-house as to Watchmen, &c.

XXVIII. And be it further enacted, That all Nominations, Appointments, Acts, Rules, Orders, and Regulations respecting or relating to Watch-house Keepers, Serjeants or Constables of the Night, or other Persons aforesaid, which shall be made by the said Trustees from Time to Time, in pursuance of this Act, shall be reduced into Writing or printed, and a written or printed Copy thereof shall be affixed in some conspicuous Part of the Watch-house or Watch-houses respectively of the said Parish.

Duties of Night Constables, &c.

XXIX. And be it further enacted, That the Serjeants or Constables of the Night, and other Persons to be appointed by virtue of this Act, shall, during the Time of their being on Duty, use their utmost Endeavours to aid and assist in preventing any Mischief by Fire, and also all Robberies, Burglaries, and other Felonies, and Misdemeanors, Affrays, and other Outrages, Disorders, and Breaches of the Peace within the said Parish; and that it shall be lawful for the said Serjeants or Constables of the Night, or other Persons, while on Duty, to stop and prevent all Persons from fraudulently removing Goods from any of the Houses and Premises within the said Parish, and to apprehend and secure all Felons, Rogues, Vagabonds, and disorderly Persons who shall disturb the public Peace, or any Person or Persons wandering, secreting, or misbehaving himself, herself, or themselves, or whom they shall have reasonable Cause to suspect of any evil Design, and to secure and keep in safe Custody every such Person, in order that he or she may be conveyed as soon as conveniently may be before One of His Majesty's Justices of the Peace for the County of *Middlesex*, to be examined and dealt with according to Law; and it shall and may be lawful to and for the said Serjeants or Constables of the Night, and other Person or Persons so appointed as aforesaid, to call on and require any Person or Persons to aid and assist them in taking such Felons, Rogues, Vagabonds, and all disorderly or suspected Persons as aforesaid; and in case any Person or Persons shall assault or resist or shall promote or encourage the assaulting or resisting of any of the Serjeants or Constables of the Night, or other Person or Persons so appointed as aforesaid, in the Execution of their Duty, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Penalty for assaulting Night Constables, &c.

Powers of such Night Constables.

XXX. And be it further enacted, That all Serjeants or Constables of the Night, and other Persons so to be appointed, shall be sworn in as Constables before any Justice or Justices of the Peace for the said County of *Middlesex*, and act as such while in the Execution of the Powers and Authorities of this Act, and they are hereby invested with and shall have and enjoy the like Powers and Authorities, Privileges and Immunities, as any Constable or Constables is or are invested with or shall or may have or enjoy by Law.

Penalty for harbouring Night Constables, &c. during Time of Duty.

XXXI. And be it further enacted, That if any Victualler, Retailer of Spirits or Beer, or Coffeehouse Keeper, or Keeper of any Public House, shall knowingly harbour or entertain any Serjeant or Constable of the Night, or permit or suffer any Serjeant or Constable of the Night, or other Person so appointed, to be and remain in his House during any Part of the Time of his or their being on Duty, every such Victualler, Retailer of Spirits or Beer, Coffeehouse Keeper, or Keeper of such Public House, shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings.

Trustees may appoint Inspectors of Balances, Weights, and Measures.

XXXII. And in order effectually to prevent the dealing by or with unlawful Balances, Weights, or Measures within the said Parish, be it further enacted, That it shall be lawful for the Churchwardens and Overseers of the Poor and Parishioners in Vestry assembled, or the major Part of them, on the Twenty-first Day of *June* next after the passing of this Act, and on *Eastêr Monday* in the succeeding Year, and each and every Year afterwards, or within Fourteen Days after each of those Days, and they are hereby required, to nominate and to make out a List of not less than Fourteen Householders residing within the said Parish of *Saint Mary Abbotts Kensington*, whom they shall think qualified for serving the Office of Inspectors of Balances, Weights, and Measures within the said Parish, and to return such List so made out, or a Copy thereof, signed by the Vestry Clerk of the said Parish, within Fourteen Days next after such Nomination, to the Trustees of the Poor of the said Parish; and the said Trustees, at any Special or General Meeting at which not less than Seven shall be present, shall and are hereby required, as soon as conveniently may be after such Return as aforesaid being made to them, to order or direct their Clerk to issue written or printed Summonses, with his Name subjoined thereto, requiring such Householders to be and appear before the said Trustees at a subsequent Meeting (the Time and Place of which shall be mentioned in such Summonses); and the said Trustees, or any Seven or more of them, from Time to Time shall and may, at such subsequent Meeting, appoint so many of such Persons whose Names shall be so returned to them as they shall think proper, not being less than Nine; and the several Persons so appointed shall be and be called "Inspectors of Balances, Weights, and Measures," within the said Parish, and shall take an Oath to the following Effect (which Oath any Justice of the Peace for the County of *Middlesex* then present, or in the Absence of such Justice the Chairman for the Time being of the said Trustees, is hereby empowered to administer):

Inspector's 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, Brewhouses, Warehouses, and other Buildings in the 'Parish of Saint Mary Abbotts Kensington in the County of Middlesex; 'and that I will not present any Person or Thing through Hatred or 'Malice, nor leave the same unpresented through Love, Favour, Affection, Reward, or Hope of Reward. So help me GOD.'

And each and every Inspector so to be appointed shall serve and continue in the said Office until the next Appointment of Inspectors shall have taken place; but in case any such Inspector shall within that Period die,

or become disabled from serving the said Office, then and in every such Case another Inspector shall or may be appointed in place of the Inspector so dying or becoming disabled (if thought necessary, but not otherwise), by the said Trustees, at some Special or General Meeting to be held for that Purpose.

Penalty for refusing Office or neglecting the Duties.

XXXIII. Provided always, and be it further enacted, That in case any Person so 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 as aforesaid, or appearing shall refuse to take upon him the said Office (being thereunto nominated and appointed), or shall neglect or refuse to execute the Duties thereof, every Person so offending shall forfeit and pay a Sum not exceeding Twenty Pounds.

Inspectors to examine Weights and Measures.

XXXIV. And be it further enacted, That the said Inspectors, or any Three or more of them, shall be and they are hereby authorized and strictly enjoined, Once in every Two Calendar Months at least, and also whenever thereunto especially required by the said Trustees or any Seven or more of them, or any Two Justices of the Peace, at seasonable Times in the Daytime, to enter into all and every House, Shop, Brewhouse, Warehouse, Inn, or Victualling House or Premises within the said Parish of *Saint Mary Abbotts Kensington*, belonging to any Person or Persons dealing by Weight or Measure; and if the said Inspectors shall find any Balance, Weight, or Measure to be defective, or not marked or stamped according to the Directions of an Act of Parliament passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act for ascertaining and establishing Uniformity of Weights and Measures*, and One other Act passed in the Sixth Year of the Reign of His present Majesty, intituled *An Act to prolong the Time of the Commencement of an Act of the last Session of Parliament, for ascertaining and establishing Uniformity of Weights and Measures, and to amend the said Act*, it shall be lawful for the said Inspectors and they are hereby directed and required and enjoined to break and destroy the same, and the Owner or Owners thereof, or the Person or Persons in whose Custody or Possession the same shall be found, shall, upon Conviction thereof before One of His Majesty's Justices of the Peace for the County, Division, or Place where the said Offence shall be committed, upon View or Confession, or upon the Oath of One or more credible Witness or Witnesses, forfeit and pay such Sum of Money, not exceeding Twenty Shillings nor less than Five Shillings, as the Justice before whom such Person or Persons shall be convicted shall in his Discretion order and adjudge, together with the Costs and Charges attending such Conviction, such Forfeiture, Costs, and Charges to be levied, by Warrant under the Hand and Seal of the said Justice, by Distress and Sale of the Goods and Chattels of the Person or Persons so offending; and if any such Person or Persons shall be again convicted of any such Offence it shall be lawful for the said Trustees and they are hereby authorized, within One Calendar Month next after such Person or Persons is, are, or shall be convicted of such Second and every other 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 or Newspapers printed and circulated in

