ANNO QUARTO

GEORGII IV. REGIS.

Cap. lxxv.

An Act for lighting, watching, and cleansing the *Grange* Road, and other Parts of the Parish of *Saint Mary Magdalen Bermondsey*, in the County of *Surrey*. [30th *May* 1823.]

WHEREAS by an Act of Parliament passed in the Fifty-fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for amending and enlarging the Powers of an Act of the Reign of His present Majesty, for repairing the Road from* Southwark *to* Deptford, *and other Roads therein mentioned, and for lighting, watching, and cleansing certain Parts thereof, and other Places, in the Parish of* Bermondsey *in the County of* Surrey, certain of the Trustees for putting the said Act into Execution, and divers other Persons therein named, are appointed a Committee for lighting, watching, and cleansing the several Roads, Streets, Courts, Yards, Alleys, Walks, Passages, and Places therein and herein-after mentioned: And whereas the Term granted to the said Trustees for putting the said recited Act into Execution is near expiring, and it would tend to the Convenience and Comfort of the Inhabitants of the several Roads, Streets, Courts, Yards, Alleys, Passages, and Places, authorized to be lighted, watched, and cleansed by the said recited Act, if the several Powers contained in the said recited Act for that Purpose were continued: And whereas it is expedient that further and other Powers should be granted for the lighting, watching, and cleansing the several Roads, Streets, and Places, authorized to be lighted, 55 G. 3. c. lxxvi.

watched, and cleansed by the said Act, and the said several Powers would be better carried into Execution by Commissioners appointed for that Purpose; but the same cannot be effected without the Aid and 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,

Certain Parts of recited Acts repealed.

That from and after the passing of this Act so much and such Parts of the said recited Act as relates to the lighting, watching, and cleansing the several Roads, Streets, and Places by the said recited Act authorized to be lighted, watched, and cleansed, shall be and the same is and are hereby declared to be repealed to all Intents and Purposes.

Commissioners.

II. And be it further enacted, That *Samuel Bevington*, *Henry Bevington*, *Francis Brewin*, *Joshua Butterworth* the younger, *William Martin Carter*, *George Choumert*, *Bryan Donkin*, *Charles Easton*, *William Foster*, *John Gamble*, *Cleeve Jehohannon Hooper*, *Thomas Hooper*, *Thomas Laurance*, *Charles Miles*, *John Maunder*, *Thomas Norton*, *Joseph Nicholson*, *James Riley*, *William Rolls*, *Thomas Smith*, *Samuel Henry Sterry*, *John Smith*, *Thomas Shipton*, *Henry Sheppard*, *William Upcott*, *Richard Williams*, *James Williams*, *John Whayman*, and *James Wilson*, being Persons inhabiting, occupying, possessing, or entitled unto Lands, Tenements, or Hereditaments, within the said Parish of *Bermondsey*, and their Successors, to be elected as herein-after mentioned, shall be and they are hereby appointed Commissioners for putting this Act and the several Powers and Authorities hereby given and granted into Execution.

District.

III. And be it further enacted, That the several Roads, Streets, Courts, Yards, Alleys, Walks, Passages, and Places herein-after next mentioned, and described or referred unto, shall comprise the District within which this Act and the several Powers and Authorities hereby given and granted shall extend; that is to say, so much of the *Grange* Road as is within the Parish of *Bermondsey*, the *Spa* Road, the *Neckinger* Road, and also so much of the *Blue Anchor* Road as is within the Land Side Division of the said Parish of *Bermondsey*; also the Streets and Places called *Evans' Place*, *Wright's Buildings*, *Page's Walk*, *Willow Walk*, *Crimscot Street*, *The Grange Yard*, *Fendall Street*, *Great George Street*, *Little George Street*, and so much of the Road or Street called *Abbey Street* or *Abbey Road* as extends from the Victualling House called the *King John's Head* to the *Neckinger*, and all Streets, Lanes, Courts, Yards, Alleys, Passages, and Places, which now or at any Time hereafter may communicate with the said several Roads, Streets, and Places, situate within the said Parish of *Bermondsey*, except the *Bermondsey* New Road, *Long Walk*, *Grange Walk*, and a Passage leading from *Bermondsey Square* to the *Grange* Road.

Property of Committee vested in Commissioners.

IV. And be it further enacted, That from and immediately after the passing of this Act, the Leasehold Messuage or Tenement situate in the *Grange* Road in the said Parish of *Bermondsey* (so far as respects the Leasehold Interest therein heretofore purchased by the Committee appointed by the said herein-before recited Act), and all the Lamps, Lamp Posts, Watchboxes, and all and every other Article or Thing which, previous to the Repeal of the said recited Act of the Fifty-fifth of *George* the

Third, belonged to, or was held by or in trust for the Committee by that Act appointed for lighting, watching, and cleansing the several Places therein mentioned, shall become the Property of and be vested in the Commissioners by this Act appointed; and the said Commissioners hereby appointed, or their Successors to be appointed in the Manner herein-after mentioned, shall and they are hereby empowered to collect and enforce the Payment of any Rate or Rates which, previous to the passing of this Act, had been made, laid, or assessed by the Committee appointed by the said recited Act, in such and the like Manner and by such Ways and Means as any Rate or Rates laid or assessed by the said Commissioners can or may be raised, levied, or collected by virtue of this Act, and to apply any such Monies to be so collected, and also any Balance or Balances in the Hands of the Treasurer to the said Committee, in Payment and Discharge of any outstanding Account or Accounts due from the said Committee, or to or for the Purposes of this Act.

Monies due to be paid to Commissioners.

V. And be it further enacted, That all Conveyances, Bonds, Covenants, Agreements, Contracts, and Securities made to or by or entered into by any Person or Persons to or with the Committee appointed by the said recited Act, shall remain in full Force and Effect, and be and continue available in all Courts of Law or Equity, until the same be fully satisfied and performed on account and for the Benefit of the said Commissioners under this Act, in the same Manner as if such Bonds, Covenants, Agreements, Contracts, and Securities had been entered into by such Person or Persons under or by virtue of this Act, or with the Commissioners hereby appointed.

Bonds, Conveyances, Contracts, &c. to remain in force.

VI. And be it further enacted, That it shall and may be lawful to and for the Commissioners appointed by this Act, to pay, allow, or defray, from and out of any Money to be collected or received by or under the Powers hereby vested in the said Commissioners, any Debt, or Sum or Sums of Money due or owing to any Person or Persons from the Committee appointed in pursuance of the said recited Act, or in anywise relating thereto; and that all and every the Person or Persons to whom any such Money or Monies shall be due or owing from the said Committee under the said recited Act shall, from and after the passing of this Act, be entitled to be paid the same by the Commissioners for executing this Act, and have and be entitled to the like Remedies of suing for and recovering the same, as if the same had been due or owing by the said Commissioners under this Act.

Debts due by the Committee to be defrayed by Commissioners.

VII. And be it further enacted, That when any of the said Commissioners herein-before named or to be appointed as herein-after mentioned shall die or remove out of the said Parish, or by Writing under his Hand, to be delivered to the Clerk to the said Commissioners, shall decline to act, or shall neglect to attend at some Public Meeting of the said Commissioners, for the Space of Twelve Calendar Months, it shall and may be lawful for the surviving or remaining Commissioners from Time to Time, at any of their Meetings to be held in pursuance of this Act, by Writing under their Hands, or the Hands of any Three or more of them, to elect and appoint some other Person, being an Inhabitant Householder within the said Parish of *Bermondsey*, to be a Commissioner in the Place of every Commissioner so dying, removing, declining, or neglecting to act; and every

For the Appointment of new Commissioners.

every Person so elected shall be and is hereby vested with the same Powers for putting this Act into Execution, as if he had been named a Commissioner in and by this Act.

Qualification of Commissioners.

VIII. Provided nevertheless, and be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act, (except in administering the Oath or Affirmation of Qualification hereafter mentioned) unless he shall then be seised and possessed in his own Right, or in the Right of his Wife, and in the actual Enjoyment or Receipt of the Rents and Profits of a Real Estate in Law or Equity of the clear yearly Value of Fifty Pounds, or possessed of a Personal Estate to the Amount or Value of Two thousand Pounds, over and above what shall be sufficient to satisfy his Debts; and if any Person not being so qualified or being disqualified as a Commissioner as herein mentioned, or not having taken and subscribed the Oath, (or being a Quaker, made and subscribed the Affirmation) herein-after mentioned, shall presume to act as a Commissioner, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered in any His Majesty's Courts of Record, by Action of Debt, or on the Case, or by Bill, Suit, or Information, together with Costs of Suit, wherein no Essoign, Protection, or Wager of Law, nor more than one Imparlance shall be allowed, and wherein the Proof of Qualification shall lie on the Person prosecuted, and it shall be sufficient on the Part of the Prosecutor to prove that the Person so prosecuted had acted as a Commissioner in the Execution of this Act; but nevertheless the Acts and Proceedings which shall have been done by any such Person touching the Execution of this Act, previous to his being convicted of acting without such Qualification, shall, notwithstanding such Conviction, be as valid and effectual as if such Person had been qualified according to the Directions of this Act.

Penalty on acting if not qualified.

Oath of Qualification.

IX. Provided always, and be it enacted, That no Person shall take upon himself to act as a Commissioner in the Execution of this Act (except in administering the Oath or Affirmation hereafter mentioned), until he shall make and subscribe an Oath or Affirmation before the said Commissioners, or any One or more of them, in the Words or to the Effect next herein-after set forth, and which Oath or Affirmation the said Commissioners, or any One or more of them, are hereby empowered to administer:

'I *A. B.* do swear [*or, being One of the People called* Quakers, do solemnly affirm], That I am in my own Right, or in the Right of my Wife [*if the Party shall be married, if not, the Words*, or in the Right of my Wife, *to be omitted*] in the actual Possession and Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, of the clear Yearly Value of Fifty Pounds, or possessed of or entitled to a Personal Estate of the Value of Two thousand Pounds, over and above what shall be sufficient to discharge my Debts, and that I will discharge the Duty of a Commissioner without Favour or Affection, Prejudice or Malice to any Person or Persons whomsoever. So help me GOD.'

[*Or being a Quaker, omit the Words* 'So help me God.']

No Person to act as a Commissioner

X. Provided also, and be it further enacted, That no Person shall be capable of acting as a Commissioner under this Act who is a Victualler, or

or who shall sell Ale, Wine, Cider, or any Spirituous Liquors by Retail, or during the Time he shall enjoy any Office of Profit, or be concerned directly or indirectly in any Contract made by virtue of this Act, upon pain of forfeiting the Sum of Fifty Pounds for each Time of such acting, to be recovered as aforesaid with full Costs of Suit.

who is a Victualler, or concerned in any Contract.

XI. And be it further enacted, That the Commissioners hereby appointed shall, on the *Monday* next after the passing of this Act, meet together in the Committee Room of the Watch-house in the *Grange Road* aforesaid, between the Hours of Ten of the Clock in the Forenoon and Four in the Afternoon, and shall proceed to the Execution of this Act, and shall afterwards from Time to Time meet at the same or any other Place, and at or upon such Days and Times as they shall think proper, for the Purpose of carrying this Act into Execution.

Time and Place of First and other Meetings.

XII. And be it further enacted, That in case Three Commissioners shall not attend at such Meeting, or at any subsequent Meeting within One Hour after the Time appointed for such Meetings respectively, it shall and may be lawful to and for the Clerk to the said Commissioners, or in his Absence his Deputy or Assistant, to declare such Meeting to be adjourned to a future Day within Fourteen Days after such Meeting was appointed to have been held.

If a sufficient Number of Commissioners omit to attend, the Meeting to be adjourned by the Clerk.

XIII. And be it further enacted, That if any Three or more of the said Commissioners shall on any occasion think it necessary or expedient to call or convene a Special General Meeting of the said Commissioners, it shall and may be lawful for any Three or more of such Commissioners, or for the Clerk to the said Commissioners, by an Order in Writing signed by any Three or more of them, although not assembled at a Meeting, to summon the same to be assembled at the Place where the preceding General Meeting was held, and at such Day and Time as such Three or more Commissioners shall direct, in which Writing Notice of the particular Object of such Special Meeting shall be specified, and thereupon the Clerk to the said Commissioners shall give Notice to the Commissioners requiring the same, and also to every Commissioner, by causing Notice to be given to them personally, or left at their respective usual Places of Abode, of the Day and Hour, and also of the Place whereat and of the Cause for holding such Meeting; and such Special General Meeting shall have Power to adjourn from Time to Time as the major Part of the Commissioners there present shall think proper.

Special Meetings may be called.

XIV. And be it further enacted, That all and every the Powers and Authorities by this Act granted or vested in the said Commissioners shall and may from Time to Time be exercised by the major Part of them who shall attend any Public Meeting to be holden as by this Act directed, the Number of Commissioners present at any such Meeting not being less than Three, and that all the Orders and Proceedings of the major Part of the Commissioners present at any such Meeting shall have the same Force and Effect as if done or made by all the Commissioners constituted by this Act; and that no Order or Proceeding so made shall be revoked or altered, unless by the Majority of the Commissioners present at some subsequent Meeting, the Number of the Commissioners attending which shall be Five at the least; and that all the Acts, Orders, and Proceedings of the Commissioners at any of their Meetings shall be entered

No Act to be valid unless at a Public Meeting.

Proceedings to be entered.

entered into a Book or Books to be kept by their Clerk for the Time being for that Purpose, and shall be signed by the Chairman for the Time being of such Meeting, and all such Acts, Orders, and Determinations so entered and signed, shall be deemed and taken to be original Acts, Orders, and Proceedings; and such Book or Books shall and may be produced, read, and taken as Evidence of all such Acts, Orders, and Proceedings therein entered, upon any Appeal, Hearing, Trial, or Information, or any Proceedings Civil or Criminal, in any Court or Courts of Law or Equity whatsoever.

