ANNO TERTIO

GEORGII IV. REGIS.

Cap. lxxxiv.

An Act for altering, amending, and enlarging the Powers of Three several Acts made in the Thirty-fifth, Forty-sixth, and Fifty-third Years of the Reign of His late Majesty King *George* the Third, for regulating the Nightly Watch and Beadles, and for paving, repairing, cleansing, and lighting the Parish of *Saint Mary-le-bone* in the County of *Middlesex*; and for the better Relief and Maintenance of the Poor thereof, and for divers other Purposes therein mentioned; and for making more effectual Provision for those Purposes.

[24th *June* 1822.]

WHEREAS by an Act passed in the Thirty-fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for repealing several Acts made in the Eighth, Tenth, Thirteenth, and Fifteenth Years of the Reign of His present Majesty, for regulating the Nightly Watch and Beadles, and for paving, repairing, cleansing, and lighting the Parish of* Saint Mary-le-bone, *in the County of* Middlesex; *and for the better Relief and Maintenance of the Poor thereof, and for divers other Purposes therein mentioned, and for making more effectual Provision for those Purposes*: And whereas 35 G. 3. c. 73.

by one other Act made and passed in the Forty-sixth Year of the
46 G. 3. c. xc. Reign of His said late Majesty King *George* the Third, intituled *An Act for altering and amending an Act made in the Thirty-fifth Year of His present Majesty, for watching, paving, cleansing, and lighting the Parish of* Saint Mary-le-bone, *in the County of* Middlesex; *and for the better Relief and Maintenance of the Poor thereof:* And whereas by one other Act made and passed in the Fifty-third Year of the Reign
53 G. 3. c. clxiii. of His said late Majesty King *George* the Third, intituled *An Act for altering and amending Two several Acts of the Thirty-fifth and Forty-sixth Years of the Reign of His present Majesty, for paving and improving the Parish of* Saint Mary-le-bone, *in the County of* Middlesex; certain Powers were given and granted to the Vestrymen of the said Parish, for the several Purposes in the said recited Acts specified and contained: And whereas several of the Powers and Provisions contained in the said recited Acts have been found inadequate for the Purposes thereby intended, and it is expedient that the same should be altered, amended, and enlarged, and that further Powers should be granted for enabling the said Vestrymen to carry the said Acts more effectually into Execution: 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,

Powers of former Acts extended to this Act.

and by the Authority of the same, That the said recited Acts, and all and every the Powers, Authorities, Clauses, Exemptions, Provisions, Penalties, Forfeitures, Articles, Matters, and Things therein contained, and which are now unrepealed (save and except such Part and Parts thereof as is and are altered, varied, or repealed), shall be in full Force and Effect, and shall be as good, valid, and effectual for carrying the Purposes of this Act into Execution to all Intents and Purposes whatsoever, as if the same had been repeated and re-enacted in the Body of this Act.

For repealing the Settlement Clause of 35 G. 3. c. 73.

II. And whereas by the said Act passed in the Thirty-fifth Year of the Reign of His late Majesty King *George* the Third, it is enacted, that no such Tenant or Occupier of any Part, Parcel, or separate Apartment of any House, Building, Tenement, or Hereditament, by Payment of any such Rate or Rates, Assessment or Assessments, in manner aforesaid, shall or be deemed to acquire any Settlement in the said Parish, but that the Lessor, Landlord, or Owner shall be deemed and construed to all Intents and Purposes to have paid the same; any Law, Statute, or Usage to the contrary thereof notwithstanding; be it enacted, That the same shall be and is hereby repealed.

For repealing the Penalty Clause of 35 G. 3. c. 73.

III. And whereas by the said Act, passed in the Thirty-fifth Year of the Reign of His late Majesty King *George* the Third, it is enacted, that all Penalties, Forfeitures, and Fines by the said Act inflicted or authorized to be imposed (the Manner of levying and recovering whereof is not herein otherwise particularly directed), shall, upon Proof of the Offences respectively before any One or more Justices of the Peace for the said County of *Middlesex*, or City and Liberty of *Westminster*, either by the Confession of the Party or Parties offending, or by the Information of One or more credible Witness or Witnesses upon Oath (which Oath such Justice or Justices

of the Peace is and are hereby empowered and required to administer without Fee or Reward, and the Informer is hereby rendered a credible Witness), be levied by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant or Warrants under the Hand and Seal, or Hands and Seals, of such Justice or Justices, which Warrant or Warrants such Justice or Justices is and are hereby empowered and required to grant; and the Penalties and Forfeitures when recovered, after rendering the Overplus (if any be) upon Demand, to the Party or Parties whose Goods and Chattels shall be so distrained and sold (the Costs, Charges, and Expences of making such Distress, and the keeping and selling thereof, being first deducted), shall be paid to the Treasurer for the Time being to the said Vestrymen, and applied towards the Purposes of this Act; but nevertheless it shall and may be lawful to and for the said Vestrymen, at any Meeting to be held in pursuance of this Act, to order their Treasurer for the Time being to pay such Part of the said Penalties to the Informer as they shall judge reasonable, not exceeding One Moiety thereof; and in every such Case where Distress is directed to be taken by this Act, and sufficient Distress shall not be found, and such Penalties, Forfeitures and Fines shall not be forthwith paid, it shall and may be lawful for such Justice or Justices of the Peace, and he and they is and are hereby authorized and required, by Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction of the said County of *Middlesex*, or City and Liberty of *Westminster*, where such Offender or Offenders shall be convicted, there to remain without Bail or Mainprize for any Time not exceeding One Calendar Month for the First Offence, and for the Second and every other Offence of the same Kind, for any Time not exceeding Three Calendar Months, nor less than Two Calendar Months, unless such Penalties, Forfeitures, or Fines, and all reasonable Charges and Expences attending the same, shall be sooner paid and satisfied; be it enacted, That the same shall be and is hereby repealed.

For building a new Court House.

IV. And whereas in consequence of the great Increase in the Population of the said Parish of *Saint Mary-le-bone*, since the Erection of the Court-house and Watch-house of the said Parish, the same are now too small and insufficient for conveniently carrying on the Business of the said Parish, and it has therefore become necessary that such Court-house and Watch-house should be respectively altered and enlarged, or rebuilt, or that the same should be sold or otherwise disposed of, and that the said Vestrymen should be empowered to obtain or purchase other Lands, Tenements, or Hereditaments, and to erect a new Court-house and Watch-house, and other necessary Buildings for carrying on the parochial Business of the said Parish; be it therefore enacted, That it shall and may be lawful to and for the Vestrymen of the said Parish, to repair, alter, enlarge, and extend, or rebuild and keep in repair, the present Court-house and Watch-house of the said Parish, with the Buildings and Appurtenances thereto belonging; and for that Purpose that it shall and may be lawful to and for the said Vestrymen, or any Seven or more of them, to treat and agree with the Owner or Owners, Proprietor or Proprietors,

Proprietors, of any Land, Ground, Tenements, or Hereditaments adjoining to the said Court-house and Watch-house, or either of them; or in case it shall be deemed more eligible (instead of any such repairing, enlarging, altering, or rebuilding as aforesaid), it shall and may be lawful to and for the said Vestrymen, or any Seven or more of them, to build a new Court-house and Watch-house, and to remove the parochial Business to a more eligible Situation, and to treat and agree with his Grace the Duke of *Portland*, and all and every other Person or Persons claiming or to claim the present Court-house and Watch-house, and the Site thereof, for the absolute Purchase of his or their Right and Interest in the said Court-house, Watch-house, and Premises, and also to pay any Sum or Sums of Money for such Purchase; and also to make and execute all such Conveyances, Assignments, and Assurances as may be necessary for carrying on and perfecting such Purchase, or to treat and agree with the said Duke, and all and every other Person or Persons claiming or to claim to be Owners of the said Premises, for his or their Concurrence in the Sale and Disposal of the present Court-house, Watch-house, and Premises, and to make and execute, or join in making and executing, such Conveyances, Assignments, and Assurances of the same, and to direct such and the like Receipts for the Purchase Money, or any Part or Parts thereof, to be signed and given by such Person or Persons in the like Manner as is authorized and directed in and by the beforementioned Act of the Fifty-third Year of the Reign of His late Majesty King *George* the Third, and that such Receipt or Receipts shall be a sufficient Discharge to any Purchaser or Purchasers, without he, she, or they being obliged to see to the Application thereof; and that all Sums of Money which may be necessary and required for the Purposes aforesaid, shall be defrayed out of any Monies raised or to be raised by virtue of the said several recited Acts or this Act, in such manner as the said Vestrymen shall in their Discretion think most proper.