5 G. 4. c. 74.

6 G. 4. c. 12.

the

the County of *Middlesex*; and the Proprietor or Proprietors, Printer or Printers, or any other Person or Persons concerned therein, are hereby authorized to print and publish the same, when he, she, or they is or are required so to do by or by Order of the said Trustees or any Seven or more of them, and he, she, and they is and are hereby indemnified from and against any Prosecution or Prosecutions, Action or Actions, 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 notwithstanding.

Inspector not to be re-elected within Five Years.

XXXV. Provided always, and be it further enacted, That no Person who shall be nominated and appointed and shall have served the said Office of an Inspector within the said Parish, or shall have paid the Fine for refusing or neglecting to serve the same, shall be again summoned or appointed to serve the said Office in less than Five Years after the End of the Year of such former Service, or in respect of which such Fine shall have been paid, and no Person shall be liable to serve the said Office who shall be of the Age of Sixty Years or upwards, anything in this Act contained to the contrary notwithstanding.

Standards to be kept at the Workhouse.

XXXVI. And be it further enacted, That there shall be provided and kept at the Workhouse in the said Parish a Balance and Weights and Measures, that is to say, Measures of Extension, and Weights and Measures of Capacity, respectively sealed, according to the Imperial Standards in the Office of the Chamberlain of the Exchequer at *Westminster*, or such other Standard or Standards as shall be by Law from Time to Time used in the County of *Middlesex*, to be used by the said Inspectors in the Execution of their Duty, which said Balances, Weights, and Measures shall be paid for out of any of the Monies in the Hands of the Treasurer or Treasurers to the said Trustees received in respect of the Rates authorized to be raised by the said recited Act of the Seventeenth Year of the Reign of King *George* the Third and this Act.

Trustees may sue and be sued in the Name of their Clerk.

XXXVII. And be it further enacted, That the said Trustees may sue and be sued in the Name of their Clerk or Clerks for the Time being, or in the Name of any One of the Trustees; and all Actions or Suits that may be necessary or expedient to be brought for the Recovery of any Penalty or Sum of Money due or payable by virtue of the said recited Act of the Seventeenth Year of the Reign of King *George* the Third, or of this Act, for or in respect of any other Matter or Thing relating to the same recited Act or this Act, may be brought in the Name or Names of their Clerk or Clerks, or in the Name of any One of the said Trustees; and no Action or Suit which may be brought, commenced, or prosecuted by or against the said Trustees or any of them, by virtue or on account of the said last-mentioned recited Act or this Act, shall abate or be discontinued by the Death, Suspension, or Removal of such Clerk or Clerks, or by the Death of such Trustee, or by any Act or Default of such Clerk or Clerks, done or suffered without the Consent or Direction of the said Trustees, but the Clerk or Clerks to the said Trustees for the Time being, or such Trustee, shall be deemed Plaintiff or Plaintiffs, Defendant or Defendants, in any such Action or Suit, as the Case may be, except such Action or Actions as shall be prosecuted between the said Trustees and their Clerk or Clerks for the Time being:

Provided

Provided also, that in all Cases in which the Clerk or Clerks for the Time being, or any One such Trustee as aforesaid, shall, in pursuance of the said last-mentioned recited Act or this Act, be the Plaintiff or Plaintiffs, Defendant or Defendants on the Record of any Action or Actions, Suit or Suits, in which in effect the said Trustees shall be suing or sued in the Name of such Clerk or Clerks, or of such One Trustee as aforesaid, the said Clerk or Clerks for the Time being, or such One Trustee as aforesaid, (although appearing as the Plaintiff or Plaintiffs, Defendant or Defendants, on the Record,) may and shall nevertheless (if not otherwise interested or objectionable) be a good examinable and competent Witness in every Action and Suit, either for or against the said Trustees; and all Affidavits of Debt or Service which may be necessary or expedient to be made preparatory to or in the Prosecution or Defence of any and every such Action, Suit, or Proceeding shall and may be lawfully made by such Clerk or Clerks, or such One Trustee, (as the Case may be,) notwithstanding he or they shall be nominal Plaintiff or Plaintiffs, Defendant or Defendants on the Record as aforesaid: Provided also, that every such Clerk or Clerks, or Trustee, in whose Name any Action or Suit shall be commenced, prosecuted, or defended, in pursuance of the said recited Act or this Act, shall be always reimbursed and paid, out of the Monies to be received in respect of the Rates authorized to be raised by the said last-mentioned recited Act or this Act, all such Costs, Charges, and Expenses as he or they shall be put to or become chargeable with by reason of his or their being so made Plaintiff or Plaintiffs, Defendant or Defendants therein, and shall not be personally answerable or liable for the Payment of the same or any Part of them, unless such Action or Suit shall arise in consequence of his or their own wilful Neglect or Default, or have been brought or commenced or be defended without the Order or Direction of the said Trustees.

Clerk to be a competent Witness.

Clerk to be indemnified.

XXXVIII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to appoint the Person who may be appointed to act as their Clerk in the Execution of the said recited Act of the Seventeenth Year of the Reign of King *George* the Third or this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, to be the Treasurer for the Purposes of the said last-mentioned recited Act and this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, to be the Clerk to the said Trustees; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, shall act as Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer, or the Clerk or other Person in the Service or Employ of the Partner of any such Treasurer, shall act as Clerk in the Execution of this Act, or if any such

Clerk restrained from acting as Treasurer, and vice versâ.

Treasurer shall hold any Place or Office of Profit or Trust under this Act other than that of Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster* or elsewhere, 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.

Officers taking any Fee or Reward besides the Salary or Fees appointed to forfeit 50*l.*

XXXIX. And be it further enacted, That if any Person who shall be employed as Treasurer, Clerk, Collector, or any other Officer or Servant who shall be employed by the said Trustees for putting the said recited Act of the Seventeenth Year of the Reign of King *George* the Third or this Act, or any of the Powers thereof, in execution, shall exact or demand any Fee or Reward whatsoever, other than such Salaries, Allowances, and Rewards as shall be appointed, allowed, and approved of by the said Trustees, for or on account of anything done or to be done by virtue of the said recited Act or this Act, or on any Account whatsoever relative to putting the said recited Act or this Act in execution, or shall in anywise be concerned or interested in any Bargain or Contract made or to be made by the said Trustees, every such Person so offending shall be incapable of ever serving or being employed under the said last-mentioned recited Act or this Act, and shall also forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same.