Appointment of a Chairman.

XV. And be it further enacted, That at every Meeting of the said Commissioners to be held in pursuance of this Act, a Chairman shall be appointed, and that the said Commissioners shall at all such Meetings pay their own Expences; and that when and so often as it shall happen that there shall be an equal Number of Votes upon any one Question, including the Vote of the Chairman for the Time being, then it shall be lawful to and for the said Chairman to give the casting or decisive Vote, although he may have voted before.

Power to appoint Treasurer, Collector, and other Officers, &c.

XVI. And be it further enacted, That the said Commissioners shall and may at their first or any subsequent Meeting, appoint one or more Treasurer or Treasurers, Clerk or Clerks, Collector or Collectors, Scavenger or Scavengers, Superintendent, Beadle, Watchmen, and such other Officer or Officers, to be employed by them in the Execution of the Powers and Authorities to them given by this Act as they shall think proper; and by and out of the Monies to arise from the Rates and Assessments by this Act authorized to be made, to allow, order, and direct such Sum and Sums of Money, Salaries, or Allowances, as they may think proper to be made or paid to such Clerks, Collectors, and other Persons so appointed for his and their Trouble, Attendance, Costs, and Expences as they the said Commissioners shall think fit; and from Time to Time to remove such Officers and Persons respectively as the said Commissioners shall see occasion, and again to appoint any other Person or Persons in their and every of their Room and Stead, as often as they shall think it fitting and expedient so to do; and shall take good and sufficient Security from every such Treasurer, Clerk, and Collector for the due Execution of his respective Office.

Treasurer and Clerk not to be the same Person, and the Treasurer restrained from holding any other Office.

XVII. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to continue or appoint the Person or Persons who has or have been, or may be appointed their Clerk or Clerks in the Execution of this Act, or the Partner of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, the Treasurer or Treasurers for the Purposes of this Act, or to continue or appoint any Person or Persons who has been or may be appointed Treasurer or Treasurers, or the Partner or Partners of any such Treasurer or Treasurers, the Clerk or Clerks to the said Commissioners; and if any Person shall accept both the Offices of Clerk and Treasurer, for the Purposes of this Act, or if any Person being the Partner of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, shall accept the Office of Treasurer, or being the Partner of any such Treasurer or Treasurers shall accept the Office of Clerk in the Execution of this Act, or if any such Treasurer shall hold

or accept any Place or Office of Profit or Trust under the said Commissioners, other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of Fifty 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*, 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.

Accounts to be kept.

XVIII. And be it further enacted, That the said Commissioners shall and they are hereby required to order and direct a Book and Books to be provided and kept by their Clerk for the Time being, in which Book or Books such Clerk shall enter, or cause to be entered, true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on account of this Act, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed, laid out, and paid, which Book or Books shall at all seasonable Times be open to the Inspection of the said Commissioners, or any Creditor or Creditors of the Rates or Duties hereby granted, without Fee or Reward; and the said Commissioners and Creditors or any of them, shall and may take Copies of and Extracts from the said Book or Books, or any Part thereof, without paying any thing for the same; and in case the said Clerk shall refuse, or shall not permit the said Commissioners or such Creditor to inspect the same, or to make such Copy or Extract as aforesaid, such Clerk shall forfeit and pay any Sum of Money not exceeding Five Pounds, to be levied and recovered and applied in manner herein-after mentioned.

The Duty of the Treasurer.

XIX. And be it further enacted, That each and every Treasurer so to be appointed by the said Commissioners is and are hereby directed and required to keep distinct Accounts of the Monies by him received and paid for and on account of the said Commissioners; and from Time to Time by and out of the Monies in his Hands, to pay and discharge all such Sum and Sums of Money as the said Commissioners at any of their Meetings shall from Time to Time order and direct.

Treasurer and other Officers to account.

XX. And be it further enacted, That each and every of such Treasurer, Collector, or other Officer so to be appointed, shall as often as they shall be thereunto required by the said Commissioners, or any Three or more of them, render and deliver unto the said Commissioners, or any Three or more of them, or to such Person as they shall appoint, distinct, true, and perfect Accounts in Writing, signed with their own Hands respectively, of all Matters and Things committed to their Charge by virtue of this Act; and also of all the Monies which shall have been by such Officers or Persons respectively received by virtue of such Appointment, or for or on account of the said Commissioners, and how much thereof hath been paid and applied, and for what Purposes, together with the proper and legal Receipts or Vouchers for such Payments; and shall pay all such Monies as shall remain due from them respectively to the said Commissioners, or any Three or more of them, or to such Person or Persons as they the said Commissioners shall from Time to Time direct; and if any such Officer or Person so appointed as aforesaid, shall not render and deliver, signed with his own Hand, all

and

and every such Statements and Accounts, when thereunto required as aforesaid, or shall not produce and deliver up the Receipts or Vouchers relating to all Monies received and paid by him or them, or shall not pay the Monies in his Hands to such Commissioners or any Three or more of them, or to such Person as the said Commissioners shall direct, or shall not deliver to such Commissioners or to any other Person or Persons whom they shall direct, all Books, Papers, and Writings in his or their Custody or Power, relating to the Execution of this Act, within Seven Days next after he or they shall have been required so to do, by a Notice in Writing signed by any Three of the said Commissioners, or delivered to or left at the last or usual Place of Abode of such Officers, then and in either of the said Cases, the said Commissioners may and they are hereby authorized and empowered to bring or cause to be brought any Action or Actions against such Officer or Officers so neglecting or refusing as aforesaid, for the Recovery of the Money that shall be in the Hands of such Officer or Officers, or against the Person or Persons having become Sureties for him or them; or such Commissioners, or any Three or more of them, or any other Person whom they shall direct for that Purpose, may complain of any such Refusal or Neglect as aforesaid, to any Justice of the Peace for the County, City, Borough, or Place wherein such Officer so neglecting or refusing shall be or reside; and such Justice may and is hereby authorized and required, by a Warrant under his Hand and Seal, to cause such Collector so refusing or neglecting, and against whom such Complaint shall be made, to be brought before him, and upon his appearing or not being to be found, to hear and determine the Matter in a summary Way; and if upon the Confession of the Party, or by the Testimony of any credible Witness or Witnesses upon Oath, or upon the Testimony of any credible Witness or Witnesses being of the People called *Quakers*, upon Affirmation (which Oath or Affirmation such Justice is hereby empowered to administer), it shall appear to such Justice that any of the Monies that shall have been collected and received by any such Officer or Person shall remain due from such Officer or Person, then such Justice may and is hereby authorized and required, by a Warrant under his Hand and Seal, to cause such Money, and all Costs, Charges, and Expences incurred and to be incurred thereabouts, to be levied by Distress and Sale of the Goods, Chattels, and other Effects of such Officer or Person respectively; and if no Goods or Chattels of such Officer or Person can be found sufficient to answer and satisfy the said Money, and the said Costs, Charges, and Expences of distraining, removing, and selling the said Goods, Chattels and other Effects, and all such Costs and Expences as aforesaid; or if it shall in manner aforesaid appear to such Justice that such Officer or Person shall not have rendered such true and perfect Accounts signed as aforesaid, or shall have detained any Receipts or Vouchers, Rates, Books, Papers, and Writings as aforesaid, then and in each and every of such Case such Justice shall commit every such Offender to the Common Gaol or House of Correction of the said County of *Surrey*, or the Common Gaol or House of Correction for the County, City, or Place where such Offender shall be or reside, there to remain without Bail or Mainprize, until he shall have rendered and delivered, signed as aforesaid, such true and perfect Account as aforesaid, and shall have delivered as aforesaid all Receipts and Vouchers relating thereto, and shall have paid all Monies remaining in his Hands, or shall have compounded with

with the said Commissioners, or any Three or more of them, for all such Money to their Satisfaction, and shall have paid the Amount of such Composition in such Manner as they shall approve (and which Composition the said Commissioners are hereby empowered to make and accept), or until he shall have delivered up all such Books, Papers, and Writings as aforesaid in his Custody or Power, or shall have given Satisfaction in respect thereof to the said Commissioners: Provided always, that no such Collector or other Officer, or Person so committed as aforesaid, shall be detained and kept in Prison by virtue of any such Warrant for any longer Space of Time than Six Calendar Months.

Imprisonment not for more than Six Calendar Months.

XXI. And be it further enacted, That in case any Collector of any of the said Rates or Assessments shall at any Time retain and have in his Hands any Sum or Sums of Money, amounting together to the Sum of Thirty Pounds, collected and received by virtue of such Appointment, for the Space of Fourteen Days, without paying over the same to the Treasurer or Treasurers for the Time being to the said Commissioners, or to such other Person or Persons as they shall have from Time to Time appointed or directed to receive the same, then every such Collector shall for every such Retention or Offence forfeit and pay any Sum not exceeding Twenty Pounds, to be recovered in the same Manner in which other Penalties and Forfeitures are herein-after to be recovered by virtue of this Act.

Collectors liable to Penalties on Retention of Money.

XXII. And be it further enacted, That every Person who shall have been employed to receive, or who shall have received any Rates or other Monies, under or by virtue or on account of the Act hereby repealed, or shall have in his or their Custody or Possession any Vouchers, Books, Accounts, Papers, Writings, or other Things relating to the said Roads, Streets, and Places hereby intended to be lighted, watched, and cleansed, or any of them, shall when required so to do account for and deliver the same to the said Commissioners, or any Person or Persons appointed by them for that Purpose, in like Manner and under the like Penalties as are directed with respect to any Officer or Person appointed under this Act.

Officers under former Act to account.

XXIII. Provided always, and be it further enacted, That no Prosecution or Commitment, Action, or other Proceeding of or against any Treasurer, Collector, or other Officer by the said Commissioners appointed, shall in any Manner acquit, release, or discharge any Surety or Security that shall or may have been taken by or given to or for the said Commissioners for the due and faithful Execution of the Duties of any such Appointment, or for the due and punctual Payment and Application of the Monies received by him or them, in pursuance or by virtue of such Appointment, or for the proper Observance and Performance by him of the Duties enjoined on any such Treasurer, Collector, or other Officer by virtue of this Act; nor shall acquit, release, or discharge in any Manner any Person or Persons who shall have become bound for him or on his Behalf to the said Commissioners.

Proceedings against Principals not to discharge the Securities.

XXIV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and empowered from Time to Time, to cause so many Lamp Irons or Lamp

Commissioners empowered to put up Lamps, &c.

Posts or Pipes to be put or affixed in, under, or upon the said Roads, Streets, or Places hereby authorized to be lighted and watched, or unto, upon, or against any House, Building, or Tenement, or the Walls, Fences, or Palisadoes within or next adjoining thereto, as they shall think proper and convenient; and to remove and alter such Irons, Posts, and Pipes as they shall think meet, making good all Damages occasioned thereby; and also to cause such Number of Lamps, of such Sizes and Sorts, to be provided and placed in or upon such Lamp Irons or Lamp Posts, and such other Works to be done and performed as they shall think proper or necessary for lighting the said Roads, Streets, and Places so to be lighted and watched, or any of them, for and during such Hours and Seasons as they the said Commissioners shall think proper; and also from Time to Time to contract with any Person or Persons for providing, lighting, maintaining, cleansing, and repairing the said Lamps, Irons, Posts, and Pipes.

Lamps, &c. vested in the Commissioners.

XXV. And be it further enacted, That all the Lamps and Lamp Irons, with the Appendages which shall be purchased by the Commissioners for executing this Act, or of which they may become possessed by virtue of any of the Powers in this Act contained, or which may be set up by them for the Purposes aforesaid, and all the Dirt, Dust, Dung, Ashes, and Filth, to be swept, gathered, and collected under or by virtue of this Act, and all Watch-boxes, Watch-houses, and other Matters and Things which shall be used, erected, or fixed up by virtue of this Act, and all Materials and Implements which shall be purchased or provided by the said Commissioners for the Purposes of this Act, shall belong to and be the Property of, and the same are hereby vested in the said Commissioners, which Commissioners shall be known by the Name of "The Commissioners for lighting, watching, and cleansing the *Grange* Road and other Places in the Parish of *Saint Mary Magdalen Bermondsey*, in the County of *Surrey*;" and the said Commissioners shall and may cause to be brought any Action or Actions, or direct the preferring of any Bill or Bills of Indictment, as the Case may require, against any Person or Persons who shall steal or carry away, detain, spoil, injure, or destroy the several Articles and Things hereby vested in them the said Commissioners as aforesaid, or any of them, or any Part thereof; and in all such Actions and Bills of Indictment respectively, it shall be deemed and taken to be sufficient to state generally that the Article or Articles, Thing or Things, for or on account of which such Action or Actions shall be brought, or Bill or Bills of Indictment preferred, is or are the Property of "The Commissioners for lighting, watching, and cleansing the *Grange* Road, and other Places in the Parish of *Saint Mary Magdalen Bermondsey*, in the County of *Surrey*," without particularly stating or specifying the Name or Names of all or any of the said Commissioners; and the said Commissioners shall have Power and Authority from Time to Time to sell and dispose of, for the Purposes of this Act, all or any of the said Articles and Things, or any Part of the same respectively, to such Person or Persons, and in such Manner as they the said Commissioners or any Three of them shall think proper.

Penalty on wilfully damaging Lamps.