Vestrymen may contract for the Purchase of Land, &c.

V. And be it further enacted, That it shall be lawful for the said Vestrymen to treat, contract, and agree with the Owners of and Persons interested in any Lands, Houses, Buildings, Tenements, Hereditaments, and Premises, within the said Parish of *Mary-le-bone*, which it may be necessary to purchase, for altering, repairing, and otherwise improving the present Court-house and Watch-house, or for the Purpose of erecting and building another Court-house and Watch-house within the said Parish, for the Purchase thereof, and for the Loss or Damage such Owners or Persons may otherwise sustain; and it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, or Feoffees in Trust, Committees, Executors, Administrators, and all other Trustees whatsoever, not only for and on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of the Person or Persons entitled in Reversion, Remainder, or Expectancy after them, and for and on Behalf of their Cestuique Trusts, whether Femes Covert, Infants, or Issue unborn, Lunatics, Idiots, or other Person or Persons whomsoever, and to and for all Femes Covert who are or shall be seised of or interested in their own Right, and to and for all and every Person and Persons whomsoever, who are or shall be possessed of or interested in any such

such Lands, Houses, Buildings, Tenements, Hereditaments, or Premises, or who shall sustain any Damage as aforesaid, to contract with the said Vestrymen for the Sale thereof, or for the Satisfaction to be made for the same, or for such Damage as aforesaid, and to sell and convey by Conveyance, Lease and Release, or Bargain and Sale enrolled, unto the said Vestrymen, all or any of such Lands, Houses, Buildings, Tenements, Hereditaments, or Premises, or any Part thereof, for the Purposes aforesaid; and all Contracts, Sales, and Conveyances which shall be so made, shall be good, valid, and effectual, to all Intents and Purposes, without Fine or Recovery, and shall be a complete Bar to all Estates Tail and other Estates, Rights, Titles, Trusts, and Interests whatsoever, any Law, Statute, Usage, or other Matter or Thing to the contrary notwithstanding; and all such Bodies Corporate or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Feoffees, Committees, Executors, Administrators, and all other Persons, shall be and are hereby indemnified for what they or any of them shall do by virtue or in pursuance of this Act.

Money agreed upon how to be paid or tendered.

VI. And be it further enacted, That every Sum of Money to be paid for such Purchase or Purchases as aforesaid, shall be paid out of any Monies in the Hands of the said Vestrymen, or out of the Monies to be borrowed on the Credit of the Rates granted by this Act, or the before recited Acts, to the Party or Parties, or Person or Persons respectively entitled thereto, or to their Agents duly authorized, or into the Bank of *England*, in Manner by this Act directed (as the Case may be); and upon such Payment to such Parties or Persons, or their Agents, or into the Bank of *England*, and after Eight Days Notice thereof given to such Parties or Persons, or to their Agents, or left at their respective usual Places of Abode, or with the Tenant or Tenants in Possession of such Lands, Houses, Buildings, Tenements, Hereditaments, and Premises, then such Lands, Houses, Buildings, Tenements, Hereditaments, and Premises respectively, shall and may be taken and used for the Purposes of this Act; but in no Case shall Possession be taken until the Purchase Money is actually paid as aforesaid; and such Lands, and the Site of such Houses, Buildings, Tenements, Hereditaments, and Premises, shall be appropriated to the Purposes aforesaid, in such Manner as the said Vestrymen shall direct.

Application of Compensation if amounting to 200*l.*

VII. And be it further enacted, That if any Money shall be paid or agreed to be paid for the Purchase of any Lands, Houses, Buildings, Tenements, Hereditaments, and Premises to be purchased, taken, or used, by virtue of the Powers of this Act, which shall belong to any Body Politic, Corporate, or Collegiate, Tenant for Life or in Tail, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee, for or on Behalf of any Idiot, Lunatic, Feme Covert, or other Cestuique Trust, or to any Person or Persons whose Lands, Houses, Buildings, Tenements, Hereditaments, and Premises are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed, be paid into the

Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account, *ex parte* the Vestrymen for executing this Act, to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way, by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Houses, Buildings, Tenements, Hereditaments, and Premises, in the Purchase or Redemption of the Land Tax, or in or towards the Discharge of any Debt or Debts, or other Incumbrances affecting the same Lands, Houses, Buildings, Tenements, Hereditaments, and Premises, or affecting other Lands, Houses, Buildings, Tenements, Hereditaments, and Premises, standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes, as the High Court of Chancery shall authorize to be paid, or such Part thereof as shall be necessary; or where such Money shall not be so applied, then the same shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Lands, Houses, Buildings, Tenements, Hereditaments, and Premises, which shall be conveyed, limited, and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Houses, Buildings, Tenements, Hereditaments, and Premises, which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance shall be existing undetermined or capable of taking effect; and in the meantime, and until such Purchase shall be made, the said Money shall by Order of the said Court of Chancery, upon Application thereto, be invested by the said Accountant General in his Name, in the Purchase of Three Pounds *per Centum* Consolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or Interest and annual Produce of the said Consolidated or Reduced Bank Annuities, shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Houses, Buildings, Tenements, Hereditaments, and Premises so to be purchased, in case such Purchase or Settlement was made.

Where less than 200*l.* and not less than 20*l.*

VIII. Provided always, and be it further enacted, That if any Money so agreed to be paid for any Lands, Houses, Buildings, Tenements, Hereditaments, and Premises, to be purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or amount to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Houses, Buildings, Tenements, Hereditaments, and Premises so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiotcy, or Lunacy, or other Incapacity, to be signified in Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the

the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees to be nominated by the Person or Persons making such Option, and approved of by Seven or more of the Vestrymen for executing this Act (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends and Produce arising thereon and therefrom, may be applied in any Manner herein-before directed, so far as the Case shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the said High Court of Chancery.

Where under 20*l.*

IX. Provided also, and be it further enacted, That where such Money so agreed to be paid as next herein-before mentioned, shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Houses, Buildings, Tenements, Hereditaments, and Premises so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Vestrymen shall think fit; or in case of Infancy, Idiotcy, Lunacy, or other Incapacity, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, Trustee or Trustees, to and for the Use and Benefit of such Person or Persons respectively entitled thereto.

In case of not making out a good Title, or Persons cannot be found, the Purchase Money to be paid into the Bank, subject to the Order of the Court of Chancery, on *Motion* or Petition.

X. And be it further enacted, That in case the Person or Persons with whom any Sum or Sums of Money shall be agreed to be paid for the Purchase of any Lands, Houses, Buildings, Tenements, Hereditaments, and Premises to be purchased, taken, or used under or by virtue of the Powers of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Vestrymen; or if the Person or Persons entitled to any such Lands, Houses, Buildings, Tenements, Hereditaments, and Premises be not known or discovered, then and in every such Case it shall be lawful for the said Vestrymen to order the said Sum or Sums of Money so agreed to be paid as aforesaid, to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there, to the Credit of the Parties interested in the said Lands, Houses, Buildings, Tenements, Hereditaments, and Premises (describing them), subject to the Order, Controul, and Disposition of the said High Court of Chancery; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered in a summary way of Proceeding or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum

Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money so paid into the Bank of *England* as aforesaid.

In case of disputed Titles.

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

Court may order reasonable Expences to be paid by Vestrymen.

XII. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any Lands, Houses, Buildings, Tenements, Hereditaments, and Premises, to be purchased, taken, or used under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the High Court of Chancery, and be applied in the Purchase of other Lands, Houses, Buildings, Tenements, Hereditaments, and Premises, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said High Court of Chancery to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as to the said Court shall seem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Vestrymen out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Duke of Portland to hold his Courts, &c. in the new Court-house.