For preventing Nuisances.

XL. And be it further enacted, That if any Person or Persons shall, within the Distance of Fifty Yards from any Dwelling House situate in or upon any Road, Street, or Place within the Limits of this Act, place, deposit, or keep any Night Soil, or the Emptyings, Cleansings, or Filth taken from any Privy, Drain, or Cesspool, or the Refuse, Offal, Garbage, Filth, or Sweepings of any Slaughter-house, or any Soap Lees, Ammoniacal Liquor, or any other noisome or offensive Matter whatsoever, in or upon any open or inclosed Ground, Place, or Wharf within the aforesaid Distance from any such Dwelling House as aforesaid, otherwise than in the covered Cart or other Carriage wherein the same may be brought or carried, or shall empty or discharge any Cart or other Conveyance containing the same otherwise than at once from and out of the same into some other Cart or Conveyance directly or by means of a Shoot or some other similar Contrivance, or shall detain or permit such Cart or other Conveyance to remain within the Distance aforesaid from any Dwelling House more than Twelve Hours after any such offensive Matter as aforesaid shall have been placed therein; or if any Person or Persons shall use any such Cart or Conveyance for the Reception of any of the offensive Matters above enumerated, the same not being properly constructed to prevent as much as may be the Escape of any noisome or offensive Smell, or any Gas or Effluvia tending to the Injury of the Health or the Annoyance of any of the Inhabitants of the Neighbourhood, or any of His Majesty's liege Subjects, every Person so offending as aforesaid shall for each and every such Offence forfeit and pay any Sum not exceeding Ten Pounds, and the further Sum of Twenty Shillings shall be forfeited and paid by every Person detaining any such Cart or other Conveyance as aforesaid, contrary to the Directions

Directions herein-before contained, for every Hour that the same shall be so detained beyond Twelve Hours; and the Occupier or Occupiers of any Place or Wharf at, in, or upon which, or the Owner or Owners of any such Cart or Conveyance by means of which, or the Employer or Employers of any Person by whom any such Offence shall be committed, shall be taken and deemed to be, each and every of them, a principal Offender also, and for each such Offence shall forfeit and pay as herein-before is mentioned.

For preventing various other Nuisances, &c.

XLI. And be it further enacted, That from and after the passing of this Act, if any Person or Persons shall permit or suffer his or her Dog to go at large after public Notice given by any Beadle or Crier of the said Parish, during such Time as such Notice shall direct Dogs to be confined on Suspicion of the Existence of Canine Madness in or near the said Parish, or shall wilfully break, aid, or abet, or assist in wilfully breaking, any Glass or Window Panes in or belonging to any Dwelling House or Building, or shall affix any Posting Bill or other Paper, mark with Chalk, Paint, or any other Material upon any Dwelling House or Building, Wall, or Fence within the said Parish, without the Consent of the Owner or Occupier thereof, then and in every such Case every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, One Half whereof shall be paid to the Informer or Informers, Person or Persons, who shall apprehend the Offender or Offenders; and it shall be lawful for any Constable or other Peace Officer, or any One of the said Trustees, or any Officer, or any other Person acting by or under the Authority of the said Trustees, by virtue of this Act, and without any Warrant whatsoever, to seize and apprehend any such Offender or Offenders as aforesaid, and forthwith to convey him, her, or them before some Justice or Justices of the Peace of the said County of *Middlesex*, in order to his or their Conviction of such Offence.

Penalty for blowing Horns, &c.

XLII. And be it further enacted, That if any Person shall within the said Parish of *Kensington* blow, use, or make to sound any Horn, Trumpet, Bugle, or other noisy Instrument, for the Purpose of hawking, selling, or distributing any Article, or for the Purpose of calling or collecting Passengers, Parcels, or Goods, or for any other Purpose whatsoever, it shall be lawful for any Constable, Beadle, or other Officer, and to and for any other Person or Persons whomsoever, without any other Warrant or Authority than this Act, to seize and apprehend every Person so offending, and to convey every such Offender before any Justice of the Peace for the said County of *Middlesex*, who shall examine upon Oath any Witness or Witnesses appearing to give Evidence touching such Offence; and if the Party accused shall be convicted of such Offence, then and in every such Case he, she, or they shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Penalty for conveying Washings into Rivers, Streams, &c.

XLIII. And be it further enacted, That if the said Trustees, or any Body or Bodies Politic or Corporate, or any Person or Persons making, furnishing, or supplying any Gas used, burnt, or consumed within the said Parish, for lighting any Street, Highway, or Place, or any House, Manufactory,

factory, or other Building therein, shall at any Time empty, drain, or convey, or cause or suffer to be emptied, drained, or conveyed, or to run or flow, any Washings or other waste Liquids, Substances, or Things whatsoever, which may arise or be produced in the Prosecution of the Works of the said Trustees, or of any such Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, or in the Manufacture or Process of making or procuring such Gas, into any River, Brook, or running Stream, Reservoir, Aqueduct, Waterway, Feeder, Pond, Springhead, or Well, or in any Drain, Sewer, or Ditch communicating therewith, or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any such River, Brook, or running Stream, Reservoir, Aqueduct, Waterway, Feeder, Pond, or Springhead, Well, Drain, Sewer, or Ditch, then and in every such Case the said Trustees, Body or Bodies Politic or Corporate, or such Person or Persons as aforesaid, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall and may be sued for and recovered, together 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, Plaint, Suit, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than One Imparlance shall be allowed; and the whole thereof shall be paid to the Person or Persons who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Twelve Calendar Months from the Time in which such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased and determined: Provided also, that over and above and in addition to the said Penalty of Two hundred Pounds, and whether such Penalty shall have been sued for or recovered or not, and in case any of the said Washings or other waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be emptied, drained, conducted, or conveyed, or caused or suffered to run or flow, in manner aforesaid, into any River, Brook, or running Stream, or any Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, or Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or any such Annoyance, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Person or Persons to whom the same shall belong, or by any other Person or Persons whomsoever, to the said Trustees, or Body or Bodies Politic or Corporate, or to such Person or Persons as aforesaid; and the said Trustees, Body or Bodies Politic or Corporate, or such Person or Persons as aforesaid, shall not, within Twenty-four Hours after such Notice shall have been given, stop, hinder, or prevent all and every such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things, from being emptied, drained, conducted, or conveyed, or from running or flowing, in manner aforesaid, and every such Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case the said Trustees, or Body or Bodies Politic or Corporate, or such Person or Persons as aforesaid, shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be so emptied, drained, conducted, or conveyed, or caused or suffered to run or flow, in manner aforesaid, or such other Annoyance, Act, or Thing shall be so done or caued to be done as aforesaid; and such last-mentioned Penalty shall

shall and may be recovered and levied in such and the like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered and levied, and shall be paid to the Informer, or to the Person or Persons who in the Judgment of the Justice or Justices before whom the Conviction shall take place shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed.

Penalty for allowing Escape of Gas.