XXVI. And be it further enacted, That if any Person or Persons shall wilfully take away, break, throw down, or damage any Lamp that shall be placed or set up as aforesaid, or shall wilfully extinguish the Light or

or Lights within the same, or take or throw away any of the Oil from or out of the said Lamps, or throw down or damage the Posts, Irons, Pipes, or other Furniture thereof, it shall and may be lawful for any One or more Justice or Justices of the Peace for the County of *Surrey*, and he and they is and are hereby required, upon Oath made of the Commission of any such Offence, to issue a Warrant or Warrants for apprehending the Party or Parties accused; or it shall and may also be lawful to and for any Person or Persons whomsoever, who shall see any such Offence committed, to seize, as also for any other Person or Persons to assist in seizing such Offender or Offenders, and by the Authority of this Act, without any other Warrant, to convey and deliver him, her, or them into the Custody of a Peace Officer, or otherwise to secure such Offender in order to be conveyed before some Justice of the Peace for the said County as soon as conveniently may be, and such Justice shall proceed to examine upon Oath, (or Affirmation, if the Person shall be a Quaker) any Witness or Witnesses who shall be produced to give Evidence touching such Offence, which Oath or Affirmation the said Justice is hereby authorized and required to administer; and if the Party or Parties accused shall be convicted of any such Offence, either by his, her, or their Confession, or upon such Evidence as aforesaid, he, she, or they so convicted shall forfeit and pay the Sum of Fifty Shillings for each Lamp or Lamp Iron, Post, Pipe, Furniture, or Oil, so broken, taken, thrown down, or damaged, or for every Light so extinguished as aforesaid; and moreover shall make such a Satisfaction to the said Commissioners, or to such Person or Persons as they shall appoint to receive the same, for the Damage so by him, her, or them done as aforesaid; and in case such Offender or Offenders shall not on Conviction pay such Forfeiture, and make such a Satisfaction as aforesaid, such Justice is hereby required to commit him, her, or them to the House of Correction for the said County, there to be kept to hard Labour for any Space of Time not exceeding Three Calendar Months, nor less than Three Days, and such Offender or Offenders shall not be discharged before the Expiration of the Time for which he, she, or they shall be so committed, unless such Forfeiture and Satisfaction shall be sooner paid and given.

Persons accidentally damaging Lamps to make Satisfaction.

XXVII. And be it further enacted, That if any Person or Persons shall carelessly or accidentally break, throw down, or damage any Lamp or Lamps set up by Order of the said Commissioners, or any of the Posts, Irons, Pipes, or other Furniture thereof, or waste any of the Oil of the said Lamps, and shall not immediately on Demand make Satisfaction to the said Commissioners for the Damage thereto done, then and in every such Case it shall and may be lawful to and for any One Justice of the Peace in and for the said County, upon Complaint to him made by any One of the said Commissioners or any of their Officers, to summon before him the Party or Parties who shall do such Damage; and upon hearing the Allegations and Proofs on both Sides, or in case of the Non-appearance of the Party or Parties complained against, to award such Sum or Sums of Money by way of Satisfaction to the Owner or Owners of such Lamp or Lamps, Posts, Irons, Pipes, Furniture, or Oil, or to the said Commissioners, as the Case shall be, for such Damage as such Justice shall think reasonable; and in case of Neglect or Refusal to pay forthwith such Sum or Sums of Money, the said Justice shall cause the same to be levied and raised by Distress and Sale of the Goods and Chattels

Chattels of the Offender or Offenders, together with the Charges of prosecuting such Complaint, and of such Distress and Sale, rendering to him, her, or them on Demand, the Overplus of the Monies arising by such Sale; and in case sufficient Distress cannot be found to pay and satisfy the Money so directed to be levied, such Justice shall commit the Offender to the Common Gaol or House of Correction for the said County of *Surrey*, for any Time not exceeding One Calendar Month, or until he or she pay the Sum so awarded, together with such Costs and Charges.

Commissioners to provide Watch-houses Watchmen, and Beadles.

XXVIII. And be it further enacted, That the said Commissioners shall and may, if they see Occasion, cause any other Watch-house or Watch-houses to be built, and also such Number of other Watch-boxes to be purchased, provided, erected, and built, and to affix the same against the Sides of any Houses, Buildings, Fences, or Places in the said Roads, Streets, and Places, when, where, and as they shall think fit; and to appoint such a Number of fit and able-bodied Men as Watchmen, Guards, or Patroles, as they shall think proper from Time to Time, to watch and guard the said Roads, Streets, and Places herein-before mentioned, and hereby authorized to be lighted and watched, and also One or more Person or Persons to act as Superintendent or Superintendents of the said Watchmen, Guards, or Patroles, and give and make such Rules, Orders, and Regulations concerning the Manner in which the said Superintendents, Watchmen, Guards, and Patroles shall be armed, and for the watching and guarding the said Roads, Streets, and Places, as they the said Commissioners shall judge expedient; and from Time to Time to remove any of the said Superintendents, Watchmen, Guards, or Patroles, and appoint others in their Stead as Occasion shall require; and out of the Money to be raised by virtue of this Act, to pay the Expences of purchasing, building, and fitting up such Watch-houses and Watch-boxes, and also such Allowances or Payments as the said Commissioners shall think proper to make or give to such Superintendents, Watchmen, Guards, and Patroles, for their Attendance, Trouble, and Labour in the Performance of their respective Duties, and also to pay and defray all other necessary Charges and Expences incident to and attending the Execution of the Powers and Authorities hereby given to them.

Penalty on damaging Watch-boxes.

XXIX. And be it further enacted, That in case any Person or Persons shall displace, overturn, damage or injure any Watch-houses or Watch-boxes, such Person or Persons so offending shall for every such Offence forfeit and pay, by way of Penalty, any Sum of Money not exceeding Ten Pounds, as the said Commissioners shall direct.

Duty of Watchmen and Beadles.

XXX. And be it further enacted, That the said Superintendents, Watchmen, Guards, and Patroles shall, and they are hereby required to use their best Endeavours to prevent all Mischief by Fire, and all Murders, Burglaries, Robberies, Disturbances, and Breaches of the Peace, and all Riots, Outrages, Misdemeanors, Indecencies, or Disorders on or in the said Roads, Streets, and Places, or contiguous thereto, or in any House or Building abutting on or near the said Roads, Streets, and Places; and shall and they and every of them are hereby empowered and required, without further Warrant to arrest, apprehend, and detain in the Watch-house or other convenient Place, to be provided or appointed by the said

Commissioners for the Purpose, or otherwise as they may be able, all Malefactors, Rogues, Vagabonds, Disturbers of the Peace, and all other disorderly and suspicious Persons who shall be found loitering, wandering, or misbehaving themselves, or committing any Offences or Disorders on, in, or near the said Roads, Streets, and Places, or in any House or Building abutting on or near the said Roads, Streets, and Places, so hereby authorized to be lighted and watched, or whom the said Superintendents, Watchmen, Guards, or Patroles, or any of them, shall have Reason or just Cause to suspect of evil Design, and the Person or Persons so apprehended, to carry as soon as conveniently may be, before One or more of His Majesty's Justices of the Peace acting for the said County of *Surrey*, to be examined and dealt with according to Law.

Watchmen, &c. vested with the Powers of Constables.

XXXI. And be it further enacted, That all Superintendents, Watchmen, Guards, and Patroles, shall be sworn in as Constables before any Justice or Justices of the Peace of the said County of *Surrey*, 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 have and enjoy by Law.

Commissioners may reward Watchmen wounded or disabled in their Service.

XXXII. And be it further enacted, That it shall be lawful for the said Commissioners to cause Rewards in Money to be paid to the Superintendents, Watchmen, Guards, and Patroles appointed or to be appointed by the Authority of this Act, who may be disabled or wounded in the Execution of their Office, or for extraordinary Vigilance as they the said Commissioners shall think reasonable, and to be paid out of the Monies to be collected by virtue of this Act.

Punishing Victuallers permitting Watchmen to remain in their Houses or Shops.

XXXIII. And be it further enacted, That if any Victualler or Keeper of a Public House or Shop for the Retail of Beer or Spirituous Liquors, shall keep open House at unseasonable Hours, or shall permit or suffer any Disturbance or Outrage to be committed therein, or shall knowingly and willingly harbour or entertain any Superintendent, Patrole, or Watchman employed by the said Commissioners, or permit or suffer any such Superintendent, Patrole, or Watchman to remain in his, her, or their Public House, Shop, or Cellar, during any Part of the Time appointed for their being on Duty, every such Victualler or Keeper of such House, Shop, or Cellar, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

To employ Persons to cleanse, and to purchase Carts and other Vehicles for that Purpose.

XXXIV. And be it further enacted, That it shall and may be lawful for the said Commissioners to purchase Carts, Horses, and all other necessary Vehicles and Implements for cleansing the Pavements of the said Roads, Streets, and Places empowered by this Act to be cleansed, lighted, and watched, and for the Removal of the Ashes, Dust, Dirt, Soil, and Filth therefrom, or to agree by private Contract or by public Auction, or by Tender or Proposal if they shall think fit, for any Time not exceeding Three Years, with any Person or Persons, to be the Scavenger or Scavengers, Raker or Rakers, Cleanser or Cleansers of the said Roads, Streets, and Places within the Jurisdiction aforesaid; and such Person or Persons on a certain Day in every Week, and oftener when

Duty of Scavengers.

thereunto

thereunto required by any Three or more of the said Commissioners, or any Inspector or other Officer or Person by them or any of them appointed, shall bring or cause to be brought One or more convenient Cart or Carts, with proper Horses and a sufficient Number of Labourers into the said Road called *Grange Road*, and into other the Roads, Streets, Lanes, and open Places comprized within or authorized to be cleansed by or under this Act, in which such Carts or Carriages can pass; and also a sufficient Number of Wheelbarrows, Baskets, and other sufficient Vehicles and Labourers, into all the Courts, Alleys, and other open Places within the Jurisdiction aforesaid, into which no such Carts can conveniently pass and repass; and at or before the Approach of such Cart, Carriage, or Vehicle, into or near the said Roads, Streets, and Places, give Notice (by Bell, Horn, Clapper, or otherwise by a loud Noise or Cry) to the Inhabitants thereof of such their Approach, and such Scavengers, Rakers, or Cleansers shall take and carry away, or cause to be taken and carried away from the respective Houses and Premises of the Inhabitants and Occupiers, their Soil, Ashes, Cinders, Rubbish, Dust, Dirt, and Filth, at the Costs and Charges of such Scavengers, Rakers, and Cleansers, upon Pain of forfeiting a Sum not exceeding Five Pounds for every Neglect or Default (except nevertheless all such Rubbish, Earth, Dust, and Filth, as shall be occasioned by building, repairing, amending, or altering any House or Houses, or any other Building or Buildings, or by cleansing or repairing any Drain or Sewer); and if any Person or Persons shall refuse to permit such other Soil, Ashes, Cinders, Rubbish, Dust, Dirt, or Filth, to be taken away by the Scavengers, Rakers, or Cleansers, or other Persons appointed by and agreeing with the said Commissioners or other Persons as aforesaid, then every such Person or Persons so offending shall in like Manner forfeit and shall pay a Sum not exceeding Five Pounds: Provided always, that it shall and may be lawful to and for the said Commissioners, either to contract and agree with, and to appoint the same Person or Persons, or a different Person or other Persons to be the Scavenger, Raker, or Cleanser of the said Streets and public Places, and to be the Person or Persons to collect and carry away, and possess and retain the Soil, Ashes, Cinders, Rubbish, Dust, Dirt, and Filth, from the Houses and Premises within the said Roads, Streets, and Places comprized within this Act as they shall deem most expedient.

Rubbish and Soil occasioned by repairing Houses or Sewers, to be removed by the Owners.

XXXV. And be it further enacted, That all Rubbish, Earth, Dust, or Soil, occasioned by erecting, repairing, amending, or altering any House or Houses, or other Building or Buildings within the District comprized within this Act, shall be carried away by or at the Charge of the Owner or Owners, Occupier or Occupiers of such House or Houses, Building or Buildings, within the Space of Twenty-four Hours after the same shall be placed or laid in any of the said Places; and that all Rubbish, Soil, or Filth, occasioned by repairing, casting, or cleansing any Drain or Sewer within the District aforesaid, shall be carried away by the Person or Persons by whose Order or Direction such Sewer or Drain shall be cast or cleansed, if the same shall not be cast or cleansed by or under the Direction of the Commissioners of Sewers, or if the said Sewers or Drains shall be public Drains or Sewers, or cleansed by or under the Direction of the said Commissioners of Sewers, then by or at the Charge of the said Commissioners of Sewers, within the like Space of Twenty-four Hours next after the same shall be placed or laid in any

of the said Places; and on Neglect thereof the Person or Persons by whose Order or Direction such Drain or Sewer shall be cast or cleansed, or the Surveyor to the said Commissioners of Sewers for the Time being (as the Case may be) shall forfeit and pay Five Shillings for every Hour the same shall remain after the Expiration of the said Twenty-four Hours.

Penalty for laying Ashes, &c. in the Streets.

XXXVI. And be it further enacted, That no Person or Persons whosoever shall throw, cast, or lay, or cause, permit, or suffer to be thrown, cast, or laid, any Ashes, Dust, Dirt, Soil, Rubbish, or other Filth whatsoever before any Dwelling House, Shop, Stable, Building, or Wall, in either of the said Roads, Streets, Walks, Courts, Yards, Alleys, Passages, or Places comprized within this Act, but shall keep or cause the same to be kept in their respective Houses or Yards, until such Time as the Person or Persons by the said Commissioners contracted with or employed to carry away such Ashes, Dust, Dirt, Soil, Rubbish or Filth, do come before or near their respective Houses, Doors, or Places where they dwell, with a Cart or Carts or other Conveniences for carrying away the same, upon Pain of forfeiting and paying for every such Offence any Sum not exceeding Forty Shillings.

No Person to collect Ashes but the Scavengers employed by the Commissioners.