XIII. Provided always, and be it further enacted, That the aforesaid Duke of *Portland*, and all and every other Person or Persons claiming or to claim to hold the Courts of the Manor of *Mary-le-bone* and to receive the Rents, and his and their Agents and Receivers, shall and may from Time to Time have full Power to enter upon, use,

use, and occupy the said Court-house, or any new or other Court-house and Premises to be obtained as aforesaid, for holding the Courts of the said Manor of *Mary-le-bone*, and for receiving the Rents of the Estates of the said Duke, and all and every other Person claiming or to claim to hold the said Courts, and to receive the said Rents within the said Parish, and for transacting any Business relating to the said Manor and Estates, with all other Privileges and Advantages, in as full and ample Manner as are now reserved and appertain to or are enjoyed by the said Duke of *Portland*, in the present Court-house, Watch-house and Premises.

Power to borrow on Bond 20,000*l.* for building, &c. Court-house and Watch-house.

XIV. And in order further to enable the said Vestrymen to carry the last-mentioned Purposes of this Act into Execution, be it further enacted, That it shall and may be lawful to and for the said Vestrymen from Time to Time to borrow and take up at Interest such Sum or Sums of Money, not exceeding in the Whole the Sum of Twenty thousand Pounds, as they shall judge necessary for the said last-mentioned Purposes of this Act, upon the Credit of the Poor's Rate of the said Parish of *Saint Mary-le-bone*, and by Writing under their Hands and Seals, to assign any Part of such Poor's Rate to such Person or Persons as shall lend or advance any Money thereon, or to his, her, or their Trustee or Trustees, as a Security for the Principal Money to be advanced, with lawful Interest for the same; and the Charges and Expences of such Assignment, to be made as herein-after mentioned, shall be from Time to Time defrayed by the said Vestrymen out of the Money so borrowed; and every such Assignment shall be in these Words, or to the Effect following; (that is to say),

Form of Assignment.

'WE, being Seven of the Vestrymen of the Parish of *Saint Mary-le-bone* in the County of *Middlesex*, acting in pursuance of an Act made in the Third Year of the Reign of King *George* the Fourth, intituled [*here set forth the Title of this Act*], in consideration of the Sum of , advanced and lent by of in the County of , upon the Credit of the Poor's Rate of the said Parish, and for the Purposes of the said Act, do hereby grant and assign unto the said [*or* to his or her Trustee or Trustees, *as the Case may be*], his [*or* her] Executors, Administrators, and Assigns, such Proportion of the said Poor's Rate as the said Sum of doth or shall bear to the whole Sum which may at any Time be borrowed or become due and owing, or be charged upon the Credit of the said Rate, to be had and holden from this Day of , until the said Sum of , with Interest after the Rate of *per Centum per Annum* for the same, shall be fully paid and satisfied: In witness whereof, we the said Vestrymen have hereunto set our Hands and Seals, the Day of , in the Year of our Lord One thousand eight hundred and .'

And all such Assignments shall be numbered, commencing with Number One, and so proceeding in an arithmetical Progression ascending, whereof the common Excess or Difference shall always be One, in respect of any One hundred Pounds so advanced as aforesaid; and every such Security shall be good, valid, and effectual in the Law, and

shall entitle the Person or Persons to whom the same shall be made, his, her, or their Executors, Administrators, and Assigns, to the Payment thereof, and to all Profit and Advantage thereof, according to the true Intent and Meaning of this Act.

Conveyances to be in like Form with 51 G. 3. c. cli.

XV. And be it further enacted, That all Persons shall be empowered to let on Lease to the said Vestrymen, such Lands or Buildings as may be necessary for the Purposes of this Act; and that all Conveyances and Assurances of any Lands, Tenements, or Hereditaments to be made to the said Vestrymen and their Successors, shall be made in the like Manner as is expressed and set forth in the Act of the Fifty-first of *George* the Third, intituled *An Act to enable the Vestrymen of the Parish of* Saint Mary-le-bone *in the County of* Middlesex, *to build a new Parish Church, and Two or more Chapels, and for other Purposes relating thereto*, or in the said recited Acts contained.

Vestrymen empowered to pave, &c. Footways of Turnpike Roads and Highways.

XVI. And whereas Doubts have arisen whether the aforesaid Vestrymen have Power to pave the Footways of the Turnpike Roads lying within the said Parish of *Saint Mary-le-bone*, and light and watch the same; be it enacted, That it shall and may be lawful to and for the said Vestrymen to treat and agree with the Trustees for putting into Execution an Act passed in the Forty-eighth Year of the Reign of His late Majesty King *George* the Third, for enlarging the Terms and Powers of several Acts for repairing the Road from *Saint Giles's Pound* to *Kilburn Bridge*, and for making a new Road from the great Northern Road at *Islington* to the *Edgware Road* near *Paddington* in the County of *Middlesex*, for the Purpose of paving the Footways and Crossings of Streets, in the Course of the Footways of the said Turnpike Roads, lying within the Parish of *Saint Mary-le-bone*, or any Part or Parts thereof, in such Manner as they may think proper, (so as no such Pavement shall be made by the said Vestrymen across the Carriageway of any or either of such Turnpike Roads), and to compound with the Occupiers of the Houses and Buildings abutting upon the said Roads for such Pavements, upon the same Terms with those in the Streets of the said Parish, and to light and watch such Turnpike Roads, or any Part or Parts thereof, as the said Vestrymen may deem expedient; and to lay and assess upon the Occupiers of the said Houses and Buildings upon the said Roads, such and the like Rates for paving, repairing, lighting, and watching the same, as are levied and assessed upon the Occupiers of Houses in other Parts of the said Parish, for paving and repairing the Footpaths, and for lighting and watching the Streets, by virtue of the Acts herein-before recited; and such Rate, when so made and assessed, shall be recovered and recoverable by all or any of the Ways and Means mentioned in the said recited Acts, as to the Rates thereby directed to be made: Provided always, that all Persons who have heretofore paved any Footways, or Parts thereof, on the said Turnpike Roads, shall be allowed and paid by the said Vestrymen out of the new Paving Rate, to be levied and assessed under the before-mentioned Acts or this Act, the fair Value of such Pavement, to be measured and ascertained by the Surveyor of the Parish, and certified by him, first allowing and deducting the usual Composition for such Pavement, in like Manner as Compositions are ascertained for Pavements in the Streets of the

said Parish; but if such Value shall not amount to the Composition, then the Party shall pay the Difference to the said Vestrymen.

Trustees of Turnpike Roads to pay the Vestrymen for such Parts of the Turnpike Roads as are paved, &c. by them.

XVII. And whereas the Trustees of the said Turnpike Roads in the said Parish do, upon an Average, expend out of the Funds of their Trust for lighting, watching, and repairing the Footway, the yearly Sum of Thirty Pounds for every Quarter of a Mile in Length of such Parts of the said Footway of the said Turnpike Roads as the said Trustees now light and watch and repair; be it enacted, That it shall and may be lawful to and for the said Vestrymen to treat and agree with the Trustees acting under the said Act of the Forty-eighth of King *George* the Third, for the said Trustees to pay yearly and every Year to the said Vestrymen, for all such Part or Parts in Length of the Footway on each Side of the said Turnpike Roads as shall be so paved, lighted, and watched by the said Vestrymen as aforesaid, such a Sum of Money as shall be by them agreed upon for every Quarter of a Mile in Length of the said Footway, for lighting, watching, and repairing the same; and where both Sides of the Footway of the said Turnpike Roads shall be so lighted, watched, and repaired the whole Length thereof on both Sides, so far as the same shall be lighted, watched, and repaired, shall be added together and be considered the Length in respect of which such Payments shall be made as aforesaid, and so in proportion for any fractional Part of a Quarter of a Mile, which the said Vestrymen shall think proper to pave, light, and watch; and the said Vestrymen shall have such and the like Powers for obtaining Payment of the Monies hereby directed to be paid to them by the said Trustees, as are given to them the said Vestrymen by the first herein-before recited Act of Parliament, for securing a yearly Sum of Five hundred Pounds, payable by the same Trustees to the said Vestrymen, in like Manner to all Intents and Purposes, as if such like Powers were here again repeated for securing the yearly Payment of the Monies aforesaid.