XLIV. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up by the said Trustees, or Body or Bodies Politic or Corporate, or any Person or Persons making, furnishing, or supplying any Gas used, burnt, or consumed within the said Parish, for lighting any Street, Highway, or Place, or any House, Manufactory, or other Building therein, shall at their own Expense, immediately after Notice thereof by Parole or in Writing from any Person or Persons whomsoever, given to the said Trustees, or to the Clerk or other Officer or Agent of the said Trustees, or any such Body or Bodies Politic or Corporate, or Person or Persons, stop and prevent such Gas from escaping; and in case the said Trustees, or Body or Bodies Politic or Corporate, or Person or Persons, shall not within Twelve Hours next after such Notice by Parole or in Writing being given of any such Escape of Gas, as far as possible stop and prevent the Gas from escaping, and thereby remove the Cause of Complaint, then and in every such Case the said Trustees, or Body or Bodies Politic or Corporate, or Person or Persons, shall for every such Offence forfeit and pay the Sum of Five Pounds for each and every Day after the Expiration of Twenty-four Hours from the Time of giving any such Notice during which the Gas shall be suffered to escape as aforesaid, which Penalty shall from Time to Time be recoverable in a summary Way, on the Oath of One or more credible Witness or Witnesses, by Information to be laid and exhibited before One or more Justice or Justices of the Peace for the County of *Middlesex*, and shall and may be recovered and levied, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the said Trustees, or such Body or Bodies Politic or Corporate, or Person or Persons, by the Warrant of any Justice or Justices of the Peace as aforesaid, in manner herein-after directed.

Trustees or Persons contracting to light with Gas liable to be indicted.

XLV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent any Person or Persons from proceeding by Indictment or otherwise against the said Trustees, or any Body or Bodies Politic or Corporate, or any of his or their Servants, Workmen, or Officers, or Person or Persons making, furnishing, or supplying any Gas used, burnt, or consumed within the said Parish, for lighting any Street, Highway, or Place, or any House, Manufactory, or other Building therein, in respect of any Works, or the Means which shall be employed by them in making the said Gas and using the same, or furnishing such Light as aforesaid, as a public or private Nuisance, or from bringing any Action or Actions against the said Trustees, or Body or Bodies Politic or Corporate, or any of their Servants, Workmen, or Officers, or Person or Persons, for any Injury sustained by reason of any such Works, or the Use of the said Gas, or the Method of lighting therewith, whether such Injury shall proceed from the Preparation or the Use of the same Gas, or the Method of lighting, or the

Carelessness or Want of Skill of any of the Persons employed therein, or from any other Cause whatsoever.

Trustees, &c. to prevent Escape of Gas and Contamination of Water.

XLVI. And be it further enacted, That whenever the Water of any Company of Proprietors, or other the Owners or Proprietors of any Waterworks within the said Parish, shall be contaminated or affected by the Gas of the said Trustees, or of the Body or Bodies Politic or Corporate, Company or Companies of Proprietors, or other Person or Persons as aforesaid, the said Trustees, Body or Bodies, Company or Companies, or other Person or Persons as aforesaid, shall forfeit and pay for every such Offence a Sum not exceeding Twenty Pounds, to be sued for and recovered as any Penalty is hereby directed to be sued for and recovered, and the same shall be applied to and for the Use and Benefit of the Company of Proprietors, or other the Owners or Proprietors of any Waterworks; and in case any such Water shall be contaminated or affected by Gas in any way whatsoever, then and in every such Case the said Trustees, Body or Bodies, Company or Companies, or other Person or Persons as aforesaid, shall, within Twenty-four Hours next after Notice thereof in Writing, signed by any of the Directors, or by the Treasurer, or by the Manager or Chief Clerk for the Time being of and for the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks, to be left at the usual Office or Place of transacting Business of the said Trustees, Body or Bodies, Company or Companies, or other Person or Persons as aforesaid, cause Measures to be taken effectually to stop and prevent Gas from escaping from their Works, Mains, or Pipes, or contaminating or affecting the Water of the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks; and in case the said Trustees, Body or Bodies, or other Person or Persons as aforesaid, shall not, within Twenty-four Hours next after each and every such Notice so left as aforesaid, effectually stop and prevent Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent all and every such Contamination whereof Notice shall be given as aforesaid, then and in every such Case the said Trustees, Body or Bodies, or other Person or Persons as aforesaid, shall, on each and every Complaint whereof Notice shall be given as aforesaid, forfeit and pay to the Treasurer for the Time being, or to any One of the Directors for the Time being of the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks, for the Use and Benefit of the same Proprietors or Owners, over and above the before-mentioned Penalty of Twenty Pounds, to be recovered as aforesaid, the Sum of Ten Pounds for each and every Day during which the Water of the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks, shall be and remain contaminated, tainted, or affected by the Gas of the said Trustees, Body or Bodies, or other Person or Persons as aforesaid; and in default of Payment thereof as aforesaid such Penalty or Penalties shall and may be recovered by Information, to be exhibited on the Oath of One credible Witness, by and in the Name of the Treasurer, Manager, or Chief Clerk for the Time being of the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks, or by and in the Name of any One or more of the Directors of the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks, at the Option of the Parties prosecuting such Information against the

the said Trustees, Body or Bodies, or other Person or Persons as aforesaid, before any Justice of the Peace for the said County, with Costs, to be assessed by such Justice, and to be levied by Distress and Sale of the Goods and Chattels of the said Trustees, Body or Bodies, or other Person or Persons as aforesaid, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of such Justice, which Warrant such Justice is hereby empowered to grant; and such Penalty or Penalties, and Costs, when so levied, shall be paid to the Treasurer, or to One of the Directors for the Time being of the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks, for the Use of the same Proprietors or Owners.

For ascertaining if the Water is contaminated.

XLVII. And whereas it may be or become a Question upon such Complaint as aforesaid whether the said Water be contaminated or affected by the Gas of the said Trustees, Body or Bodies, or other Person or Persons as aforesaid: Be it therefore enacted, That in every such Case it shall and may be lawful to and for the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks, to dig to and about and search and examine the Mains, Pipes, Conduits, and Apparatus of the said Trustees, Body or Bodies, or other Person or Persons as aforesaid, for the Purpose of ascertaining whether such Contamination proceed or be occasioned by the Gas of the said Trustees, Body or Bodies, or other Person or Persons as aforesaid; and if it shall appear that the said Water has been contaminated by any Escape of Gas of the said Trustees, Body or Bodies, or other Person or Persons as aforesaid, the Costs and Expenses of the said Digging, Search, and Examination, and Repair of the Pavement of the Street or Streets which shall be taken up or disturbed, shall be borne and paid by the said Trustees, Body or Bodies, or other Person or Persons as aforesaid, which Costs and Expenses shall be ascertained and determined, if necessary, by such Justice as aforesaid, and be recovered in like Manner as any Penalty may be recovered by virtue of this Act: Provided always, that if upon such Examination it shall appear that such Contamination has not arisen from any such Escape of Gas from any of the Mains, Pipes, or Conduits of the said Trustees, Body or Bodies, or other Person or Persons as aforesaid, then and in such Case the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks, shall bear and pay all the Costs and Expenses of such Examination, Repair, and Search, and shall also make good to the said Trustees, Body or Bodies, or other Person or Persons as aforesaid, any Loss, Injury, or Damage which may be occasioned to the said Mains, Pipes, Conduits, or Apparatus of the said Trustees, Body or Bodies, or other Person or Persons as aforesaid, in and by such Search and Examination, and also to the Pavement of the said Streets so broken up or disturbed in such Search or Examination, the Amount of such Injury, Loss, or Damage to be ascertained and determined, if necessary, by such Justice or Justices of the Peace as aforesaid.