XXXVII. And be it further enacted, That if any Person or Persons other than the Scavenger, Raker, Cleanser, or other the Person or Persons employed or appointed by or contracting with the said Commissioners, or such other Person as shall be appointed by the said Commissioners to collect and retain the said Dust, Cinders, or Ashes, or those employed by and under such Person or Persons, shall, on any Pretence whatsoever, go about to collect or gather, or shall ask for, take, receive, or carry away any Dust, Cinders, or Ashes, from the Houses or other Premises of any of the Inhabitants of the said Roads, Streets, Passages, and Places comprized within this Act, except such Person or Persons as shall or may be employed by any Inhabitant of the Roads, Streets, and Places comprized in this Act, for the Purpose of removing such Dust, Cinders, or Ashes, from the House or Premises therein occupied by such Inhabitant, to any other Place occupied by such Inhabitant, it shall and may be lawful for any Justice of the Peace for the said County, upon Complaint to him made, to grant a Warrant to bring before him such Offender or Offenders, and also for any Person or Persons who shall see any such Offence committed, to seize, and also for any other Person or Persons to assist in seizing the Offender or Offenders, together with the Horses, Asses, Cattle, Carts, Trucks, Wheelbarrows, or other Carriages or Implements made use of for carrying the same away; and by the Authority of this Act, and without any other Warrant, to convey him, her, or them before some Justice of the Peace for the said County, and every 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 the Party or Parties so accused shall be convicted of going about contrary to the Intent and Meaning of this Act, to collect or gather, or of asking for, receiving, or carrying away any Dust, Cinders, or Ashes from any House or other Premises within any of the said Roads, Streets, or Places under the Jurisdiction of the said Commissioners, not being the Person or Persons

sons employed or appointed by or contracting with the said Commissioners, to collect and possess the Dust, Cinders, and Ashes from such Houses and Premises, or not acting with or under his or their Authority, he, she, or they so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Twenty Pounds; One Moiety of which Penalty shall be paid to the Informer or Informers, or to the Person or Persons who shall apprehend the Offender or Offenders, and the other Moiety shall be paid and shall belong to the Person or Persons so employed or appointed by or contracting with the said Commissioners; and if such Offender or Offenders shall not on Conviction pay the said Penalty or Penalties, such Justice is hereby required to direct such Horses, Asses, Cattle, Carts, Trucks, Wheelbarrows, or other Carriages and Implements 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 or Penalties incurred, together with the reasonable Charges and Expences of such Warrant, and of such Distress, Appraisement, and Sale, the Overplus thereof shall be returned upon Demand to the Party or Parties whose Horses and other Things shall have been appraised and sold; and in case there shall have been no such Seizure as aforesaid, or if the Horses, Asses, Cattle, Carts, or other Things which shall be appraised and sold, shall not produce a sufficient Sum of Money to pay the said Penalty or Penalties, Charges and Expences, and if such Offender or Offenders shall not upon the Conviction pay the said Penalty or Penalties, Charges and Expences, or such Part or Parts of the said Penalty or Penalties, Charges and Expences, which shall remain over and above the Produce of the Horses, Asses, Cattle, Carts, or other Things so seized and sold, then 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 One Calendar Month, unless such Penalty or Penalties, Charges and Expences, and every Part thereof, shall be sooner paid and satisfied.

Liberty for Inhabitants to remove their Ashes for their own private Use.

XXXVIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend to prevent any of the Inhabitants of the said Roads, Streets, or Places comprized within this Act, from preserving or keeping any Dung, Ashes, Dust, Dirt, Filth, or Rubbish within their Houses, Yards, or Gardens, for their own Use, or removing the same to any other Place or Places by them occupied, so as such Dung, Ashes, Dust, Dirt, Filth, or Rubbish be not laid down or placed in the said Roads, Streets, Passages, or Places for any longer Time than shall be necessary for loading and carrying away the same, or be of any Annoyance to the Inhabitants residing therein; but in case the Person or Persons so preserving such Dung, Ashes, Dust, Dirt, Filth, or Rubbish, shall permit or suffer the same to become a Nuisance or Annoyance to any of such Inhabitants, and shall not remove the same for the Space of Twenty-four Hours after Notice in Writing given to him or them under the Hands of the said Commissioners, or any Three or more of them, or left at the Dwelling House of such Person or Persons, to remove the same, such Person or Persons shall forfeit and pay Ten Shillings for every Day such Annoyance shall be permitted to remain after such Notice given as aforesaid.

XXXIX. And

On Neglect of Scavengers to remove Dust, same to be removed by other Persons.

XXXIX. And be it further enacted, That in case the Person or Persons so employed or appointed by or contracting with the Commissioners for the Purposes aforesaid, shall neglect for the Space of Seven Days to bring or cause to be brought Carts or proper Carriages into all the Roads, Streets, or public Places aforesaid, where such Carts or Carriages can pass, or into such Places in which such Carts cannot pass and repass, such Wheelbarrows, Baskets, or other sufficient Vehicle for the removing and taking away the said Soil, Ashes, Cinders, Rubbish, Mud, Slop, Dust, Dirt, and Filth, except as herein-before mentioned, and to give Notice in Manner aforesaid to the Inhabitants of their coming, for the Purpose of taking away the same, and to give the like Notice in every Place into which the said Carts and Carriages cannot pass, or to take away and remove all such Dust, Dirt, Soil, Rubbish, Filth, Cinders, or Ashes from the Houses and Premises of all and every the Inhabitants of the said Roads, Streets, or public Places comprized in this Act, or from such Part or Parts of such Houses or Premises where such Dust, Dirt, Soil, Rubbish, Filth, Cinders, or Ashes shall be deposited; then and in every such Case (after Twenty-four Hours Notice given to the Person or Persons so employed or appointed by or contracting with the said Commissioners for the Purposes aforesaid, or left for him or them at his or their usual House or Houses, Yard, or other Premises, requiring him or them to bring or cause to be brought Carts or Carriages, Wheelbarrows, Baskets, and other sufficient Vehicles, to take away such Dust, Dirt, Filth, Cinders, or Ashes, and to take away and remove the same from their respective Houses and Premises), it shall and may be lawful for such of the Inhabitants of the said Roads, Streets, or Places, who shall have given such Notice as aforesaid, to give away or to sell their Dust, Dirt, Filth, Cinders, or Ashes, to any Person whomsoever; and such Person or Persons who shall take and carry away the said Dust, Dirt, Filth, Cinders, or Ashes, shall not be subject or liable to any Penalty or Penalties for so doing upon every such Neglect, any thing in this Act to the contrary notwithstanding.

Commissioners may contract for Works.

XL. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Commissioners from Time to Time to contract and agree with any Person or Persons for the doing and performing all or any of the Works by this Act authorized or directed to be done and performed, which Contract and Contracts shall specify the several Works to be done, and the Prices to be paid for the same, and the Time or Times within which the same Works are to be performed and completed, and the Penalties to be suffered in case of Non-performance thereof, and also by the Persons contracting to perform the same respectively: Provided also, that if the said Commissioners shall be of Opinion that it will not be of Advantage to the said Commissioners to contract with the Person or Persons offering the lowest Price, it shall be lawful for the said Commissioners to contract with such other Person or Persons as they shall think proper.

Commissioners not to be personally liable for Contracts.

XLI. Provided always, and be it further enacted, That no Contract which shall be made by the said Commissioners for any of the Purposes of this Act shall be binding upon the said Commissioners as Individuals or in their private Capacity, nor shall any of the said Commissioners personally, or their respective Estates, be answerable for or subject to the

Payment of any of the Mortgages or Annuities to be granted in pursuance of this Act; and that all Money which shall be expended by or recovered against any of the said Commissioners, or any Person or Persons employed by them, by means of any Action or Suit, Prosecution or Appeal, to be brought by or against them, or any of them, touching the Execution of this Act, shall be borne and defrayed by and out of the Money which shall come to the Hands of the Treasurer to the said Commissioners by virtue of this Act; but nothing herein contained shall extend to exonerate or discharge any of the said Commissioners, their Houses, Lands, Tenements, Hereditaments, Goods, Chattels, or Effects, from the Payment of the Rates or Assessments to be raised by virtue of this Act.

Streets to be named, and the Houses numbered.

XLII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any Three or more of them, to order and direct to be affixed, engraved, painted, or otherwise described on a conspicuous Part of some House or other Building, at or near the End or Corner of each Road, Street, Court, Yard, Alley, Passage, or Place hereby authorized to be cleansed, lighted, and watched, the Name by which such respective Road, Street, Court, Yard, Alley, Passage, or Place, is usually or properly called or known, or which the said Commissioners may hereafter determine any such Road, Street, Court, Yard, Alley, Passage, or Place, shall in future be designated or called; and also shall and may order and direct the several Houses, Shops, Warehouses, and Buildings within the said Roads, Streets, Lanes, public Passages and Places, or any of them, to be numbered with Figures painted or placed on the Door of every such House, Shop, Warehouse, or other Building, or such other Part thereof as the said Commissioners shall think proper; and if any Person shall wilfully destroy, obliterate, or deface any of such Names or Numbers, or any Part thereof, or cause or procure the same to be done, every Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings.

Penalty on Owners not restoring Numbers.

XLIII. And be it further enacted, That when any such Number or Numbers, Figure or Figures, affixed, engraved, painted, or put on any House, Shop, Warehouse, or other Building, within any of the said Roads, Streets, or Places aforesaid, shall be defaced or rubbed out, the Owner or Owners, Occupier or Occupiers of any such House, Shop, Warehouse, or other Building, where the Number or Numbers, Figure or Figures, shall have been so defaced or rubbed out, shall, upon Notice in Writing left at such House, Shop, Warehouse, or other Building, signed by the Clerk to the said Commissioners, cause the same Number or Numbers, Figure or Figures, to be in the same or like Manner affixed, engraved, painted, or put on such House, Shop, Warehouse, or other Buildings, within Seven Days after such Notice; and in case of Neglect or Refusal to comply with such Order, every such Owner or Occupier shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings.

Nuisances, and Annoyances, from beating Carpets, break-

XLIV. And be it further enacted, That if any Person or Persons shall in the said Roads, Streets, Lanes, and other Places within the Limits of this Act, at any Time or Times hereafter, beat or dust any Carpet or Carpets, Hearth Rug or Mat, or shall drive any Carriage or Carriages, for

for the Purpose of breaking, exercising, or trying Horses, or shall ride any Horse for the Purpose of exercising, airing, trying, shewing, or exposing such Horse for Sale (otherwise than by passing through the said Roads, Streets, Lanes, and public Places), or shall throw, cast or lay, or shall cause, permit, or suffer to be thrown, cast or laid, or to remain, any Ashes, Dust, Dirt, Rubbish, Offal, or Vegetables, or any other Offal, Dung, Soil, Blood, or other Filth or Annoyance, or any other Matter or Thing in or upon the Carriage or Footways of any such Road, Street, Lane, or other public Place within the Limits of this Act, or shall sift, screen, or slack any Lime (except within Hoards or Inclosures) in the said Road, Streets, Lanes, and other public Places, or cause the same to be so done, then and in every such Case it shall and may be lawful to and for any Justice of the Peace for the said County, and he is hereby required upon Complaint to him made, upon Oath or Affirmation of one or more credible Witness or Witnesses, to issue a Summons, requiring such Offender or Offenders to appear before him, at such Time and Place as shall be in such Summons specified, or it shall and may be lawful to and for any Person or Persons whomsoever, who shall see any such Offence committed, if he or they shall think proper, to seize, and also for any other Person or Persons to assist in seizing, such Offender or Offenders by the Authority of this Act; and by such Authority and without any other Warrant whatsoever, to convey such Offender or Offenders before some Justice of the Peace for the said County, and upon the Party or Parties appearing in pursuance of such Summons, or not appearing after having been so summoned or being brought before such Justice when so seized or otherwise, he the said Justice shall proceed to examine upon Oath or Affirmation any Witness or Witnesses who shall appear or be produced to give Evidence touching such Offence; and if the Party or Parties accused shall be convicted of any or either of the Offences aforesaid, upon his or their own Confession, or upon the Oath or Affirmation of one or more credible Witness or Witnesses as aforesaid, then and in every such Case the Person or Persons so convicted, shall forfeit and pay a Sum not less than Forty Shillings nor exceeding Five Pounds for each and every Offence, and that one Moiety of every such Penalty shall be paid to the Informer or Informers, or to the Person or Persons who shall apprehend such Offender or Offenders, and the other Moiety thereof shall be paid to the said Commissioners.

ing Horses, drawing Barrows and Carriages on Pavements, and throwing Filth, prohibited.