Watch Boxes, Lamps, &c. to become the Property of Vestrymen.

XVIII. And whereas in case the said Vestrymen and the said Trustees should agree as aforesaid for the paving, lighting, and watching of all or any Part or Parts of the Footway of the said Turnpike Roads, the said Trustees will thereby be relieved from a great Expence; be it therefore enacted, That when and so soon as such Treaty or Agreement shall be carried into Effect, all Posts, Lamp Posts, Watch Boxes, Pavements, Bricks, and other Materials then standing or thereafter placed in or upon such Part or Parts of the Footways of the said Turnpike Roads and Crossings respectively, as shall in pursuance of such Agreement be paved, lighted, and watched by the said Vestrymen, shall become the Property of and be vested in the Vestrymen of the said Parish, without any Remuneration, Compensation, or Satisfaction being made or allowed by them to the said Trustees.

Present Highway Rate may be increased to 1*s.* in the Pound.

XIX. And whereas the Highways within the said Parish of *Saint Mary-le-bone*, which are not under the Controul or Jurisdiction of any of the Turnpike Acts now in being for the Regulation of the Roads within the said Parish, have of late Years been much extended, and are likely to be yet further extended, and in consequence thereof the Annual Highway Rate, which is now limited to Four-pence in the Pound,

Pound, and assessed under and by virtue of the said herein-before mentioned Act of the Thirty-fifth Year of the Reign of His late Majesty King *George* the Third, upon the several Lands, Grounds, Houses, Shops, Warehouses, Coach Houses, Stables, Cellars, Vaults, Buildings, Tenements, and other Hereditaments abutting upon, adjoining to, or situate near the said Highways, for the Repair thereof, is found to be greatly inadequate for such Purpose: And whereas it is become expedient that the said Vestrymen should be authorized and empowered to cause the said Highways, or certain Parts thereof, to be lighted and watched; and also to cause the Footways of the said Highways, or certain Parts of the same, to be paved when they shall think fit; be it therefore enacted, That for the several Purposes of keeping the said Highways in a more effectual State of Repair, and of lighting and watching the same, or any Part of the same, or of laying down any Pavements upon the Footways or Causeways of the said Highways, or any Part thereof, and of repairing any such Pavements when so laid down, it shall and may be lawful to and for the said Vestrymen to increase their present Annual Rate of Four-pence in the Pound, now assessed as aforesaid, to any Sum not exceeding One Shilling in the Pound.

Power to borrow 20,000*l.* on Bond secured on the Highway Rate.

XX. And whereas great Expences will arise in putting the several Highways in a proper State of Repair, and of lighting and watching the same, and of paving and repairing the Footways thereof; be it therefore enacted, That it shall and may be lawful to and for the said Vestrymen, from Time to Time, if they shall think it necessary, to borrow, by way of Bond, on the Credit of the said Highway Rate, any Sum or Sums of Money, so that the Sum or Sums which shall be so borrowed shall not create a larger Debt owing at any one Time than the Sum of Twenty thousand Pounds; and it shall and may be lawful to and for the said Vestrymen, or any Seven of them, by Writing under their Hands and Seals, to assign all or any Part of the said Highway Rate to such Person or Persons as shall lend or advance any Money thereon, or to his, her, or their Trustee or Trustees, as a Security for the Principal Money to be advanced, with lawful Interest for the same; and the Charges and Expences of such Assignment, to be made as herein-after mentioned, shall from Time to Time be defrayed by the said Vestrymen out of the Money so borrowed; and every such Assignment shall be in the Words or to the Effect following; (that is to say),

Form of Assignment.

'WE, being Seven of the Vestrymen of the Parish of *Saint Mary-le-bone*, in the County of *Middlesex*, acting in pursuance of an Act, made in the Third Year of the Reign of King *George* the Fourth, intituled [*here set forth the Title of this Act*], in Consideration of the Sum of advanced and lent by of in the County of upon the Credit of the Highway Rate by virtue of the said Act made, and for the Purposes of the said Act, do hereby grant and assign unto the said [*or* to his or her Trustee or Trustees, *as the Case may be*,] his [*or* her] Executors, Administrators, and Assigns, such Proportion of the said Highway Rate to be raised, levied, and collected by virtue of the

'the same Act, as the said Sum of doth or shall bear 'to the whole Sum which may at any Time be borrowed and become 'due and owing, or be charged upon the Credit of the said Highway 'Rate, to be had and holden from this Day of 'until the said Sum of with Interest after the Rate 'of *per Centum per Annum* for the same, shall be fully paid 'and satisfied. In witness whereof we, the said Vestrymen, have 'hereunto set our Hands and Seals, the Day of 'in the Year of our Lord .'

And all such Assignments shall be numbered, commencing with Number One, and so proceeding in arithmetical Progression ascending, whereof the common Excess or Difference shall always be one, in respect of any One hundred Pounds so advanced as aforesaid; and every such Security shall be good, valid and effectual in the Law, and shall entitle the Person or Persons to whom the same shall be made, his, her, or their Executors, Administrators, and Assigns, to the Payment thereof, and to all Profit and Advantage thereof, according to the true Intent and Meaning of this Act.

How Monies borrowed to be repaid.

XXI. And be it further enacted, That in order to discharge the Principal Money of any such Sums or Sum, so to be borrowed for any of the Purposes aforesaid, it shall and may be lawful to and for the said Vestrymen, and they are hereby authorized and required, yearly and every Year, to appropriate, set apart, and apply, out of the respective Rates and Funds which are charged therewith, such a Sum of Money as shall be in proportion to One Thirtieth Part of the Money borrowed upon such respective Rates and Funds, towards paying off and discharging the Principal Money so to be respectively borrowed on the Credit of the said Poor Rate and Highway Rate.

Vestrymen may enter into Contracts for lighting, paving, &c.;

'XXII. And be it further enacted, That it shall and may be lawful to and for the said Vestrymen to enter into any Contract or Contracts for lighting the said Highways and Turnpike Roads, or any Part of the same, or for paving and repairing the Footways thereof respectively, or for any other Purpose relating to such lighting, paving, and repairing as aforesaid, as they the said Vestrymen shall think proper.

and appoint additional Watchmen and Beadles.

Power to dismiss or fine Watchmen and Beadles for Breach of Duty.

XXIII. And be it further enacted, That it shall and may be lawful to and for the said Vestrymen, and their Successors, to nominate and appoint such additional Number of Constables, Watchmen, and Beadles for the said Parish, as they the said Vestrymen shall think proper; and all Watchmen, Beadles, and others, now or hereafter to be in the Employ of the Vestrymen of the said Parish, shall, on any Departure from their strict Line of Duty, be subject to such Dismissal, Fines, Forfeitures, and Regulations, as may to the said Vestrymen appear proper.

For preventing various Nuisances.