Gas Pipes to be laid Four Feet from Water Pipes,

XLVIII. And be it further enacted, That all and every the Pipes or other Conduits to be laid or used for the Conveyance of Gas in, under, through, along, across, or round any Street, Lane, Passage, or other Place in the said Parish shall be so laid at the greatest practicable Distance,

and in a particular Manner.

tance, and whenever the Width of the Carriageway in such Street, Lane, Road, Passage, or Place will allow thereof, at the Distance of Four Feet at least, as well from the nearest Part of any Water Pipe already laid down or hereafter to be laid down for the Conveyance of Water in, under, through, along, across, or round any of the said Streets, Passages, or other Places in the said Parish, as also from the nearest Part of any Main or Conduit Pipe already laid down or hereafter to be laid down by or by the Order of the said Trustees, or of any Gaslight Company, or Person or Persons whomsoever, for the Conveyance of Gas in, under, through, along, across, or round any Street, Road, Passage, or other Place in the said Parish, unless in Cases where it shall be unavoidably necessary to lay any such Pipes across any of the Pipes of any Water Company, or any Gaslight Company, or of any Person or Persons whomsoever, in which Cases the said Pipes shall be laid over and above such Water Pipes, or such Pipes of any Gaslight Company, or of any Person or Persons whomsoever, (as the Case may be,) at the greatest practicable Distance therefrom, and shall form therewith a Right Angle; and in such Cases the said Pipes so crossing the said Pipes of any Waterworks Company, or any Gaslight Company, or of any Person or Persons whomsoever, shall be at least Nine Feet in Length, so that no Joint of any of the said Pipes shall be nearer to any Part of the said Pipes of any Waterworks Company, or any Gaslight Company, than Four Feet at least; and that in laying down the said Pipes the said Trustees, Body or Bodies Politic or Corporate, or Person or Persons whomsoever, shall in no Case join Two or more Gas Pipes together previous to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall in such Trench properly form the Jointing with the other Pipes to be added thereto, with proper and sufficient Materials, and also to make and keep all and every such Pipes, and all Pipes connected or communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively, air-tight, and in all and every respect prevent the said Gas from escaping therefrom and from any Part thereof, upon pain of forfeiting for every Offence the Sum of Five Pounds, to be recovered as any Penalty is herein directed to be recovered, and shall be paid to the Company of Proprietors of the Waterworks or Gaslight Company, as the Case may be.

In case of Nonpayment of Compensation for Materials or Damage by the Trustees, &c. the same to be levied by Distress of the Goods of such Trustees, &c.

XLIX. Provided always, and be it further enacted, That when and as often as any Sum of Money shall be directed or ordered by any Justice or Justices of the Peace to be paid, in pursuance of the Directions of the said recited Act of the Seventeenth Year of the Reign of King *George* the Third or this Act, as or by way of Compensation or Satisfaction for any Costs, Damages, Spoil, or Injury of any Nature or Kind whatsoever done or committed by the said Trustees, or by any Persons acting by or under their Authority, and such Sum and Sums of Money shall not be paid by the said Trustees to the Party or Parties entitled to receive the same, within Fourteen Days after Demand in Writing shall have been made, stating the Order of such Justice or Justices, and delivered to the said Trustees or to their Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, then and in such Case the Amount of such Compensation or Satisfaction shall

shall and may be levied and recovered by Action at Law against the said Trustees or their Treasurer, or by Distress and Sale of the Goods and Chattels of the said Trustees, or of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices of the Peace, which Warrant any such Justice or Justices is and are hereby authorized and required to grant, under his Hand and Seal or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expenses of hearing and determining the Matter in dispute, and also the Costs and Expenses of such Distress and Sale, then and in such Case such Overplus shall be returned, on Demand, to the said Trustees, or their Treasurer for the Time being, as the Case may be.

Damages and Charges, in Cases of Dispute, to be settled by Justices.

L. And be it further enacted, That where by the said recited Act of the Seventeenth Year of the Reign of King *George* the Third, or this Act, any Damages or Charges are directed or authorized to be paid or recovered, in addition to any Penalty or Penalties for any Offence or Offences, the Amount of such Damages or Charges, in case of Dispute respecting the same, shall be settled, ascertained, and determined by the Justice or Justices of the Peace by or before whom any Offender shall be convicted of any such Offence or Offences, who is and are hereby authorized and required, on Nonpayment thereof, to levy such Damages or Charges by Distress and Sale of the Offender's Goods and Chattels, in manner directed by this Act for the levying of any Penalties or Forfeitures.

Recovery and Application of Penalties.

LI. And be it further enacted, That all Fines, Penalties, and Forfeitures, inflicted or imposed by the said recited Act of the Seventeenth Year of the Reign of King *George* the Third or this Act, or by any Rule or Order made in pursuance thereof, (the Manner of the levying and recovering and applying whereof is not otherwise particularly directed,) may, in case of Nonpayment thereof, be recovered in a summary Way, by the Order and Adjudication of any Justice of the Peace for the said County of *Middlesex*, on Complaint to him for that Purpose exhibited by the Oath or Affirmation of any Person or Persons, or on the Confession of the Party offending (which Oath or Affirmation such Justice is hereby authorized to administer); and in default of Payment of such Fines, Penalties, or Forfeitures the same shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of such Justice, rendering the Overplus (if any), on Demand, to the Party or Parties whose Goods and Chattels shall be so distrained (the reasonable Charges of such Distress and Sale being first deducted); and in case such Fines, Penalties, and Forfeitures shall not be forthwith paid, it shall be lawful for such Justice and he is hereby authorized and required to order the Offender or Offenders so convicted to be detained and kept in safe Custody until Return can conveniently be made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice, for his, her, or their Appearance before such Justice, or before some other Justice of the Peace for the said

County, on such Day or Days as shall be appointed for the Return of such Warrant of Distress (such Day or Days not being more than Ten Days from the taking of any such Security), and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had whereupon to levy the said Fine, Penalty or Penalties, and such Costs as aforesaid, and the same Fine shall not be forthwith paid, or in case it shall appear to the Satisfaction of any such Justice, upon the Confession of the Offender or Offenders, or otherwise, that he, she, or they hath or have not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Costs, and Expenses can be levied if a Warrant of Distress were issued, such Justice shall not be required to issue such Warrant of Distress; and thereupon it shall be lawful for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to commit such Offender or Offenders to the Common Gaol or House of Correction for the County or Place where such Offence shall be committed, there to remain for any Time not exceeding Three Calendar Months, unless such Penalty or Forfeiture shall be sooner paid and satisfied, and all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justice, or he, she, or they shall otherwise be discharged by due Course of Law; and all such Fines, Penalties, and Forfeitures shall, when the Application is not otherwise directed by the said recited Act or this Act, be paid into the Hands of the Treasurer of the said Trustees, and shall be applied and disposed of for the Purposes of the said recited Act and this Act, except in all such Cases where the Penalty or Forfeiture shall be incurred by the said Trustees, and then the same shall be paid to the Informer: Provided always, that it shall be lawful for the Justice or Justices before whom the Conviction shall be had, or for the said Trustees, to award and pay to the Informer or Informers, or other Person or Persons aiding or assisting in the Apprehension of any Offender, such Proportion of such Penalties and Forfeitures as he or they shall think proper.