XLV. And be it further enacted, That from and after the passing of this Act, if any Person or Persons shall upon any of the Footways or Foot Pavements within the Limits aforesaid, run, draw, drive, or carry thereon, any Truck, Wheel, Sledge, Wheelbarrow, Handbarrow, Bier, or Carriage whatsoever, or roll any Cask or Tub, other than for the necessary loading or unloading thereof unto, upon, from, or out of any Carriage or Cart, or wilfully ride, lead, or drive any Horse or other Beast or Cattle whatever on any of the said Footways or Foot Pavements, or wilfully permit or suffer any Horse or other Beast or Cattle which such Person may be riding, driving, or leading to go thereon, or shall tie or fasten any Horse or other Cattle to any House, Wall, Fence, Post, Tree, or other Thing whatsoever, across any of the said Footways or Foot Pavements, or set any Cask, Tub, Pail, Bucket, Stool, Bench, Shew Board, Chopping Block, Basket, or Stall, on or in the said Footway or Foot Pavement, or erect, set up, put or place any Blind, Shade, Coverlid, or

For preventing various Nuisances and Obstructions.

or Awning, or any other Matter or Thing, so as in anyway to cause any Obstruction or Impediment in the Footway or Foot Pavement; or shall in any Road, Street, Lane, Court, Yard, Alley, public Passage or Place within the Limits of this Act, hoop, fire, cleanse, wash, or scald any Cask or Tub, or hew, saw, or cut any Stone, Wood, or Timber, or bore any Timber, or make or repair, or wash or clean any Coach, Chaise, Waggon, Sledge, or other Carriage, or the Wheel, Body, Springs, or other Part of any Coach, Chaise, Waggon, Sledge, or other Carriage, except such as may want immediate Repair from any sudden Accident on the Spot, and which cannot be conveniently removed for that Purpose; and also except for the necessary Time of any Stage Coach, Hackney Coach, or other Carriage let for Hire, taking up and setting down any Fare, or waiting for Passengers when actually hired; or shoe, bleed, or farry any Horse or other Beast, (unless in case of sudden Accident), or clean, dress, drive, or turn loose any Horse or other Beast or Cattle, or shew or expose to Sale any Horse or other Beast; or kill or slaughter, or scald, singe, dress, or cut up any Animal, either wholly or in part, or cause or permit any Blood to run from any Slaughter House, Butcher's Shop or Shamble, into the said Roads, Streets, or Places, or any of them; or shall sell or assist in selling by Auction or public Sale, any Cattle, Goods, Wares, Merchandize, or Thing or Things whatsoever, in any of the said Roads, Streets, Lanes, Courts, Yards, Alleys, public Passages or Places, or hang up, place, or expose to Sale, or cause or permit to be hanged up, placed, or exposed to Sale, any Goods, Wares, or Merchandizes whatsoever, or any Fruit, Vegetables or Garden Stuff, Butcher's Meat, Offal, or other Matter or Thing in or upon, or so as to project over or upon the Footway or Carriageway of any such Roads, Streets, Lanes, Courts, Yards, Alleys, public Passages, or Places, or beyond the Line, or on the Outside of the Window or Windows, or in the Area or Areas of the House, Shop, or Place at which the same shall be so hanged up, placed, or exposed to Sale, or so as to obstruct or incommode the Passage of any Person or Carriage, or leave open after Sun-set and before Sun-rise, the Door or Window of any Area, Cellar, or other underground Room or Apartment, or Openings leading to any Building or Premises, without having placed or left a sufficient Light therein to warn and prevent Persons passing in the Roads, Streets, Lanes, Courts, Yards, Alleys, and public Places, within the said Limits, from falling into such Cellars or other underground Rooms, Apartments, or Openings; or throw at any Cock or Fowl in the Manner called Cock-throwing, or set up any Cock or Fowl to be thrown at in such Manner; or play at Foot Ball, or at any other Game to the Annoyance of any Inhabitant or Inhabitants, Passenger or Passengers; or shall wilfully break, aid, or abet, or assist in wilfully breaking any Glass or Window Panes, or Windows in or belonging to any Dwelling House or Building; or cause, make, or assist in making any Bonfire, or wantonly discharge or fire off any Gun, Pistol, or Blunderbuss, or other Fire-arms, or let off, set fire to, or throw any Cracker, Squib, Rocket, or other Firework; or shall occasion any Kind of Obstruction or Annoyance in or upon any of such Roads, Streets, Lanes, Courts, Yards, Alleys, public Passages or Places, or shall obstruct or incommode, hinder, or prevent the free Passage of any Footway or Causeway, or prejudice or annoy in any Manner whatsoever any Person or Persons travelling, passing, or going thereon within the said Limits; then and in

in every such Case every Person so offending shall for every Offence forfeit and pay any Sum not exceeding Five Pounds; and it shall and may be lafwul to and for any Constable or other Peace Officer, or any one of the said Commissioners, or any Officer or other Person acting by or under their Authority, 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 for the said County of *Surrey*, in order to his or their Conviction of such Offence.

Articles occasioning Nuisances may be seized without any Warrant, &c.

XLVI. And be it further enacted, That not only shall the said Penalties lastly enacted become payable and be recovered, but it shall and may be lawful to and for any Person or Persons appointed or to be appointed by the said Commissioners as aforesaid, without any Warrant or other Authority than this Act, to seize any such Truck, Wheel, Sledge, Wheelbarrow, Bier, or Carriage; Horse, Beast, or Cattle; Cask, Tub, Pail, Bucket, Stool, Bench, Shew Board, Chopping Block, Stall, Basket, Blind, Shade, Coverlid, or Awnings, or other Things, Stone, Wood, or Timber; Coach, Chaise, Waggon, or other Carriage, together with the Horse or Horses, Ass or Asses, Mule or Mules, if any shall be thereunto belonging, with the Harness, Gear, and Accoutrements thereof, or any such Goods, Wares, Merchandizes, Fruit, Vegetables, or Garden Stuff, Butchers Meat, or other Things, or any of them, and forthwith, or with all convenient Speed, carry, or cause the same to be carried before some Justice of the Peace for the said County; and if it shall appear to such Justice upon the Oath or Affirmation of any one or more credible Witness or Witnesses, that such Goods, Carriage, Horse, Ass, or Mule, Materials, Fruit, Vegetables, Garden Stuff, Meat, or Things occasioned any Kind of Obstruction or Annoyance, or was or were in any Situation contrary to the Provisions of this Act; then and in such Case it shall be lawful for the said Justice, in case any of the Goods, Wares, or Merchandizes so seized shall be perishable, or shall be Articles of Food, to order and direct the Person or Persons who shall seize the same to deliver or cause the same to be delivered to the Churchwardens or Directors of the Poor of the said Parish of *Bermondsey*, or some of them, or to the Master of the Workhouse of the said Parish, and the same shall and may be given and distributed by them or him unto and among the poor Inhabitants of the said Workhouse, to and for his, her, or their Benefit, but if the Goods, Wares, or Merchandizes, Materials, or Things so seized, shall not be perishable, or shall not be Articles of Food, or if any Carriage, Horse, Mule, or Ass shall be so seized, then the said Justice shall order and direct the Person or Persons who shall have seized such last-mentioned Goods, Wares, Merchandize, Materials, or Things, Carriage, Horse, Ass, or Mule, to remove the same to any Place appointed by the Commissioners for the Reception thereof, within the Limits aforesaid, if any such there be, or otherwise to such Place or Places as the said Justice shall judge convenient; and the Person or Persons so seizing any of such Goods, Wares, or Merchandizes, or any such Horse, Mule, Ass, Materials, or Things, shall give parol or written Notice of such Place or Places whereunto the same shall be removed, unto the Owner, Driver, or other Person having any Interest in the Goods, Carriages, Horse or Horses,

Ass or Asses, Mule or Mules, Materials, or other Things so seized or removed, if he, she, or they shall be then and there present, and the same shall be kept and detained until such Owner, Driver, or other Person interested therein as aforesaid shall cause to be paid the said Penalty, together with the Charges for taking or removing the same, and of keeping such Horse or Horses, Ass or Asses, Mule or Mules, if any; and in case the Goods, Carriages, Horse or Horses, Ass or Asses, Mule or Mules, Materials or Things so removed (not being perishable or Articles of Food), shall not be claimed, and the said Penalty and Charges be paid within Five Days next after such Removal thereof, then and in every such Case it shall and may be lawful to and for the said Commissioners, or their Surveyor or other Person as aforesaid, to order the same to be appraised and sold, and the Overplus of the Money arising by such Sale shall be returned to the Owner or Owners thereof, after deducting the said Penalty, and such Costs, Charges, and Expences attending such seizing, removing, keeping, appraising, and selling the same, as the said Commissioners shall ascertain and allow: Provided always, that it shall be lawful to and for the said Justice, if he shall think fit, to order and direct that any of such Goods, Wares, Merchandizes, Carriage, Horse, Mule, Ass, Materials, or other Things, Fruit, Vegetables, or other Articles of Food so seized, to be restored to the Owner or Owners thereof, upon Payment of such reasonable Sum to the Person or Persons who shall seize the same, for his and their Pains and Trouble therein, as the said Justice shall think fit.

Commissioners to make Rates.

XLVII. And for defraying the Charges and Expences of lighting, watching, and cleansing the said Roads, Streets, and Places which shall be lighted, watched, or cleansed by virtue of this Act, or which may be incurred in putting this Act into Execution, be it enacted, That from and after the passing of this Act One or more Rate or Rates, Assessment or Assessments shall, in every Year or oftener if it shall be thought needful by the Commissioners, be made, laid, and assessed by the said Commissioners, of and upon all and every Person or Persons who do or shall inhabit, hold, or occupy any Land, House, Shop, Warehouse, Yard, Mill, Rope Walk, Cellar, Vault, or other Tenement, now or hereafter to be situate in or adjoining to the said Roads, Streets, Courts, Alleys, Yards, Passages, and Places hereby authorized and empowered to be cleansed, lighted, and watched, in such competent Sum and Sums of Money as the said Commissioners shall order and direct, so as such Rates or Assessments do not exceed in the whole the Sum of One Shilling and Sixpence in the Pound in any one Year of the yearly Value of such Land, Houses, Shops, Warehouses, Yards, Mills, Rope Walks, Cellars, Vaults, or other Tenements as aforesaid; nor the Sum of Sixpence in the Pound in any one Year of the yearly Rent or Value of any Land, being Meadow or Pasture Land, or being used as Garden Ground, the Produce whereof shall be carried for Sale to any public Market, and which Garden Ground shall exceed One Acre.

Rates to be signed by Commissioners with Warrants to collect.

XLVIII. And be it further enacted, That all Rates made by virtue of this Act shall be signed by any Three or more of the said Commissioners, who are also hereby empowered and required to grant any Warrant or Warrants for the Collection and levying the same, by such

Person or Persons as they shall nominate or appoint, and such Nomination or Appointment shall be sufficient Authority or Authorities to and for such Person or Persons so appointed to collect and levy such Rate or Rates, Assessment or Assessments, and to make such Distresses as shall be necessary for the Recovery of any of the Monies to be assessed thereby.

Half Rates on certain Houses.

XLIX. Provided always, and be it further enacted, That the Assessments towards the Expences of lighting, watching, and cleansing of the aforesaid Roads, Streets, and Places within the District of this Act, upon the House and Premises in the *Grange* Road, at the East Corner of *Bermondsey* Road, now in the Possession of ——— *Robins*, and on the House and Premises in the said *Grange* Road, at the West Corner of the said *Bermondsey* Road, now in the Occupation of *John Smith*, both of which partly abut on *Grange* Road and *Bermondsey* Road aforesaid, shall not exceed One Half of the Rates which shall be assessed for or in respect of such lighting, watching, and cleansing by this Act directed.

Rates how recovered.

L. And be it further enacted, That in case at any Time or Times hereafter any Owner or Owners, or Occupier or Occupiers of any Messuage or Hereditament situate in any of the Roads, Streets, Lanes, Courts, Yards, Alleys, Walks, Passages, and Places within the Limits of this Act, for and in respect whereof he or they shall be rated or assessed, or liable to pay any Rate or Assessment made or to be made by the said Commissioners to and for the Purposes of this Act, shall refuse or neglect to pay the Money rated and assessed upon him or them respectively, or which he or they may be liable to pay by virtue of this Act, and all Arrears, it shall be lawful for any One of His Majesty's Justices of the Peace for the County of *Surrey*, and he is hereby authorized and directed by Writing under his Hand, on Complaint made by the Commissioners, or any One or more of them, or any Officer or other Person appointed by them, to summon all and every Person and Persons who shall have refused and neglected as aforesaid, to appear at a Time and Place to be mentioned in such Summons, before such Justice, or before any Justice or Justices of the Peace for the said County, who shall be then and there present, the Collector or Collectors of such Rates or Assessments having previously made Oath that he or they had duly demanded the said Rates or Assessments, and that the same were then in Arrear and unpaid; and it shall be lawful for any Person appointed to collect and receive such Rates or Assessments, or for any of the Constables or Headboroughs of the said Parish of *Bermondsey*, or for any other Person authorized by the said Commissioners, 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 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, Assessment or Assessments mentioned in such Summons, shall remain due and owing; and if any Person or Persons so summoned shall refuse or neglect to attend at the Time and Place mentioned in such Summons, or if he or they shall attend, and shall not shew good and sufficient Cause to such

Justice

Justice or Justices as may be then and there present, that he or they is or are not chargeable with such Rate or Rates, Agreement or Assessments, then and in every such Case every such Person or Persons shall pay the Rate or Rates in respect of which such Summons was issued, and also the Costs and Charges of such Summons; and in all Cases where such Rate or Rates, Assessment or Assessments, or any of them, shall not be paid upon such Return of such Summons, it shall be lawful for the Justice who shall have signed and issued such Summons or Summonses, or who shall have directed such Summons or Summonses to be signed and issued as aforesaid, or for any other Justice of the Peace for the said County, and he is hereby authorized and required, upon Oath made before him of the due Service of such Summons or Summonses by the Person who shall have served the same, and Proof on Oath that such Rate or Rates, Assessment or Assessments, is or are actually due and owing, to grant a Warrant under his Hand and Seal, authorizing or directing any such Person appointed to collect such Rate or Rates, Assessment or Assessments as aforesaid, or any Constable or Headborough of the said Parish of *Bermondsey*, or other Person, to levy such Rate or Rates, Assessment or Assessments, and all Arrears thereof, and the said Costs and Charges of the Summons, (if the same shall not have been paid before) and the Costs and Charges of every such Warrant, and also the Costs, Charges, and Expences of executing the same 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, Assessment or Assessments, with all Arrears due thereon, together with all the said Charges for the said Warrant, and the Charges and Expences of executing the same Warrant and of making such Distress, and of keeping such Goods and Chattels, shall not be paid, then the said Person appointed to collect as aforesaid, or the Constable, Headborough, or other Person authorized by the said Warrant, shall cause the said Goods and Chattels to be appraised by One or more Appraiser or Appraisers, and to be sold either on the Premises where the same shall be distrained or elsewhere, or such Part or Parts thereof as in his or their Judgment shall be sufficient to pay the said Rate or Rates, Assessment or Assessments, together with all Arrears due thereon, and the said Costs, Charges, and Expences of the said Summons, Warrant, Distress, Removal, or keeping Possession of such Goods and Chattels so distrained, and the reasonable Costs, Charges, and Expences of appraising and selling the same, and shall return the Overplus (if any) to the Owner or Owners of such Goods and Chattels respectively, upon Demand thereof made by him or them; and in case no such Goods and Chattels can be found to be distrained by virtue of any such Warrant, or in case any such Goods and Chattels shall be locked up or secured, or shall be removed so that such Person appointed to collect the said Rate or Assessment as aforesaid, or such Constable, Headborough, or other Person cannot distrain the same, or in case after such Distress and Appraisement or Sale, as herein-before are directed, the Proceeds thereof shall not be sufficient to pay such Rates or Assessments with the Arrears due thereon, and all the said Costs, Charges, and Expences as aforesaid, then and in any of such Cases, upon Information thereof given to any Justice of the Peace for the said County, it shall be lawful to and for any such Justice of the Peace, and he is hereby authorized and required to issue a Warrant under

under his Hand and Seal for the Apprehension of any such Person or Persons making Default in the Payment of such Rates or Assessments, and the Arrears thereof, or of any Part thereof, and of such Costs, Charges, and Expences, or any of them, and to commit such Person or Persons to the Common Gaol or House of Correction for the said County, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless such Rates or Assessments, and all Arrears thereof, and all Costs, Charges, and Expences, or so much thereof as shall remain unsatisfied by any such Distress or Distresses, or otherwise, shall be sooner paid.