XXIV. And be it further enacted, That from and after the passing of this Act, if any Person or Persons shall, upon any of the Highways (not being Turnpike Roads), Footways, or Foot Pavements, within the said Parish or elsewhere, within the Jurisdiction of the Vestrymen of the said Parish, run, draw, drive, or carry thereon any Truck, Wheel, Sledge, Wheelbarrow, Handbarrow, Bier, or Carriage whatsoever,

soever 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 Highways, Footways, or Foot Pavements; or set any Cask, Tub, Pail, Bucket, Stool, Bench, or Stall, on or in the said Footway or Foot Pavement; or erect, set up, put or place any Blind, Shade, Coverlid, or Awning, or any other Matter or Thing, so as in any way to cause any Obstruction or Impediment in the Footway or on the Foot Pavement; or shall in any Street, Square, Lane, public Passage or Place within the said Parish or elsewhere, within the Jurisdiction of the Vestrymen of the said Parish, 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 conveniently be removed for that Purpose); or wet, slack, or mix any Lime, or wet, mix, or make any Mortar, 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 any Stallion or Stone Horse (except only in such Place as the said Vestrymen shall direct); or shew or expose, or exercise 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 Streets, Squares, 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, without the Leave of the said Vestrymen for that Purpose had and obtained, or hang up or expose to Sale, or cause or permit to be hanged up, placed, or exposed to Sale, any Goods, Wares, or Merchandize whatsoever, or any Fruit, Vegetables, or Garden Stuff, Butcher's Meat, or other Matter or Thing in or upon, or so as to project over or upon the Footway or Carriageway of any such Streets, Squares, Lanes, public Passages or Places, or beyond the Line, or on the Outside of the Window or Windows 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 the Door or Window of any Cellar or other underground Room or Apartment, without having placed or left a sufficient Light therein, to warn and prevent Persons passing in the Squares, Streets, Lanes, and public Places of the said Parish, or elsewhere, within the Jurisdiction of the Vestrymen of the said Parish, from falling into such Cellars or other underground Rooms or Apartments; or bait or cause to be baited any Bull or other Animal, or throw at any Cock or Fowl in the Manner called Cock-throwing, or set up any Fowl to be thrown at in such Manner, or play at Football

or at any other Game, to the Annoyance of any Inhabitant or Inhabitants, or Passenger or Passengers; or shall wilfully break, aid or abet, or assist in wilfully breaking any Glass, or Windowpanes 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 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 other Kind of Obstruction or Annoyance in or upon any such Square, Street, Lane, public Passage or Place, 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 Parish or elsewhere, within the Jurisdiction of the Vestrymen of the said Parish; then and in every such Case every Person so offending shall forfeit and pay any Sum not exceeding Five Pounds, and not less than Ten Shillings; and it shall and may be lawful to and for any Constable or other Peace Officer, or any one of the said Vestrymen, 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, in order to his, her, or their Conviction for such Offence.

Rates to be distinct where the Carriage Roads are not paved.

XXV. And be it further enacted, That all those Parts of the said Parish of *Saint Mary-le-bone* where the Carriage Road shall not be paved, shall be considered and taken as a distinct District, as to watching, paving, repairing, cleansing, and lighting, and that all Expences which shall be incurred for any of such Purposes, or any Sum or Sums of Money which shall be borrowed for any of such Purposes, shall be borne and paid by such District alone; and that the other Parts of the said Parish where the Carriage Road shall be paved, shall not be liable to pay the same, or any Part thereof; and that the Rates for all the above Purposes of watching, paving, repairing, cleansing, and lighting, shall be separate and distinct Rates upon such Parts of the said Parish where there shall be no paved Carriage Road, without Limitation as to Amount; Provided always, that nothing herein contained shall extend or be construed to extend to limit the Church Rate and Poor Rate, as such Rates shall continue to extend over every Part of the said Parish.

Roads to be surveyed before taken by the Vestry as Parish Roads.

XXVI. And be it further enacted, That no Road or Highway within the said Parish of *Saint Mary-le-bone* shall, from and after the passing of this Act, be taken as a Parish Road by the said Vestrymen of the said Parish, to be repaired and to be kept in Repair out of any of the Parochial Funds applicable to the Highways, until such Road or Highway shall have been first surveyed by Two Surveyors competent to make Roads, and certified by Writing under the Hands of such Surveyors, that such Road or Highway has been properly formed, constructed, made, and drained with all fit and necessary Materials; One of the said Surveyors to be chosen by the said Vestrymen, and One by the Freeholder of the Land where such Roads or Highways are made; and for the Purpose of settling and determining

mining any Difference or Dispute that may arise between the said Two Surveyors, touching or concerning any of the Matters or Things to be done and performed by them in pursuance of this Act, it shall and may be lawful for them, and they are hereby required, immediately after they shall have been so appointed, by Writing under their Hands, to nominate and appoint some proper and skilful Person (not interested in the said Road or Highway), who shall be willing and consent to act as an Umpire, and such Umpire is hereby authorized and required to hear and determine any such Difference or Dispute as may arise between the said Surveyors touching any Matter or Thing relating to the said Road or Highway, and the Judgment and Determination of the said Umpire therein shall be deemed and considered to be the Judgment and Determination of the said Surveyors, and shall be final and conclusive upon all Persons concerned in the said Road or Highway: Provided always, that in case the said Umpire shall die or refuse to act, or shall neglect to settle and determine any such Difference or Dispute within Twenty Days after the same shall have been referred to him, then and in such Case it shall be lawful for the said Surveyors to nominate and appoint One other such proper Person as aforesaid to be Umpire in the Room and Stead of the Person so dying or refusing to act.

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

XXVII. And be it further enacted, That all Watchmen and Serjeants of the Night shall be sworn in as Constables before any Justice or Justices of the Peace of the said County of *Middlesex*, and act as such while in the Execution of the Powers and Authorities of the said recited Act or 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.

Power to water Streets, sink Wells, erect Pumps, and contract with Water Companies, and make a Rate.

XXVIII. And whereas a very considerable aggregate Sum is annually expended by a great Portion of the Inhabitants of the said Parish of *Saint Mary-le-bone*, for the Purpose of watering the Squares, Streets, and other Places within the said Parish, before their respective Dwellings: And whereas a great Number of the able-bodied Poor, now receiving or who may hereafter apply for Relief out of the Poor Rates of the said Parish, might be most advantageously employed in such watering of the said Streets and other Places as aforesaid; be it further enacted, That it shall and may be lawful for the Vestrymen of the said Parish, upon Request made to them in Writing by the Majority of the Inhabitants of any Square, Street, Highway, or other Place within the said Parish, or any Part or Division thereof, to cause such Street, Square, Highway, or other Place, Part or Division thereof, to be watered in such manner and at such Times as they shall judge proper and order and direct; and the said Vestrymen are hereby empowered to employ in the watering thereof, any of the able-bodied Poor, who from Time to Time may be receiving or may apply for Relief from the said Parish; or in case of there not being a sufficient Number of able-bodied Poor for the Purposes aforesaid, then such other Person or Persons as the said Vestrymen shall think proper; and it shall and may be lawful for such Vestrymen to sink Wells, and erect Pumps, throughout the said

said Parish, and to contract with any Water Company or Companies for Water, as they may deem expedient, for the Purposes aforesaid, and to purchase or hire Water Carts, Horses, and all necessary Implements for such Purpose; and it shall and may be lawful to and for the said Vestrymen to raise and levy a Rate upon the Inhabitants of Houses and Tenements within the said Parish, before whose Premises and Hereditaments such watering shall take place, for the Purpose of defraying the Expence of watering the said Squares, Streets, and Places, and sinking such Wells, and erecting Pumps as aforesaid, and keeping the same in Repair, and pay the said Water Companies for Water so to be contracted for as aforesaid, so as in any one Year such additional Rate or Assessment shall not exceed Two-pence in the Pound upon the Rack Rent of the Premises respectively on which such Rate shall be made, and with the like Powers and Remedies for recovering and enforcing Payment of the same, as are provided for recovering and enforcing the Payment of the Rates directed to be raised, levied, and collected in and by the said recited Act of the Thirty-fifth Year of the Reign of His late Majesty King *George* the Third; and in all such Parts of the Parish of *Saint Mary-le-bone* where there shall be Wells and Pumps, and no Water Rate laid or assessed, the Expence of keeping such Wells and Pumps in Repair shall be defrayed out of the Rates for repairing, cleansing, and lighting the said Parish.

Power to rate Owners of Houses under 20*l.* and not less than 6*l.* per Annum, instead of the Occupiers.