Forms of Information and Conviction.

LII. And for the more easy Prosecution and Conviction of Offenders against the said recited Act of the Seventeenth Year of the Reign of King *George* the Third or this Act, be it further enacted, That all and every Justice and Justices of the Peace before whom any Person or Persons shall be convicted or prosecuted of or for any Offence against the said last-mentioned recited Act or this Act shall and may cause the Information and Conviction respectively to be drawn in the Forms following, or in any other Words to the same Effect; that is to say,

‘ County of Middlesex } BE it remembered, That on the
‘ to wit. } Day of *A.B.* of
‘ informeth me of His Majesty's Justices of the Peace for
‘ the County of Middlesex, that
‘ of in the County of
‘ [*here describe the Offence, with the Time and Place, and follow the Act*
‘ *as near as may be,*] contrary to the Statutes made in the Seventeenth
‘ Year of the Reign of King George the Third [*here insert the Title of*
‘ *the said recited Act*] and the Seventh Year of the Reign of King George
‘ the Fourth for [*insert the Title of the Act*], which have imposed a
‘ Forfeiture

'Forfeiture of for the said Offence. Taken the
'Day of before me .'

'County of Middlesex to wit. } BE it remembered, That on the
'Day of in the
'Year of the Reign of and in the Year of our Lord
'*A. B.* is convicted before me, One of His Majesty's
'Justices of the Peace for the said County of Middlesex, for [*here state*
'*the Offence, and when and where committed*], contrary to the Form of the
'Statutes made in the Seventeenth Year of the Reign of King George
'the Third [*here insert the Title of the said recited Act*] and in the
'Seventh Year of the Reign of King George the Fourth, intituled
'[*here insert the Title of this Act*]; and I do hereby declare and adjudge
'that the said hath forfeited for the Offence the
'Sum of or shall be committed to
'for the Space of [*as the Case may be*]. Given
'under my Hand and Seal, the Day and Year first above written.'

Justices may proceed by Summons in the Recovery of Penalties.

LIII. And be it further enacted, That in all Cases in which by the said recited Act of the Seventeenth Year of the Reign of King *George* the Third, or this Act, any Penalty or Forfeiture is imposed and made recoverable by Information before a Justice of the Peace, it shall be lawful for any Justice of the Peace to whom Complaint shall be made of any Offence against the said recited Act or this Act to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice; and all such Proceedings by Summons without Information shall be as good, valid, and effectual to all Intents and Purposes as if an Information in Writing was or had been exhibited.

Distress not to be unlawful for Want of Form.

LIV. And be it further enacted, That where any Distress shall be made for any Sum of Money to be raised by virtue of the said recited Act of the Seventeenth Year of the Reign of King *George* the Third or 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 Proceeding relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall afterwards be done by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity may recover full Satisfaction for the special Damage by an Action on the Case.

Trustees being Justices may act.

LV. And be it further enacted, That all such Trustees as are or shall be Justices of the Peace may act as Justices in all Matters under the Authority of the said recited Act of the Seventeenth Year of the Reign of King *George* the Third, or this Act, notwithstanding their being Trustees.

LVI. And

Inhabitants may be Witnesses.

LVI. And be it further enacted, That no Inhabitant of the said Parish of *Saint Mary Abbotts Kensington* shall be deemed an incompetent Witness in any Action, Suit, or Information, Complaint, Appeal, Prosecution, or Proceeding, to be had, made, prosecuted, or carried on under the Authority of the said recited Act of the Seventeenth Year of the Reign of King *George* the Third or this Act, by reason of such Person being rated or liable to be rated by virtue of the same recited Act or this Act.

Appeal to the Trustees.

LVII. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved or overrated by any Rate or Assessment, or any other Matter or Thing to be made or done under or in pursuance of the said recited Act of the Seventeenth Year of the Reign of King *George* the Third, or this Act, he, she, or they may appear and complain thereof to the said Trustees at one of their Meetings; provided that such Appeal be made within Three Calendar Months next after such Rate or other Cause of Complaint shall have been made or shall have arisen.

Appeal to the Quarter Sessions.

LVIII. Provided always, and be it further enacted, That if any Person or Persons shall find himself, herself, or themselves aggrieved by any Order, Direction, or Appointment of the said Trustees, or by means of any Rate to be made under or in pursuance of the said recited Act of the Seventeenth Year of the Reign of King *George* the Third, or this Act, or any Order or Conviction of One or more Justice or Justices of the Peace, it shall be lawful for such Person or Persons to appeal to any General or Quarter Sessions of the Peace to be held in and for the said County of *Middlesex*, within Four Calendar Months next after the same shall have arisen; or if such Sessions shall be held before the Expiration of One Calendar Month then next, then such Appeal shall be made to the next succeeding Sessions, either of which Courts of Sessions is hereby empowered to hear and finally determine the Matter of the said Appeal, and to make such Order therein as to them shall seem meet, which Order shall be final and conclusive to and upon all Parties; provided that the Person or Persons so appealing shall give or cause to be given at least Fourteen Days Notice in Writing of his, her, or their Intention of appealing as aforesaid, and of the Matter or Cause thereof, to the Clerk for the Time being to the said Trustees, or other the Respondent or Respondents, and within Five Days after such Notice shall enter into Recognizance before some Justice of the Peace for the same County of *Middlesex*, with sufficient Securities, in condition to try such Appeal at the then next General Sessions or Quarter Sessions of the Peace, whichever shall first happen, and to abide the Order of and pay such Costs as shall be awarded by the Justices at such General or Quarter Sessions, or any Adjournment thereof; and such Justices, upon hearing and finally determining the Matter of such Appeal, shall and may, according to their Discretion, award such Costs to the Party appealing or appealed against as they shall think proper, and their Determination concerning the Premises shall be conclusive and binding on all Parties, to all Intents and Purposes whatsoever.

Rates may be amended without quashing.

LIX. Provided always, and be it further enacted, That on Appeal from the said Rates or Assessments, or any of them, for the Purposes of the said

said recited Act of the Seventeenth Year of the Reign of King *George* the Third or this Act, the Justices at such General or Quarter Sessions shall and may amend the same in such Manner as may be necessary for giving Relief, without quashing or altering such Rates or Assessments with respect to other Persons mentioned in the same; but if upon Appeal from the whole of any Rate it shall be found necessary to set aside the same, then and in such Case the said Justices shall and may order a new Rate or Assessment to be made for the Purposes of the said recited Act or this Act.