Form of Warrant.

LI. And be it further enacted, That every Warrant of Distress for the Nonpayment of any such Rates or Assessments, or Compositions to be made under this Act, shall be in the Words or to the Effect following:

Surrey to wit. } ‘ TO the Collector or Collectors of the Rates made for the ‘ lighting, watching, and cleansing the *Grange* Road, and ‘ other Parts of the Parish of *Saint Mary Magdalen Bermondsey*, ‘ in the County of *Surrey*, and to all Constables and other Peace ‘ Officers of the same Parish:

‘ WHEREAS the under or hereafter mentioned Persons, now or late ‘ Inhabitants, Holders, Landlords, Tenants, Occupiers, and Enjoyers ‘ of Lands, Houses, Shops, Warehouses, Coach Houses, Stables, Cellars, ‘ Vaults, or other Buildings, Tenements, or Hereditaments, or Parts of ‘ Buildings or Tenements within the Parish of *Saint Mary Magdalen* ‘ *Bermondsey*, in the County of *Surrey* aforesaid, were and are truly rated ‘ and assessed, or liable to the Rate or Rates duly made for the Purposes ‘ of an Act made in the Fourth Year of the Reign of King *George* the ‘ Fourth, intituled [*here insert the Title of this Act*]: And whereas the ‘ said Persons have refused or neglected to pay the several Sums of ‘ Money at and against their Names hereunder or hereafter respectively ‘ set for Money due from them, for or towards the Purposes in the ‘ said Act mentioned, and the said several Sum and Sums are still ‘ remaining due, in Arrear, and unpaid, as appeareth upon Oath to ‘ One of His Majesty's Justices of the Peace for ‘ the said County; and the said several Persons having been summoned ‘ to appear before me to answer the Premises, as also appeareth to me ‘ the said Justice upon Oath; and the said several Persons so summoned ‘ or any of them, not having shewn any sufficient Cause why such Sum ‘ or Sums of Money should not be paid, these are therefore in His ‘ Majesty's Name, to will and require you or any of you, forthwith to ‘ levy the said several Sums due from the said Persons, and hereafter ‘ set at and opposite to their Names respectively, by Distress and Sale of ‘ their respective Goods and Chattels, such Goods and Chattels being ‘ kept for the Space of Five Days before the same are sold, rendering ‘ to them respectively the Overplus (if any), the reasonable Charges of ‘ such Distress, Sale, and Keeping being first deducted; and if no ‘ sufficient Distress can be had or taken, then that you certify the same, ‘ 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, 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
'

	Sums due. £ s. d.
' *A. B.*	
' *C. D.*	
' *E. F.* the Landlord, for divided Premises	
' *G. H.* the Landlord, for Houses compounded for	
' *E. I.* Landlord [*or* Receiver, &c. *as the Case may be*]	
' *K. L.* Tenant	

To rectify Mistakes.

LII. And be it further enacted, That if it shall appear to the said Commissioners at any Time or Times after any such Rate or Assessments shall have been made by virtue of this Act, that the Name or Names of any Person or Persons who ought to be included therein hath or have been omitted therein, or that the Name or Names of some Person or Persons hath or have been inserted in such Rate or Assessments instead of some other Person or Persons who ought to have been rated or assessed, or that the Persons rated are over-rated or under-rated therein, or that any other Alteration or Amendment of such Rate or Assessment may be necessary, then and in any and every such Case it shall be lawful for the said Commissioners from Time to Time to add or insert, or cause to be added and inserted to or in such Rate or Assessment, the Name or Names of the Person or Persons so omitted, with the Sum or Sums for which he, she, or they ought to be rated and assessed, and the Amount of such 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, Holders, or Occupiers of any Messuages or Hereditaments, instead of the Name or Names of the Person or Persons incorrectly inserted in such Rate or Assessments, as the Inhabitants, Holders, or Occupiers of any Messuages or Hereditaments, and to lessen or raise the Rate or Rates, Assessment or Assessments of the Person or Persons so over-rated or under-rated, and otherwise from Time to Time to alter and amend the said Rates and Assessments as often as Occasion shall require, and that every such Addition, Insertion, Alteration, and Amendment, to or in any such Rate or Assessments shall be valid and effectual in Law to all Intents and Purposes; and that 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 such Person or Persons, or other Alteration or Amendment, had been inserted and made in such Rate or Assessment at the Time of or previous to the original making or signing thereof.

Meeting Houses and Burial Grounds to be rated.

LIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby required, at such Times as the Rates hereby directed shall be made, to rate and assess for the Purposes aforesaid all Chapels, Meeting Houses, and other Places of Public Worship, or intended for that Purpose, with the Ground belonging thereunto, and all other public Buildings whatsoever, and all Burial Grounds situate in, near, adjoining, or contiguous to the said Roads, Streets, and Places hereby authorized to be lighted, watched, and

cleansed,

cleansed, at such Rates as the said Commissioners shall think reasonable; and such Rate or Rates, Assessment or Assessments, so to be from Time to Time made, shall be paid by the Proprietor or Proprietors, Trustee or Trustees, or Treasurer thereof, or by the Minister or Deacon or other Person officiating therein; and in case any of the Persons aforesaid shall refuse or neglect to pay the said Rate or Rates to the Collector or Collectors thereof, or Person or Persons appointed to receive the same, upon Demand thereof, made either personally or in Writing, left at the usual Place of Abode of the Person or Persons so required to pay the same, then and in every such Case the same shall and may be recovered of the Person or Persons so required to pay the same, by Action in any of His Majesty's Courts of Record at *Westminster*, together with full Costs of Suit, to be commenced or prosecuted by the said Commissioners, in which Action or Suit no Essoign, Protection, or Wager of Law, or more than One Imparlance shall be allowed.

How Houses are to be rated which are let at small Rents, and for the better Recovery of the Rates.

LIV. And be it further enacted, That when the Yearly Rent or Value of any House, Tenement, or Hereditament, within the said Limits, shall not exceed Fifteen Pounds, or where any House, Tenement, or Hereditament, shall be let to any Weekly or Monthly Tenants, or in separate Apartments, furnished or unfurnished, and the Rents thereof shall become payable and be collected at any shorter Period than Quarterly, then and in every such Case (but subject to the Proviso herein-after contained), it shall and may be lawful to and for the said Commissioners to compound, if they shall think proper, with the Landlord or Landlords, Owner or Owners, Lessee or Lessees, Proprietor or Proprietors, of all and every or any such House or Houses, Tenement or Tenements, Hereditament or Hereditaments, within the said Limits, for the Payment of the Rate or Rates, Assessment or Assessments, to be made by virtue of this Act, at such a reduced Yearly Rental as the said Commissioners shall think reasonable, so that no such House or Houses, Tenement or Tenements, Hereditament or Hereditaments, be rated at less than One Half or more than Three-fourths of the Rack Rent, at which the same respectively shall then be let, or of the Annual Value of the said Premises respectively; and the Landlord or Landlords, Owner or Owners, Lessee or Lessees, Proprietor or Proprietors, of all such Houses, Tenements, or Hereditaments, as shall not exceed the Yearly Rent or Value of Fifteen Pounds, or as shall be let to any Weekly or Monthly Tenant, or in separate Apartments, furnished or unfurnished as aforesaid, and from whence the several Rents thereof shall become due, and be collected at any shorter Period than Quarterly, is and are hereby required to enter into such Composition with the said Commissioners; and in case such Landlord or Landlords, Owner or Owners, Lessee or Lessees, Proprietor or Proprietors, shall refuse to enter into such Composition, he, she, or they shall from thenceforth be rated to, and from Time to Time shall pay or cause to be paid the Rates or Assessments charged upon their respective Premises by virtue of this Act, unto the Collector or Collectors for the Time being, who is and are hereby authorized and empowered to receive and collect the same, and upon Nonpayment thereof, or of the Amount of such Composition, to levy the same by Distress and Sale of the Goods and Chattels of the Landlord or Landlords, Owner or Owners, Lessee or Lessees, Proprietor or Proprietors, of the respective Premises aforesaid, wheresoever they may be found, or of the Person or Persons inhabiting

inhabiting the same respectively, in such Manner as by this Act is provided for the Recovery of the Rates in other Cases: Provided always, that no such Landlord, Owner, Lessee, or Proprietor shall be charged with or liable to pay for any increased Rent reserved or made payable to him for or on account of such Landlord, Owner, Lessee, or Proprietor having agreed to pay the Rates heretofore chargeable upon the several Occupiers of such Premises; and provided also, that the Goods and Chattels of all and every Person or Persons renting or occupying any such House, Tenement, or Hereditament, or any Part or Parts thereof, the Rate or Rates, Assessment or Assessments whereof the Landlord or Landlords, Owner or Owners, Lessee or Lessees, Proprietor and Proprietors, is and are hereby made liable and subject to as aforesaid, shall be liable at all Times to be distrained and sold for Payment of such of the said Rates or Assessments, and of all Arrears thereof, as become due upon the said Premises during the Time of his, her, or their Occupancy only; but no such Occupier or Occupiers shall at any Time be required to pay or be subject or liable to pay any greater Sum for or towards the discharging of the said Rates or Assessments, or any of them, and Arrears thereof, than the Amount of the Rent actually due or payable by such Occupier or Occupiers to the Landlord or Landlords, Owner or Owners, Lessee or Lessees, Proprietor or Proprietors of the Premises so occupied by him, her, or them: Provided also, that each and every Occupier who shall pay any such Rate or Rates, Assessment or Assessments, or any Arrears thereof, or upon whom the same shall be levied, shall and may from Time to Time deduct the same from the Rent due and payable from him, her, or them, to the respective Landlords, Owners, Lessees, or Proprietors of the Premises, unless there shall be some Agreement to the contrary between the Landlord and Tenant, and the Receipt for such Payment shall be a sufficient Discharge to such Occupiers, and to his, her, or their Landlord or Landlords, for so much Money as he, she, or they shall pay in the Manner directed by th Act: Provided also, that when the Yearly Rent or Value of any House which shall be let out furnished, either altogether or in separate Apartments, shall exceed Fifteen Pounds *per Annum*, it shall not be lawful for the said Commissioners, upon such Composition being made as aforesaid, to take less than Three-fourth Parts of the Rate or Rates which shall be assessed in respect of such House; but nevertheless such Composition shall be made in manner aforesaid for the Payment of the said Three-fourth Parts of such Rate with and by the Landlord, Owner, Lessee, or Proprietor of the said Premises.

Agreement between Landlords and Tenants not to be impeached.

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

Commissioners may mitigate Rates on account of Poverty.

LVI. And be it further enacted, That it shall and may be lawful for the said Commissioners from Time to Time and at all Times hereafter to remit or excuse the Payment of any Rate or Rates, Assessment or Assessments made by virtue of this Act, for or on account of the Poverty or Indigence of any Person or Persons charged thereby.

LVII. And

Persons paying the Rates by this Act directed to be made, exempted from other Rates.

LVII. And be it further enacted, That all and every Person and Persons paying the Rates or Assessments by this Act authorized and directed to be made, save and except the Occupiers of the Two Houses and Premises in the *Grange* Road, at the East and West Corners of the *Bermondsey* New Road aforesaid, shall be and they and each and every of them is and are hereby exempted and discharged from all other Rates or Assessments, Charges and Expences, in respect of the Messuages or Tenements so assessed, of or towards the lighting, watching, and cleansing the said Roads, Streets, and Places comprized within this Act, and from the paying any Scavenger's Rate within the said Parish, and also from all Penalties which may or might be incurred by reason or means of their neglecting to light, watch, or cleanse the said Roads, Streets, or Places, or refusing to pay any such Scavenger's Rate as aforesaid; any Law, Statute, or Usage to the contrary notwithstanding.

Actions may be brought for Rates.