XXIX. And whereas in the aforesaid Parish of *Saint Mary-le-bone* the Payment of the Poor's and other Rates is greatly evaded, by reason that great Numbers of Houses within the said Parish are let out in Lodgings, or in separate Apartments, or for short Terms, or are let to Tenants who quit their Residences, or become Insolvent before the Rates charged on them can be collected; and it hath been found, that in many Instances the Persons letting such Houses do actually charge and receive much higher Rents for the same, upon the Ground and Expectation that the Occupiers thereof cannot be effectually assessed to the Poor's and other Rates, and will not be charged with or required to pay such Rates, and do thus obtain an undue Advantage to themselves, and by means of the Premises the other Inhabitants of the said Parish are unjustly compelled to pay much more than their fair and due Proportions of the Poor and other Rates charged upon the said Parish; for Remedy thereof, be it enacted, That from and after the passing of this Act it shall be lawful for the Vestrymen of the said Parish to resolve and direct, that the Owner or Owners of all Houses, Apartments, or Dwellings in the said Parish, being the immediate Lessor or Lessors of the actual Occupier or Occupiers, which shall respectively be let to the Occupiers thereof at any Rent or Rate not exceeding Twenty Pounds, nor less than Six Pounds by the Year, for any less Term than One Year, or on any Agreement by which the Rent shall be reserved or made payable at any shorter Period than Three Months, shall be assessed to the Rates for the Relief of the Poor, for paving, cleansing, lighting, watching, and regulating the said Parish; and also to the Rates made by the said Vestrymen, under the Powers of an Act of Parliament, made and passed in the Fifty-first Year of His late Majesty King *George* the Third, intituled *An Act to enable the Vestrymen of the Parish of* Saint Mary-le-bone, *in the County* 51 G. 3. c. cli.

of Middlesex, *to build a new Parish Church, and Two or more Chapels, and for other Purposes relating thereto*; and also to the Rates made by the said Vestrymen under the Powers of another Act of Parliament, made and passed in the First and Second Years of His present Majesty, intituled *An Act to enable the Vestrymen of the Parish of* Saint Mary-le-bone, *in the County of* Middlesex, *to effectuate the building of Four District Churches in the said Parish, and for other Purposes relating thereto*; for or in respect of such Houses, Apartments, or Dwellings, and the Outhouses and Buildings thereof, instead of the actual Occupiers; and the said Vestrymen may, and are hereby authorized from Time to Time, to rescind, renew, vary, and amend every such Resolution and Direction as they shall see Occasion, so as no such Resolution or Direction shall extend to assess or charge the Owner of any House, Apartment, or Dwelling, which shall, with the Outhouses and Curtilages thereof, be let at a greater Rent than Twenty Pounds, or less than Six Pounds as aforesaid; and the Vestrymen of the said Parish are hereby empowered to carry into effect all such their Resolutions and Directions, and in pursuance and execution thereof, in all such aforesaid Rates to be by them made, to assess by a fair and equal Pound Rate the Owner or Owners, being the immediate Lessor or Lessors of the actual Occupier or Occupiers of every House, Apartment, or Dwelling, to which such Resolution and Direction shall extend, for or in respect of the same, according to the actual Rent at which every such House, Apartment, or Dwelling shall be let, after making a reasonable Deduction from such Rent, not exceeding in any Case Half of the same, and upon such Nonpayment of the Sum or Sums so to be assessed, the same may and shall be levied upon, and the Payment thereof be enforced against, such Owner and Owners, Lessor or Lessors, so to be assessed.

1 & 2 G. 4. c. xxi.

For Recovery of Rates.

XXX. And be it further enacted, That if any Person or Persons liable to the Payment of any such Rates or Assessments shall refuse and neglect to pay the same, then and in every such Case it shall and may be lawful to and for the said Collector or Collectors, and he and they is and are hereby authorized and required, by Warrant under the Hand and Seal of any One of His Majesty's Justices of the Peace acting in and for the said County of *Middlesex* (which Warrant such Justice is hereby authorized and required to grant, upon Proof being made upon Oath of the Demand and Nonpayment thereof, which Oath and Oaths the said Justice is hereby authorized and required to administer), to levy all and every such Rates and Assessments by Distress and Sale of the Goods and Chattels of such Person or Persons so refusing or neglecting to pay the same, which shall be found either in the said Parish or in any other Parish, Liberty, or Place within the said County of *Middlesex*; but if sufficient Distress cannot be found within the said County, then in any other County, City, Liberty, or Place, upon such Warrant being countersigned by some One Justice of the Peace of such other County, City, Liberty, or Place, which Warrant such Justice is hereby authorized and required to countersign; and if within Five Days after such Distress or Distresses shall be made, the said respective Rates or Assessments, and all Arrears thereof, shall not be paid, together with the Costs and Charges of taking and keeping the same, the said Collector or Collectors shall cause the said Goods and Chattels, or

a sufficient Part thereof, to be appraised and sold, rendering to the said Person or Persons the Overplus (if any there be), after deducting the said Rates or Assessments and all Arrears thereof, and the reasonable Costs and Charges attending such Distress and Sale; which Costs and Charges, in case of Dispute, shall be settled and ascertained by any One or more of His Majesty's Justices of the Peace for the said County of *Middlesex*.

Goods of Occupiers may be distrained for the Rates to the Amount of the Rent actually due.

XXXI. Provided also, and be it further enacted, That the Goods and Chattels of every Occupier of any such House, Apartment, or Dwelling, which shall be found in and about the same, shall be liable to be distrained and sold for raising so much of any such Rate or Assessment being in Arrear, as shall have become due during the Occupancy of the Person or Persons whose Goods and Chattels shall be so distrained (to be ascertained in a summary Way by the Justices granting the Warrant of Distress), so that in no Case any greater Sum be raised by Distress of the Goods and Chattels of any such Occupier than shall at the Time of making such Distress be actually due from the Occupier for Rent of the Premises on which such Distress shall be made: Provided also, that every Occupier who shall pay any such Rate or Rates, or upon whose Goods or Chattels the same or any Part thereof shall be levied, shall and may deduct the Amount of the Sum which shall be so paid or levied out of the Rent by him or them payable; and such Payment shall be a sufficient Discharge to every such Occupier for so much of the Rent payable by him as he shall have paid, or as shall have been levied on his Goods and Chattels, of such Rate, and for the Costs of levying the same.

Persons receiving Rent rated as Owners.

XXXII. Provided also, and be it further enacted, That every Person receiving or claiming the Rent of any such House, Apartment, or Dwelling for his or her own Use, or receiving the same for the Use of any Corporation Aggregate, or for the Use of any Landlord or Lessor, shall for this Purpose be deemed and taken to be and shall be rateable as the Owner thereof.

Rates in certain Cases to be collected in proportion to the former Year's Rate.

XXXIII. And whereas considerable Loss may arise to the said Parish from Persons removing from their respective Dwellings, or disposing of the Furniture therein, before the Rates of the current Year shall be made and assessed; be it therefore further enacted, That in all Cases where Removals or Sales are taking place, or where the Goods are about to be removed from the Premises, it shall and may be lawful to and for the Collector or Collectors to the said Vestrymen to levy, assess, and collect, by way of Rates for the current Quarter, or for any expired Part thereof during which the said Premises shall not have been empty, untenanted, or unoccupied, over and above all Rates due previous to such Quarter, such Sum or Sums of Money as shall be in just proportion to the Amount in the Pound of the Rates made in the preceding Year; the same to be levied and collected by such Ways and Means and under such Restrictions and Regulations as any of the said Rates and Assessments are directed in and by the said several mentioned Acts or this Act to be levied, assessed, and collected: Provided always, that all such Sums of Money so to be received as aforesaid, shall go in Part Discharge of the Rates to be assessed for the current

Year

Year upon the respective Premises on account of which the same shall have been received.

One Justice may summon Defaulters in Rates, who shall pay Expences.

XXXIV. And be it further enacted, That it shall and may be lawful to and for any One of His Majesty's Justices of the Peace, acting in and for the County of *Middlesex*, at the Request of the Collector or Collectors for the Time being, to issue a Summons under his Hand and Seal, requiring any Defaulter in the Payment of any or either of the several Rates made under and by virtue of the said several hereinbefore mentioned Acts of Parliament or this Act, or any of them, or any Part thereof, to appear at some Petty Sessions to be therein specified, to shew Cause (if he or she can) why Distraint shall not be made for Recovery of the same; and in case good and sufficient Cause shall not be shewn to the Satisfaction of Two or more Magistrates at such Petty Sessions, assembled, then such Defaulter shall pay to the Clerk of the Magistrate issuing such Summons One Shilling as the Expences of such Summons, which Sum of One Shilling shall be recoverable in the like Manner as directed for the Recovery of the several Rates or Assessments thereby and hereby authorized: Provided always, that nothing contained in this Act shall extend or be construed to extend to the taking away or in anywise altering or lessening the Powers and Authorities already given for recovering the said Rates or Assessments by Distress and Sale, contained in the said several Acts of the Thirty-fifth, Forty-sixth, and Fifty-third Years of the Reign of His said late Majesty, or in this present Act.