Rates and Proceedings not to be quashed for Want of Form.

LX. Provided always, and be it further enacted, That no Rate, nor any Proceeding to be had touching the Conviction of any Offender or Offenders against the said recited Act of the Seventeenth Year of the Reign of King *George* the Third, or this Act, or any Order made or any other Matter or Thing done or transacted in or relative to the Execution of the same recited Act or this Act, shall be vacated or quashed for Want of Form, or be removed or removable by a Certiorari or any other Writ or Process whatsoever into any of His Majesty's Courts of Record at *Westminster*.

Plaintiff not to recover in any Action after Tender of sufficient Amends.

LXI. Provided also, and be it further enacted, That no Plaintiff or Plaintiffs shall recover on any Action or Actions for any Irregularity, Trespass, or other Proceeding made or committed in execution of the said recited Act of the Seventeenth Year of the Reign of King *George* the Third or this Act, if Tender of sufficient Amends shall be made, by or on the Behalf of the Party or Parties who shall have committed any such Irregularity, Trespass, or other wrongful Proceeding, before such Action brought; and in case no Tender shall have been made it shall 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 joined, to pay into Court such Sum of Money as he or they shall think fit, whereupon such Proceedings, Order, and Adjudication shall be made, had, and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation of Actions.

LXII. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for anything done in pursuance of or under the Authority of or colour of the said recited Act of the Seventeenth Year of the Reign of His late Majesty or this Act, until Twenty-one Days Notice has been given thereof in Writing to the Clerk to the said Trustees, nor after sufficient Satisfaction, or Tender thereof, has been made to the Party or Parties aggrieved, nor after Six Calendar Months next after the Fact committed for which such Action or Actions, Suit or Suits, shall be so brought; and every such Action shall be brought, laid, and tried where the Cause of Action shall have arisen, and not in any other County or Place; and the Defendant or Defendants in such Actions or Suits may plead the General Issue, or give the said last-mentioned recited Act and this Act, and every special Matter, in Evidence at any Trial or Trials which shall be had thereupon; and if the Matter or Thing shall appear to have been done under or by virtue of the said last-mentioned recited Act or this Act, or if it shall appear that such Action or Suit was brought before Twenty-one Days Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or if any

such Action or Suit shall not be commenced within the Time before limited, or shall be laid in any other County or Place than as aforesaid; then the Jury or Juries shall find a Verdict or Verdicts for the Defendant or Defendants therein; and if a Verdict or Verdicts shall be found for such Defendant or Defendants, or if the Plaintiff or Plaintiffs in such Action or Actions, Suit or Suits, shall become nonsuit, or suffer a Discontinuance of such Action or Actions, or if upon any Demurrer or Demurrers in such Action or Actions Judgment shall be given for the Defendant or Defendants therein, then and in any of the Cases aforesaid such Defendant or Defendants shall have Double Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants may have for his, her, or their Course in any other Case by Law.

Repealing Power in former Act respecting annual Return of Persons for Overseers.

LXIII. And be it further enacted, That so much of the said recited Act of the Seventeenth Year of the Reign of King *George* the Third as enacts that the Parishioners of the said Parish paying to the Rates or Assessments to be made by virtue of the Act shall be authorized and required to assemble and meet together in the Vestry Room belonging to the said Parish on *Easter Monday* in every Year, or within Three Days after, and that the major Part of the Inhabitants so assembled shall then and there make out a List of Eight fit and proper Persons, being Inhabitants of the said Parish, to be Overseers of the Poor of the said Parish, and that no List shall be legal but such as shall be made as hereinbefore directed, and that such List shall be returned to any Two or more Justices for the County of *Middlesex* acting in the Division of *Kensington* at a Petty Sessions to be held for that Purpose, and that public Notice thereof shall be given in the said Parish Church on the *Sunday* next preceding the holding of such Petty Sessions, of the Time and Place of holding the same, and that out of such List the Justices of the Peace, or any Two or more of them, being the major Part of the Justices so assembled at such Petty Sessions, shall nominate and appoint any Number not exceeding Four Persons, being Inhabitants as aforesaid, to be Overseers, and that the Overseers so nominated, together with the Churchwardens of the said Parish, shall be Overseers of the Poor of the said Parish for the Year then next ensuing, and shall, within Ten Days after such Nomination, and Notice given or left at his or their Place or Places of Abode, take that Office or Duty upon him or them, upon pain that every such Person refusing or neglecting so to do shall forfeit and pay the Sum of Ten Pounds, and that in case of any such Refusal or Neglect any Two Justices of the Peace for the said County acting in the Division of *Kensington* may and are authorized and empowered to nominate some other fit Person or Persons from the said List, or from another List to be returned to them, to the said Office, in the Place of him or them refusing or neglecting as aforesaid, and that the Person or Persons so nominated in the Room of such Person or Persons shall take such Office or Duty upon him or them, under pain of forfeiting the like Sum of Ten Pounds for every such Refusal or Neglect, shall be and the same is hereby declared to be repealed.

Parishioners to return annually Eight Persons.

LXIV. And be it further enacted, That it shall be lawful for the Parishioners of the said Parish paying to the Rates or Assessments to be made by virtue of the said recited Act of the Seventeenth Year of the

Reign of King *George* the Third and of this Act, and they are hereby required, to assemble and meet together in the Vestry Room belonging to the said Parish on the Twenty-fifth Day of *March* in every Year, or within Three Days after; and the major Part of the Inhabitants so assembled shall then and there make out a List of Eight fit and proper Persons, being Inhabitants of the said Parish, to be Overseers of the Poor of the said Parish, and no List shall be legal but such as shall be made in such Manner as last aforesaid; and the List so made shall be returned to any Two or more Justices for the County of *Middlesex* at a Petty Sessions to be held for that Purpose, whereof public Notice shall be given in the said Parish Church on the *Sunday* next preceding the holding of such Petty Sessions, of the Time and Place of holding the same, out of which List the Justices of the Peace, or any Two or more of them, being the major Part of the Justices so assembled at such Petty Sessions, shall nominate and appoint any Number, not exceeding Four Persons, being Inhabitants as aforesaid, to be Overseers; and the Overseers so nominated and appointed, together with the Churchwardens of the said Parish, shall be Overseers of the Poor of the said Parish for the Year then next ensuing, and shall, within Ten Days after such Nomination and Appointment, and Notice given or left at his or their Place or Places of Abode, take that Office or Duty upon him or them, upon pain that every such Person refusing or neglecting so to do shall forfeit and pay the Sum of Ten Pounds; and in case of any such Refusal or Neglect, any Two Justices of the Peace for the said County may and are hereby authorized and empowered to nominate and appoint some other fit Person or Persons from the said List, or from another List to be returned to them, to the said Office, in the Place of him or them refusing or neglecting as aforesaid; and the Person or Persons so nominated and appointed in the Room of such Person or Persons shall take such Office or Duty upon him or them, under pain of forfeiting the like Sum of Ten Pounds for every such Refusal or Neglect, to be recovered in manner herein-before mentioned; all which said Forfeitures shall be paid to the Treasurer who shall be appointed to receive the Monies for the Relief of the Poor of the said Parish, and shall be applied for and towards the Relief of such Poor, any Law or Statute to the contrary notwithstanding.