LVIII. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners, if they shall think it more expedient, to bring or cause to be brought in the Name of their Treasurer or Clerk, or of any one or more of them the said Commissioners, 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 Rates or Assessments to be made by virtue of this Act, or for Monies to become due to the said Commissioners by virtue of this Act; in which Action or Actions it shall be sufficient for the Plaintiff or Plaintiffs to declare that the Defendant is indebted to the Plaintiff or Plaintiffs in such Sums of Money as the Plaintiff or Plaintiffs shall suppose to be due; and if the Plaintiff or Plaintiffs shall recover such Sum so declared for, or any Part thereof, he or they shall have full Costs, to be levied and recovered as other Monies upon Judgments are now by Law levied and recovered, in which Action or Actions no Essoign, Protection, or Wager of Law, or more than one Imparlance shall be allowed; and that no Action to be brought by or against the said Commissioners or any of them, by virtue of this Act, shall abate or be discontinued by the Death or Removal of their Treasurer or Clerk, or of the Commissioner or Commissioners in whose Name or Names such Action shall have been brought, but that the Treasurer or Clerk for the Time being to the said Commissioners, shall always be deemed the Plaintiff or Defendant in such Action, as the Case may be: Provided always, that nothing herein contained shall authorize the said Commissioners to commence any Action for the Recovery of any such Rate or Assessment in any Case where the Amount of the Rate or Assessment, or Rates or Assessments in arrear shall be less than Five Pounds, and in no Case where sufficient Distress can be had upon the Premises rated or assessed.

Persons removing Goods how Rates to be recovered.

LIX. And for the better enforcing the Payment of the Rates or Assessments to be made by virtue of this Act, be it further enacted, That if any Person or Persons liable to pay any of the said Rates or Assessments, shall at any Time begin to remove his, her, or their Goods or Furniture from the House or Premises in his, her, or their Occupation, within the Limits of this Act, or to sell or dispose of such Goods or Furniture therein, by public Auction, or to sell or dispose of, or carry away his, her, or their Goods or Furniture as aforesaid, without paying all Arrears then due or rated in respect of such House in which the Current Quarter shall be considered as due, that then and in any of the said Cases, it shall be

be lawful for the Collector for the Time being to the said Commissioners to collect and levy such Rates or Assessments, and all Arrears due thereon, the Rate or Assessment for such Quarter wherein such Removal or Sale shall begin to be made as aforesaid, to be considered as due although previous to the Time for Payment of the Rate or Assessment for such Quarter by Distress and Sale of the Goods and Chattels of the Party so beginning to remove, sell, or take away any such Goods or Furniture as aforesaid; and if within Five Days next after such Distress shall be made, the said Rates or Assessments and all Arrears due thereon, together with the reasonable Charges of taking and keeping the said Distress, shall not be paid, the said Collector shall cause the said Goods and Chattels to be appraised and sold, or such Part thereof as shall be sufficient to pay such Rate or Assessments, together with all Arrears due thereon, and the reasonable Charges of making such Distress, and of keeping and selling the same, returning the Overplus (if any) to the Owners or Owner of such Goods and Chattels respectively.

Rates collected from Tenants of divided Tenements to be repaid by Landlords.

LX. And be it further enacted, That the Goods and Chattels of each and every Person and Persons renting and occupying any separate Part or Apartment of or in any Messuage or Hereditament, and the Goods and Chattels in every Messuage or Hereditament let ready furnished, (although the Person or Persons occupying such Messuage or Tenement, or separate Part or Apartment, be not rated or assessed under or by virtue of this Act) shall be liable to be distrained and sold for any Rate or Assessment, Rates or Assessments made by virtue of this Act, which shall have accrued or become due during the Time of the Occupancy by any Person or Persons of any such Messuage or Tenement, or separate Part or Apartment thereof, and for the Costs, Charges, and Expences of any Appraisement, Possession, Removal, or Sale of such Goods and Chattels, or attendant thereupon; but no such Person or Persons shall be required or compellable to pay any greater Sum for or towards the Discharge of the said Rates or Assessments, or any of them, than the Amount of the Rent actually due and payable by such Person or Persons to the Owner or Owners of such Messuage, Tenement, or other Person or Persons rated or assessed as the Occupier or Occupiers of the Messuages or Hereditaments so entirely or partly occupied by such Person or Persons, and that each and every Person or Persons rated or assessed as the Occupier or Occupiers of the Messuages or Tenements so entirely or partly occupied by such Person or Persons, and that each and every Person or Persons who shall pay any such Rates or Assessments as ought to have been paid by the Owner or Owners of any such Messuage or Hereditament, or by his, her, or their Landlord or Landlords, upon whose Goods and Chattels the same shall be levied in pursuance of this Act, shall and may deduct the same from and out of the Rent due and payable, or to become due and payable to his, her, or their Landlord or Landlords so letting out the same Messuage or Hereditament, or separate Part or Apartment to him or them (unless there shall be some Agreement to the contrary between the Landlord and Tenant), and the Receipt and Receipts for such Payment or Payments shall be sufficient Discharge to every such Person or Persons for so much Money as he, she, or they shall have so paid, or which shall have been levied on his or their Goods and Chattels, in pursuance of this Act, and shall be repaid by such Owner or Owners, or be allowed by such Landlord or Landlords of such Messuages or Tenements, in part or full Payment (as

the Case may be) for the Rent due or to become due to him or them from such Person or Persons as aforesaid, for or in respect of such Messuages or Tenements, or separate Parts or Apartments thereof respectively.

Persons receiving the Rents to be deemed the Owner.

LXI. And be it further enacted, That the better to prevent Disputes touching the Designation of Owner and Landlord, or Proprietor of any Messuages or Hereditaments intended to be made liable to be rated and assessed by any Rates or Assessments to be made under the Authority of this Act, all and every the Person or Persons authorized and empowered to receive and collect, or receiving and collecting, or claiming to be entitled to receive and collect, the Rents of any Messuages or Hereditaments from the Tenants or actual Occupiers thereof, or any of them, shall and may be deemed and taken to be the Owner or Owners, Landlord or Landlords, Proprietor or Proprietors of such Messuages or Hereditaments, and shall be liable to be rated and assessed, and shall be compellable to pay the Rates and Assessments in respect of such Messuage or Tenements in all Cases in which either Owners or Landlords, or Proprietors, are made liable to be rated or assessed, and to the Payment of Rates and Assessments by virtue of this Act, unless the real Owner or Owners, Landlord or Landlords, Proprietor or Proprietors thereof shall be declared by himself, herself, or themselves, to be the real Owner or Owners, Landlord or Landlords, or Proprietor or Proprietors thereof, or shall be distinctly and certainly known as such, to the Satisfaction of the said Commissioners.

Monies to be raised by Loan or Annuities;

LXII. And be it further enacted, That it shall and may be lawful for the said Commissioners, from Time to Time, and at all Times hereafter to borrow and take up at Interest, on the Credit of the Rates and Assessments to be made by virtue of this Act, any Sum or Sums of Money, not exceeding in the whole the Sum of One thousand Pounds, or to raise all or any Part of the said Sum of One thousand Pounds by way of Annuity or Annuities, to be paid and payable during the Term of the natural Life of any Person or Persons, who shall be willing to contribute to the raising thereof respectively, or the natural Life of such other Person or Persons as such Contributor or Contributors shall nominate for that Purpose; and all and every such Sum and Sums of Money so to be borrowed, or such Annuity or Annuities so to be granted, shall be and are hereby charged upon, and shall be paid and payable from Time to Time out of the Monies arising by the Rates or Assessments to be made under the Authority of this Act.

and charged upon the Rates.

Rates of Annuities to be granted.

LXIII. Provided always, and be it further enacted, That no Annuities to be granted by virtue of this Act for any single Life shall be at any higher Rate than the following; (that is to say), where the Age of the Annuitant or Person for whose Life the Annuity shall be granted shall not exceed Thirty-five Years, the Annuity granted shall not exceed the Rate of Eight Pounds Three Shillings for each One hundred Pounds of the Consideration Money paid for the Purchase thereof; where the Age of such Person shall not exceed Forty Years, the Annuity shall not exceed the Rate of Eight Pounds Ten Shillings for each One hundred Pounds of the Consideration Money; where the Age of such Person shall not exceed Forty-five Years, the Annuity shall not exceed the Rate of Nine Pounds for each One hundred Pounds of the Consideration Money;

Money; where the Age of such Person shall not exceed Fifty Years, the Annuity shall not exceed the Rate of Nine Pounds Twelve Shillings for each One hundred Pounds of the Consideration Money; where the Age of such Person shall not exceed Fifty-five Years, the Annuity shall not exceed the Rate of Ten Pounds Eight Shillings for each One hundred Pounds of the Consideration Money; where the Age of such Person shall not exceed Sixty Years, the Annuity shall not exceed the Rate of Eleven Pounds Eight Shillings for each One hundred Pounds of the Consideration Money; where the Age of such Person shall not exceed Sixty-five Years, the Annuity shall not exceed the Rate of Twelve Pounds Seventeen Shillings for each One hundred Pounds of the Consideration Money; where the Age of such Person shall not exceed Seventy Years, the Annuity shall not exceed the Rate of Fifteen Pounds One Shilling for each One hundred Pounds of the Consideration Money; and where the Age of such Person shall exceed Seventy-five Years, the Annuity shall not exceed the Rate of Eighteen Pounds Ten Shillings for each One hundred Pounds of the Consideration Money.

To assign the Rates for securing the Money borrowed.

LXIV. And be it further enacted, That every Person so advancing any Sum of Money, shall have an Order on Parchment under the Hands of any Three of the said Commissioners, for Payment by the Treasurer for the Time being to the said Commissioners, at such Times and upon such Conditions as may be mutually agreed upon, out of any Monies to arise by Rates or Assessments to be made as aforesaid, of the Sum or Sums of Money so lent, with Interest for the same, or of the Annuity or Annuities agreed by the said Commissioners to be given, in respect of any Money to be advanced for the Purchase thereof; and the Treasurer for the Time being to the said Commissioners is hereby authorized and required to pay or discharge the same accordingly, out of any Monies coming to his Hands by virtue of such Rate or Rates, without further Warrant on that Behalf.

Form of Assignment.

LXV. And be it further enacted, That every Mortgage or Assignment to be made by the said Commissioners for the Repayment of any Money to be borrowed under the Authority of this Act, shall or may be in the Words or to the Effect following; that is to say,

'BY virtue of an Act made in the Fourth Year of the Reign of King *George* the Fourth, intituled, *etc.* [*here insert the Title of this Act*], we, being of the Commissioners appointed by virtue of the said Act, in consideration of the Sum of advanced and lent by *A.B.* and paid to *C.D.* the Treasurer appointed in pursuance of the said Act, for and on account of the said Commissioners, do grant and assign unto the said *A.B.* his Executors, Administrators and Assigns, such Proportion of the Rates or Assessments arising by virtue of the said Act as the said Sum of doth or shall bear to the whole Sum which is or shall be borrowed upon the Credit of the said Act, to be had and holden from this Day until the said Sum of , with Interest at *per Centum* *per Annum* for the same, to be paid Half-yearly, shall be repaid and satisfied. In witness whereof we have hereunto set our Hands and Seals the Day of .'

And every such Assignment shall be good, valid, and effectual in the Law.

LXVI. And

Form of Annuity.

LXVI. And be it further enacted, That the Order, Grant, or Certificate to be given by the said Commissioners for the Payment of any Annuity or Annuities to be purchased under the Authority of this Act, shall or may be in the Form or to the Effect following; that is to say,

'WE of the Commissioners appointed by or in pursuance of an Act made in the Fourth Year of the Reign of King *George* the Fourth, intituled [*set forth the Title of this Act*], in consideration of the Sum of paid by *A. B.* to *C. D.* the Treasurer appointed in pursuance of the said Act, do hereby grant unto the said *A. B.* an Annuity or Yearly Sum of out of the Rates and other Monies granted or arising by virtue of the said Act, which Annuity or Yearly Sum of shall be paid to the said *A. B.*, his [*or* her] Assigns, or to the said *A. B.* his [*or* her] Executors, Administrators, and Assigns [*as the Case may be*], by equal Half-yearly Payments, on the Day of and the Day of in every Year, during the natural Life of ; the first Payment thereof to be made on the Day of now next ensuing the Date hereof: In witness whereof we have hereunto set our Hands and Seals the Day of .'

And every such Grant shall be good, valid, and effectual in the Law, without any Inrolment or Registry of any Memorial thereof in the High Court of Chancery or elsewhere; any Law or Statute to the contrary notwithstanding.

Assignments transferrable.

LXVII. And be it further enacted, That it shall and may be lawful to and for all and every Person or Persons advancing any Money, either by way of Loan or for the Purchase of one or more Annuity or Annuities as aforesaid, his, her, or their Executors, Administrators, or Assigns, at any Time or Times, by Writing under his, her, or their Hand or Hands, to assign such Money so lent, or such Annuity or Annuities so purchased, or any Part or Parts thereof, and their Right, Title, and Interest therein, to any Person or Persons whomsoever; and that such Assignment may be according to the Form following, or to the following Effect:

Securities how transferred.

'I do hereby, in consideration of the Sum of , assign the within Security [*or* above recited Security, *in case Transfer not made by Indorsement*], for the Payment of the within mentioned Annuity, and all my Right and Title in and to the Principal Money and Interest [*or* Annuity], and all the Arrears now due thereon, unto , his Executors, Administrators, and Assigns. Dated the Day of .'

As Annuitants die other Annuities may be granted.