Levying and Application of Penalties.

XXXV. And be it further enacted, That all Penalties, Forfeitures, and Fines by the before recited Acts or 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 *Middlesex*, 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,

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 Vestrymen, and applied and disposed of for the Purposes of the said before recited Acts and of this Act.

Penalty for blowing Horns in any Part of the Parish.

XXXVI. And be it further enacted, That if any Person shall, within the Boundaries or Limits of the said Parish of *Saint Mary-le-bone*, blow any Horn or Trumpet, or use any other noisy Instrument, for the Purpose of hawking, selling, or distributing any Article whatsoever, or for any other Purpose of Trade or Profit, or for the Purpose of calling or collecting Passengers, Parcels, or Goods, it shall be lawful for any Constable, Beadle, or other Officer, and to and for any other Person or Persons whomsoever, without any other Warrant or Authority than this Act, to seize and apprehend every Person so offending, and convey such Offender before any Justice of the Peace, who shall examine upon Oath any Witness or Witnesses appearing to give Evidence touching such Offence; and if the Party accused shall be convicted of such Offence, then and in every such Case he, she, or they shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, and not less than Ten Shillings; and in case the Offender shall not, upon Conviction, forthwith pay the Penalty, such Justice is hereby required to commit such Offender to the House of Correction, there to be kept to hard Labour for any Time not exceeding Fourteen Days nor less than Twenty-four Hours, unless the Penalty shall be sooner paid.

Vestrymen to change Names of Streets, &c. by Consent of Head Ground Landlord.

XXXVII. And be it further enacted, That it shall and may be lawful to and for the said Vestrymen to alter and change, by and with the Consent of the Head Ground Landlord, the Name of any Street, Lane, Square, Court, Yard, Alley, Passage, or Place, within the said Parish, and to alter and change the Numbers on the Doors of the respective Houses and Tenements within the said Parish.

Bars to be placed near the Churches and Chapels on Sundays, &c.

XXXVIII. Provided always, and be it further enacted, That it shall and may be lawful to and for the Vestrymen of the said Parish of *Saint Mary-le-bone*, and they are hereby authorized and empowered, to place or cause to be placed Bars or Rails at the End or Corner of any Street or Place immediately leading to or adjoining the Parish Church, or any District Church or Chapel within the said Parish, as the said Vestrymen may think proper, in order to prevent Noise durnig the Time of Divine Service on *Sundays*, and on *Christmas Day*, *Good Friday*, and Fast Days by Proclamation, or on any other Day on which Divine Service shall by Authority be appointed to be celebrated; and the said Vestrymen and all Persons acting under the Direction of the said Vestrymen, are hereby indemnified from any Prosecution or Action whatsoever for so doing.

Partial Appeals not to quash the whole Rate.

XXXIX. Be it further enacted, That if any Person or Persons shall appeal, thinking himself, herself, or themselves aggrieved by any Rate or Rates, Assessment or Assessments, made or to be made by the said Vestrymen under this Act, or any of the Acts of Parliament for regulating the Affairs of the said Parish of *Saint Mary-le-bone*, that then the Justices of the Peace in and for the said County in general, or Quarter Sessions assembled, shall and may amend the said Rate or Rates, Assessment or Assessments, in such Manner as may be necessary for giving Relief, without quashing or altering such Rates or Assessments with respect to the other Persons mentioned in the same: Provided always, that in case the said Justices at such General or Quarter Sessions shall be of Opinion that it shall be necessary for the Purpose of giving Relief to the Person or Persons appealing, that any such Rate or Assessment should be wholly quashed, then and in every such Case it shall be lawful to and for the said Justices to quash the same.

Marks to be used for stamping Balances, Weights, and Measures.

XL. And be it further enacted by the Authority aforesaid, That from and after the passing of this Act, all and every the Balances, Weights, and Measures, to be marked or stampt in pursuance of the said Act of the Thirty-fifth Year of His late Majesty King *George* the Third, shall be marked or stampt with the Marks or Letters following, $\frac{B}{SM}$.

Power to regulate the Form and Position of Watering Places.

XLI. And whereas the Form and Construction of certain Places erected at or near the Doors of Public Houses and other Houses within the said Parish, for the Reception of Urine, or as Places for the Accommodation of Persons frequenting such Houses and requiring the easing of Nature by making Water, are often such as to occasion many indecent and improper Exposures; be it further enacted, That it shall and may be lawful for the said Vestrymen, and they are hereby authorized and empowered, to order and direct any Alteration they shall think fit to be made by the Owners or Occupiers of such Houses, in the Form and Situation of the Boxes, Screens, Shades, and other Conveniences, used or to be used as Depositaries of Urine, or as Places for Persons requiring the easing of Nature by making Water, now or any Time hereafter to be placed in the Front of any or either of the Public Houses within the said Parish, abutting upon any or either of the Streets and Places thereof; and it shall and may be lawful for the said Vestrymen to order and direct the Owners or Occupiers of any Public House, Alehouse, or other Place licensed for the Sale of Strong Water, as have no such Box, Shade, Screen, or Conveniences aforesaid, to erect, at the Expence of such Owner or Occupier, a Box, Shade, Screen, or Convenience for the Purposes aforesaid, according to a Plan to be laid down by the said Vestrymen, and in such Situation as they the said Vestrymen shall direct; and no such Convenience shall be hereafter constructed, erected, and made, without the Consent in Writing of the Surveyor of the said Vestrymen, for that Purpose first had and obtained; and the Vestrymen are hereby empowered to direct the Owners or Occupiers of any House at or near the Door of which any such Box, Shade, Screen, or other Convenience for the Purposes aforesaid may be placed, to alter or pull down, and rebuild such Box, Shade, Screen, or other Convenience, and place them where the said Vestrymen shall direct; and in case such Owner or Occupier shall not, within Twenty-one Days after having received Notice in Writing, signed by the Clerk of the said Vestrymen, and left at the

Dwelling House of the said Owner or Occupier, alter or pull down and rebuild such Box, Shade, Screen, or Convenience as aforesaid, or erect such Box, Shade, Screen, or other Convenience where there shall be none, agreeably to a Plan to be furnished by the said Vestrymen, the Owner or Occupier so offending shall for every such Offence forfeit and pay the Sum of Five Pounds, and the Sum of Five Shillings for each Day, so long as the Nuisance shall be continued, or such Convenience shall not be erected, to be recovered in like Manner as other Penalties under this Act may be recovered; and the Vestrymen are hereby authorized and empowered to cause such Alteration to be forthwith made, under the Direction of a Surveyor to be appointed by them for that Purpose.

Description of the Directors and Guardians of the Poor.

XLII. And be it enacted, That in all Cases where the Directors and Guardians of the Poor of the said Parish of *Saint Mary-le-bone* shall 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, take, or carry away, detain, spoil, injure, or destroy the several Articles and Things vested in them the said Directors and Guardians of the Poor of the said Parish, or any of them, or any Part or Parts thereof, it shall be and be deemed 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 "Directors and Guardians of the Poor of the Parish of *Saint Mary-le-bone*, in the County of *Middlesex*," without particularly stating or specifying the Name or Names of all or any of the said Directors and Guardians.

Qualification of future Vestrymen.

XLIII. And be it further enacted, That no Person shall hereafter be eligible to be chosen, elected, or appointed a Vestryman of the said Parish, except he shall, for One Year at the least previous to the Time of electing new Vestrymen, as specified in the before recited Acts, or either of them, have been a Housekeeper, rated in the Parish Books at a Rent of not less than Fifty Pounds *per Annum*; and in case any Person elected or to be elected a Vestryman shall cease to be a Housekeeper within the said Parish, then every such Person shall no longer be a Vestryman of the said Parish.

Vestrymen may sue and be sued in the Name of their Treasurer or Clerk, or in the Name of any one Vestryman.