Repealing so much of former Act as lays a Penalty on Persons buying or receiving into Pawn any Wearing Apparel, &c. of the Poor belonging to the Workhouse.

LXV. And be it further enacted, That so much of the said recited Act of the Seventeenth Year of the Reign of King *George* the Third as enacts that if any Person or Persons shall knowingly buy or receive into Pawn any of the Clothes, Wearing Apparel, or any of the Victuals or Provisions of any of the Poor who shall be maintained, clothed, or victualled in the Workhouse of the said Parish, or who shall knowingly buy or receive into Pawn any of the Goods or Materials carried into the said Workhouse or any other House or Place, in order to be wrought up, manufactured, or used by the Poor of the said Parish, or any of the Goods and Furniture of the said Workhouse, the Person or Persons so offending, and being thereof convicted by his, her, or their own Confession, or by the Oath of any One or more credible Witness or Witnesses, before any Justice or Justices of the Peace for the County of *Middlesex*, shall for every such Offence forfeit and pay the Sum of Five Pounds, shall be and the same is hereby declared to be repealed.

LXVI And

Repealing Power in former Act for punishing poor Persons in Workhouse.

LXVI. And be it further enacted, That so much of the said recited Act of the Seventeenth Year of the Reign of King *George* the Third as enacts that if any poor Person or Persons who shall be maintained in the Workhouse or Workhouses of the said Parish shall refuse to work, or wilfully damage or destroy his or her Work, or be guilty of profane cursing and swearing, or of profaning the Sabbath by Riot or Drunkenness, or otherwise misbehave himself or herself, that then in such Case it shall and may be lawful to and for the Trustees, or any Seven or more of them, to cause such Person or Persons so offending to be punished in such Workhouse, either by moderate Correction, Confinement, distinguishing them in Dress, Diet, or such other Method as may best tend to prevent the Commission of such Offences for the future, without committing such Offender to the House of Correction or other Prison, shall be and the same is hereby declared to be repealed.

Repealing so much of former Act as authorizes sending Children and others to labour at the Workhouse, and the punishing of them.

LXVII. And be it further enacted, That so much of the said recited Act of the Seventeenth Year of the Reign of King *George* the Third as enacts that it shall and may be lawful to and for the Churchwardens, Overseers of the Poor, and the Trustees, or any Seven or more of them, to cause such Child or Children as he or they shall judge to be under the Age of Fourteen Years, who shall be found wandering and begging in the said Parish, if they think proper, to be taken and to send them to the Workhouse belonging to the said Parish, there to be detained and employed during so long Time as the Trustees, or any Seven or more of them, shall think proper, not exceeding the Time when such Child or Children shall attain, or in case his or her Age cannot be ascertained, till he or she shall be adjudged to have attained, the Age of Twenty-one Years, or Day of Marriage, if a Female, or be discharged by due Course of Law, and that it shall and may be lawful to and for the said Churchwardens, Overseers of the Poor, and Trustees, or any Seven or more of them, if they think proper, to cause such other Person or Persons as shall be found wandering, begging, pilfering, or purloining in the said Parish to be sent to the said Workhouse, there to be kept to work for so long Time as the said Churchwardens, Overseers, and Trustees, or any Seven of them, shall think proper, or until they shall be discharged by due Course of Law, and that in case of any Misbehaviour of any such Persons so sent as aforesaid it shall and may be lawful to correct or otherwise punish such Offenders in such Manner as therein-before is mentioned, shall be and the same is hereby declared to be repealed.

Repealing Power in former Act for Trustees to bring Actions for Penalties, &c.

LXVIII. And be it further enacted, That so much of the said recited Act of the Seventeenth Year of the Reign of King *George* the Third as enacts that the Trustees, or any Seven or more of them, may, if they shall think proper, in the Name or Names of any Two of them, or in the Name of their Collector, Treasurer, or Clerk for the Time being, 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*, for all or any of the Penalties or Forfeitures against the Act, or for all or any of the Fines set or imposed, and for and upon any Contracts or Agreements made and entered into by them by virtue of the Act, and for all or any of the Rates which shall be made or be due and payable under and by virtue of or in pursuance of the Act, or any Part thereof; and that if the

the Plaintiff shall recover in any such Action he shall have full Costs, to be levied and recovered as other Monies upon Judgments are now by Law levied and recovered, and that in such Action and Actions no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed, shall be and the same is hereby declared to be repealed.

Repealing so much of former Act as directs Annuities to be Tax-free.

LXIX. And be it further enacted, That so much of the said recited Act of the Seventeenth Year of the Reign of King *George* the Third as enacts that none of the Annuities purchased in pursuance of the said Act as therein mentioned shall be subject or liable to the Tax charged upon Lands by Authority of Parliament, or any other public or parochial Tax, shall be and the same is hereby declared to be repealed.

Repealing so much of former Act as allows an Assignment of Annuities without Stamp.

LXX. And be it further enacted, That so much of the said recited Act of the Seventeenth Year of the Reign of King *George* the Third as enacts that it shall and may be lawful to and for the Purchaser or Purchasers of any such Annuity or Annuities as therein mentioned, his, her, and their Executors, Administrators, or Assigns, Nominee or Nominees, at any Time or Times, by Writing under his, her, or their Hand and Seal or their Hands and Seals, (without any Stamp Duty thereon,) to assign such Annuity or Annuities, or any Part thereof, or Interest thereon, to any Persons whatsoever, and so *toties quoties*, shall be and the same is hereby declared to be repealed.

Repealing so much of former Act as enacts that Writings shall be without Stamps.

LXXI. And be it further enacted, That so much of the said recited Act of the Seventeenth Year of the Reign of King *George* the Third as enacts that no Nomination, Contract, Bond, Warrant, Judgment, or other Writing whatsoever, under the Hand and Seal or Hands and Seals of or only signed by any Trustee or Trustees or Justice or Justices of the Peace, or exhibited before them, or under the Hand and Seal or Hands and Seals of or only signed by any Person or Persons whatsoever, relating to the Execution of the Act, shall be chargeable with any Stamp Duty whatsoever, shall be and the same is hereby declared to be repealed.

Saving Rights of Commissioners of Sewers.

LXXII. Provided always, and be it further declared and enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to prejudice, diminish, alter, or take away any of the Rights, Powers, or Authorities vested in the Commissioners of Sewers for the City and Liberty of *Westminster* and Part of the County of *Middlesex*, but all the Rights, Powers, and Authorities vested in them shall be as good, valid, and effectual as if this Act had not been made.

Expenses of the Act how to be paid.

LXXIII. And be it further enacted, That all Costs, Charges, and Expenses of passing this Act, and all other Charges and Expenses incident to or attending the obtaining thereof, or in any Manner relating thereto, shall be borne, paid, and defrayed out of the Monies received or to be received in respect of the Rates authorized to be made by the said recited Act of the Seventeenth Year of the Reign of King *George* the Third and this Act, for the Relief of the Poor of the said Parish, and other the Purposes in the same recited Act and this Act mentioned.

Public Act.

LXXIV. 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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