LXVIII. And be it further enacted, That when and so often as any Person or Persons for whose Life or Lives any Annuity or Annuities shall be granted by virtue of this Act shall die, or any Sum or Sums of Money so to be borrowed shall be paid off and discharged, then it shall be lawful for the said Commissioners to borrow any further Sum or Sums of Money at Interest, or upon any other Life or Lives, by way of Annuity, and so

toties quoties: Provided nevertheless, that the Sum or Sums of Money owing from original or subsequent Advances shall not at any one Time exceed the Sum of One thousand Pounds in the whole.

Assignments of Loans and Annuities to be registered.

LXIX. And be it further enacted, That every Assignment or Transfer of any Sum to be lent, or of any Annuity to be granted by virtue of this Act, shall be left with the Clerk for the Time being to the said Commissioners, and shall be entered by him in a Book or Register to be kept for that Purpose, before any Assignee or Transferee named in such Assignment or Transfer shall be entitled to receive any Sum or Sums of Money so lent, or the Interest thereof, or such Annuity or Annuities; and in case any Sum or Sums of Money so lent, or the Interest thereof, or such Annuity or Annuities, shall be paid to the Assignor or Transferor in such Assignment or Transfer made, before the same shall be entered in such Book or Register, the Payment thereof shall be deemed a good and valid Payment, and the said Assignee or Transferee shall be barred from any Claim thereto, or Recovery thereof, out of the Rates so to be made by the said Commissioners; and for the Entry of every such Assignment or Transfer the Clerk of the said Commissioners shall be paid by the Person to whom such Assignment or Transfer shall be made the Sum of Three Shillings and Sixpence, and no more.

Commissioners may sue or compound for Breaches of Contract.

LXX. And be it further enacted, That in case any Person or Persons who shall enter into any Contract or Contracts with the said Commissioners shall at any Time be guilty of any Breach or Nonperformance thereof, or of any Stipulation or Agreement therein, it shall and may be lawful to and for the said Commissioners, at any of their General Meetings, in case they shall deem it proper and expedient, to declare such Contract or Contracts to be null and void, and the same shall thereupon be null and void accordingly; or it shall and may be lawful to and for the said Commissioners to compound for such Sum or Sums of Money with the Person or Persons who shall have so entered into such Contract or Contracts, for such Breach or Nonperformance of such Contract or Contracts, and for all Costs, Charges, and Expences which shall be occasioned thereby, as to them the said Commissioners shall appear proper and expedient; or it shall and may be lawful to and for the said Commissioners, by and in the Names of any Two of them, or of their Treasurer or Treasurers, to sue for and recover the full Penalty and Penalties contained and expressed in any such Contract or Contracts, or in any Bond or Bonds given and executed for the due Performance of such Contract or Contracts, by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*, in which Action or Actions no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Justices may compel the Attendance of Witnesses.

LXXI. And be it further enacted, That it shall and may be lawful to and for any Justice or Justices of the Peace who is or are by this Act made competent, empowered, or required to hear and determine any Complaint or Matter under or by virtue of this Act, to issue a Summons under his or their Hand and Seal or Hands and Seals, to any Person or Persons whomsoever, to attend as a Witness or Witnesses, and to give Evidence upon Oath (or if one of the People called *Quakers*, solemnly to affirm), before any such Justice of the Peace, touching any Matter of

Fact contained in any Information or Complaint for any Offence against this Act, whether on the Part of the Prosecutors, or Informers, or Commissioners, or of the Person or Persons complained of; and which Summonses such Justice or Justices as aforesaid are hereby required to issue when thereunto required; and if such Person or Persons so summoned as aforesaid, upon being paid or tendered such Sum for his or their Attendance as such Justice or Justices shall deem reasonable, shall refuse or neglect to appear at the Time or Place to be for that Purpose appointed, without a reasonable Excuse to be approved by such Justice or Justices, for such Refusal or Neglect, or on his, her, or their appearing shall refuse to be examined on Oath or solemn Affirmation, or to give Evidence before such Justice or Justices, then and in every such Case every such Person shall forfeit, for every such Offence, any Sum not exceeding the Sum of Ten Pounds, at the Discretion of such Justice or Justices, to be recovered as herein directed.

Levying and Application of Penalties.

LXXII. And be it further enacted, That all Penalties, Forfeitures, and Fines by this Act inflicted or authorized to be imposed (the Manner of levying, recovering, and applying whereof is not herein otherwise directed), shall upon Proof of the Offences respectively before any Justice of the Peace for the County of *Surrey*, either by the Confession of the Party offending or by the Oath of any credible Witness or Witnesses (which Oath such Justice is in every such Case hereby fully authorized to administer), be levied, together with the Costs attending the Information and Conviction, by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand and Seal of such Justice (which Warrant such Justice is hereby empowered and required to grant), and the Overplus (if any) after such Penalties, Forfeitures, and Fines, and the Charges of such Distress and Sale, are deducted, shall be returned, upon Demand, unto the Owner or Owners of such Goods and Chattels; and in case such Fines, Penalties, and Forfeitures shall not be forthwith paid upon Conviction, then it shall be lawful for such Justice to order the Offender or Offenders so convicted to be detained and kept in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice for his or their Appearance before such Justice, 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 Seven Days from the Time of taking 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 thereupon, then it shall be lawful for any such Justice of the Peace as aforesaid, and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction of the County, Liberty, or Place where the Offender shall be or reside, there to remain, without Bail or Mainprize, for any Time not exceeding Three Calendar Months, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges attending the same, shall be sooner paid and satisfied, and the Monies arising by such Penalties, Forfeitures, and Fines respectively, when paid or levied, if not otherwise directed to be applied by this Act, shall be from Time to Time paid to the Treasurer or Treasurers to the said Commissioners, and applied and disposed of for the Purposes of this Act.

LXXIII. And

Power of Appeal.

LXXIII. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate or Rates, Assessment or Assessments, to be made in pursuance of this Act, or by the Conviction or Order of any Justice or Justices of the Peace for the said County of *Surrey*, for any Offence committed against this Act, it shall and may be lawful to and for such Person or Persons to appeal against the same to the next General or Quarter Session of the Peace for the said County, first giving Twenty-one Days at least before the Commencement of such Quarter Session, a Notice in Writing of his, her, or their Intention to bring such Appeal, and of the Grounds and Matters thereof, signed by every such Appellant, and specifying his, her, or their true Residence and Trade or Profession, to the Clerk to the said Commissioners, or other Person concerned in such Appeal, by delivering such Notice to him, or by leaving such Notice for him at his last or usual Place of Abode, and also within Five Days next after the Service of such Notice, shall enter into a Recognizance before One of His Majesty's Justices of the Peace for the said County in the Sum of Forty Pounds, with Two sufficient Sureties in the Sum of Twenty Pounds each, conditioned for the prosecuting such Appeal, and to abide the Order of, and to pay such Costs as shall be awarded by the Justices at such General or Quarter Session; and the said Justices at such Session, upon due Proof given of such Notice aforesaid, and of the entering into such Recognizance as aforesaid, shall hear and finally determine the Cause and Matter of such Appeal in a summary Way, and award such Satisfaction and Costs to the Party or Parties appealing or appealed against, as they the said Justices shall think proper; and the Determination of such Justices at such their Quarter or General Session shall be final, binding, and conclusive.

Direction as to the Service of Notices.

LXXIV. And be it further enacted, That all Notices, Summonses, and Demands, which by this Act are directed and required, or which shall or may be necessary to be given for carrying into Execution any of the Powers thereof by the said Commissioners, the Manner of serving of which is not by this Act particularly directed, shall be printed or written, or partly printed and partly written, and shall and may be served either by delivering the same personally to the Person or Persons to whom such Notices, Summonses, and Demands are to be given, or by leaving the same at his, her, or their usual or last known Warehouse, Manufactory, Office, Counting House, or with any of his or her Partners, Clerks, or Servants, at his, her, or their usual or last known Place of Abode.

Actions to be brought and defended in the Name of Treasurer or Clerk.

LXXV. And be it further enacted by the Authority aforesaid, That any Action which shall or may be brought by or against the said Commissioners or any of them, for any thing done, touching or relating to the Execution of or for the Purposes of this Act, shall and may be brought or instituted in any of His Majesty's Courts of Record, in the Name of the Treasurer or Clerk to the said Commissioners, and that no such Action shall abate or be discontinued by the Death or Removal of such Treasurer or Clerk, but the Treasurer or Clerk for the Time being to the said Commissioners shall be deemed the Plaintiff or Defendant in any such Action, as the Case may be: Provided always, that every such Treasurer or Clerk in whose Name any Action or Suit shall be commenced, prosecuted, or defended, in pursuance of this Act, shall always be reimbursed and paid out of the Monies to arise by virtue of this Act,

Treasurer or Clerk to be reimbursed.

all

all such Expences, Damages, Costs, and Charges, as by the Event of any such Proceeding he shall be put to or become chargeable with by reason of his being so made Plaintiff or Defendant therein.

Conviction.

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

Form of Convictions.

'County of } BE it remembered, That on this Day of
'to wit. } , in the Year of our Lord
'*A. B.* is duly convicted before me One of His
'Majesty's Justices of the Peace for the [City, Borough, or County, *as*
'*the Case may be*], of having [*state the Offence*], contrary to the Form
'of a Statute made in the Year of the Reign of His Majesty
'King *George* the Fourth, intituled *An Act* [*inserting the Title of this*
'*Act*] in that Case made and provided. And I the said Justice do
'declare and adjudge, that the said *A. B.* hath forfeited for his [*or* her]
'said Offence, the Sum of , and also the Sum of
' for the Costs, Charges, and Expences already incurred
'thereabouts. Given under my Hand and Seal the Day and Year first
'above written.'

No Inhabitant to be an incompetent Witness.

LXXVII. And be it further enacted, That in any Action, Prosecution, Appeal, Cause, Hearing, Examination, or other Proceeding relating to or concerning the Execution of this Act, no Inhabitant or Owner or Occupier of Property within the District by this Act authorized to be lighted, watched, and cleansed, shall be deemed to be an incompetent Witness to give Evidence by reason of his or her being charged with or liable to pay any Rate or Assessment to be raised, levied, and collected by virtue of this Act.

Distress not unlawful for Want of Form.

LXXVIII. And be it further enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other 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 be afterwards done by the Party or Parties so distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the Special Damage in an Action on the Case.

Proceedings not to be quashed for Want of Form.

Proceedings not to be removed.

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

Punishment for giving false Evidence.

LXXX. And be it further enacted, That in all Cases where any Justice or Justices of the Peace is or are by this Act authorized or required to examine any Person or Persons on Oath, it shall be lawful for such Justice or Justices respectively to administer such Oath; and that if any Person or Persons shall, upon his or her Examination upon Oath, before such Justice or Justices respectively, wilfully and corruptly give false Evidence, such Person or Persons so offending, and being thereof duly convicted, shall be and is and are hereby declared to be subject and liable to such Pains and Penalties as by any Law now in being Persons convicted of wilful and corrupt Perjury are subject and liable to.

Limitation of Actions.

LXXXI. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any thing doing in execution of or in pursuance of or under this Act, until after Twenty-one Days Notice in Writing, signed by the Person or Persons intending to bring such Action or Suit, specifying his, her, or their real Residence, and his, her, or their Trade or Profession, and the Cause or Causes of such Action or Suit shall be thereof given to the Clerk of the said Commissioners, or other the Defendant or Defendants, nor after sufficient Satisfaction made or tendered, nor after Three Calendar Months from the Time of the Fact being committed; and that all such Actions and Suits shall be laid and tried in the County where the Cause of such Action shall have arisen, and not elsewhere; and that the Defendant and Defendants in such Action or Actions (in case no sufficient Tender or Amends shall have been previously made) shall or may after such Action shall have been brought, and before Issue joined therein, pay into the Court in which such Action shall be depending, such Sum or Sums of Money as he, she, or they shall think fit, whereupon such Order, Proceedings, and Judgment shall be made and given in and by such Court as in other Actions wherein a Defendant is allowed to pay Money into Court; or such Defendant and Defendants may plead the General Issue, and give this Act and the Special Matter in Evidence, at any Trial or Trials which shall be had thereupon, and that the Matter or Thing for which such Action or Suit shall be brought, was done in pursuance and by the Authority of this Act; and if the said Matter or Thing shall appear to have been so done, or that such Action or Suit shall have been brought before Twenty-one Days Notice thereof was given as before directed, or that sufficient Satisfaction was made or tendered, or paid into Court as aforesaid; or if any such Action or Suit shall not be commenced within the Time before for that Purpose limited, or shall be laid in any other County than as aforesaid, then the Jury shall find for the Defendant or Defendants, and thereupon, or in case the Plaintiff or Plaintiffs in any such Action or Suit shall be nonsuited, or suffer a Discontinuance of such Action or Suit after the Defendant or Defendants shall have appeared, or if upon a Demurrer or Demurrers in any such Action or Suit, or upon a Verdict or otherwise for the Defendant or Defendants therein, Judgment shall be given for the Defendant or Defendants therein, then and in any or either of the Cases aforesaid, such Defendant or Defendants shall have and be entitled to Treble Costs, and shall have such Remedies for recovering the same as any Defendant may have for the Recovery of Costs in other Cases by Law.

To pay Money into Court, or plead the General Issue.

Treble Costs.

LXXXII. And

LXXXII. And be it further enacted, That the Expences and Charges in and about the procuring and passing this Act, shall be raised and paid out of the Rates and Assessments to be made or Monies to be borrowed or raised by virtue thereof; and if any Person or Persons shall have advanced and paid, or shall advance or pay any Money towards defraying the Expences of obtaining and passing this Act, he, she, or they shall be repaid the same, together with lawful Interest, out of the first Monies to be borrowed, raised, or received by virtue of this Act. Money advanced for procuring the Act to be repaid, with Interest.

LXXXIII. 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. Public Act.

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