XLIV. And be it further enacted, That the said Vestrymen may sue and be sued, for or concerning any thing to be done by virtue or in pursuance of this Act, in the Name of any one of the said Vestrymen, or of their Treasurer or Clerk for the Time being; and that no Action or Suit to be brought or commenced by the Direction of or against the said Vestrymen by virtue of this Act, in the Name of any one of them, or of their Treasurer or Clerk, shall abate or be discontinued by the Death or Removal of any such Vestrymen, Treasurer, or Clerk, nor by the Act of such Vestryman, Treasurer, or Clerk, nor without the Consent of the said Vestrymen, at a Meeting held in pursuance of this Act or the before recited Acts, but that One of the said Vestrymen, or the Treasurer or Clerk for the Time being to the said Vestrymen, shall be deemed to be Plaintiff or Defendant (as the Case may be) in every such Action or Suit: Provided always, that every

every such Vestryman, Treasurer, or Clerk, in whose Name any Action or Suit shall be commenced, prosecuted, or defended, in pursuance of this Act or the before recited Acts, shall be fully indemnified, reimbursed, and paid, out of the Monies to arise by virtue of this Act or the before recited Acts, all such Costs, Damages, and Expences, as by the Event or in consequence of any such Action or Proceedings he shall pay, bear, expend, or be put unto or become chargeable with, by reason of his being so made Plaintiff or Defendant as aforesaid.

For making the Parish of Saint Mary-le-bone a distinct Division for licensing Alehouses, &c.

XLV. And whereas by an Act made and passed in the Twenty-sixth Year of the Reign of His Majesty King *George* the Second, intituled *An Act for regulating the Manner of licensing Alehouses in that Part of* Great Britain *called* England, *and for the more easy convicting Persons selling Ale and other Liquors without Licence;* it is enacted, that no Licence shall be granted to any Person to keep a Common Inn or Alehouse, or to retail any Brandy or Strong Water, but at a General Meeting of the Justices of the Peace acting in the Division where the said Person dwells, to be holden for that Purpose on the First Day of *September* yearly, or within Twenty Days after; and that the Day and Place for granting such Licences shall be appointed by Two or more Justices for the Division under their Hands and Seals, at least Ten Days before such Meeting, directed to the High Constable or High Constables of the Division, requiring him or them to order his or their Petty Constables or other Peace Officers, to give Notice to the several Innkeepers and Alehouse-keepers within their respective Constablewicks, of the Day and Place of such Meeting: And whereas by another Act, made and passed in the Thirty-second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to amend so much of Two Acts made in the Twenty-sixth and Twenty-ninth Years of the Reign of His late Majesty King* George *the Second, as relates to the licensing of Alehouse-keepers and Victuallers, and for better regulating Alehouses, and the Manner of granting such Licences in future; and also of granting Licences to Persons selling Wines to be drank in their Houses;* it is enacted, that in the Counties of *Middlesex* and *Surrey* the Justices, at their General Licensing Meetings, shall appoint not less than Six nor more than Eight Special Days of Meeting yearly, at different equal Periods, as near as may be next ensuing such General Meeting, and shall cause due Notice to be given of the Times and Places of such Special Meetings; at which Meetings Two Justices of the Division may grant to the Executors, Administrators, or Assigns of such licensed Persons, or the Person coming into any House which hath become empty or unoccupied as aforesaid, a Licence to such new Tenant or Occupier (on his producing a Certificate, and entering into a Recognizance as aforesaid), or in their Discretion they may allow a Continuance of any Licence before granted in manner aforesaid, until the next General Licensing Day: And whereas the Population of the Parish of *Saint Mary-le-bone* is greatly increased, and now consists of upwards of Ninety-six thousand Inhabitants; and it would tend to the better preventing of Disorders in Alehouses, Inns, and Victualling Houses within the Parish of *Saint Mary-le-bone*, if the said Parish were created a separate District or Division within the Hundred and

26 G. 2. c. 31.

32 G. 3. c. 59.

County

County wherein it is situate, for the Purposes of the said last recited Acts or any of them; be it therefore enacted, That from and after the passing of this Act the said Parish of *Saint Mary-le-bone* shall be and be deemed to be, and the same is hereby made and constituted, for the Purposes of this Act and of the said recited Acts, or any of them, a separate and distinct District and Division, and shall form and constitute a new Division of the Hundred of *Ossulston*, within the said County; and shall be described by the Name or Stile of "The Division of the Parish of *Saint Mary-le-bone*, within the Hundred of *Ossulston*, in the County of *Middlesex*," for the Purposes of this Act and of the said recited Acts, or any of them.

Meetings for the Transfer of Alehouse Licences.

XLVI. And be it further enacted, That the Justices of the Peace for the County of *Middlesex* shall and may on all and every such of the Days as are now to come of the Days fixed and appointed by the said Justices at their last General Licensing Meeting for their Special Meetings, in pursuance of the said last-mentioned Act of the Thirty-second Year of the Reign of King *George* the Third, hold Special Meetings at the Court-house belonging to the Vestrymen of the said Parish of *Saint Mary-le-bone*, for granting Licences to the Executors, Administrators, or Assigns of licensed Persons, or the Person coming into any House which hath become empty or unoccupied, such new Tenant or Occupier producing a Certificate, and entering into a Recognizance as required by the said last-mentioned Act.

General Meetings and Transfer Meetings for the Transfer of Alehouse Licences.

XLVII. And be it further enacted, That it shall and may be lawful to and for the Justices of the Peace for the County of *Middlesex*, to hold General Meetings at the Court-house of the Vestrymen of the Parish of *Saint Mary-le-bone* within the same Parish, on the First Day of *September* yearly, or within Twenty Days after, for the granting of Licences to Persons to keep Common Inns or Alehouses, or to retail Brandy or Strong Water; and the Day for granting such Licences shall be appointed by Two or more Justices of the Peace for the said County, by Warrant under their Hands and Seals, at least Ten Days before such Meeting, directed to the High Constable of the Hundred, or to such other Constable as they the said Justices shall appoint, requiring him to order his Petty Constables or other Peace Officers to give Notice to the several Innkeepers and Alehouse-keepers within their respective Constablewicks, of the Day and Place of such Meeting; and all Licences for any Innkeeper or Alehouse-keeper within the said Parish of *Saint Mary-le-bone*, hereafter granted at any other Time or Place, shall be null and void to all Intents and Purposes whatsoever; and the said Justices, at such their General Licensing Meetings in and for the said new Division or District of the said Parish of *Saint Mary-le-bone*, shall appoint not less than Six, nor more than Eight Special Days of Meeting yearly, at different equal Periods, as near as may be next ensuing such General Meeting, and shall cause due Notice to be given in Manner aforesaid of such Special Meetings, at which Meetings any Two of the Justices acting for the said new Division shall and may grant to the Executors, Administrators, or Assigns of Persons theretofore licensed, or the Person coming into any House which hath become empty or unoccupied as aforesaid, a Licence for such new Tenant or Occupier, on his pro-

ducing such Certificate and entering into such Recognizances as aforesaid.

For enabling the Vestrymen of Saint Mary-le-bone to make certain Arrangements and Agreements with the Commissioners of the New Street. 53 G. 3. c. 121. 56 G. 3. c. 128.

XLVIII. And whereas an Act passed in the Fifty-third Year of the Reign of His late Majesty, intituled *An Act for making a more convenient Communication from* Mary-le-bone Park *and the Northern Parts of the Metropolis, in the Parish of* Saint Mary-le-bone, *to* Charing-cross, *within the Liberty of* Westminster, *and for making a more convenient Sewage for the same:* And whereas another Act passed in the Fifty-sixth Year of the Reign of His late Majesty, intituled *An Act to amend Two Acts made in the Fifty-third Year of the Reign of His present Majesty, for opening a more convenient Communication from* Mary-le-bone Park *to* Charing-cross, *and for paving the Streets to be made in* Mary-le-bone Park, *and to enable His Majesty to grant small Portions of Land as Sites for Public Buildings, or to be used as Cemeteries within the Bills of Mortality;* under the Powers and Authorities of which said Acts the Commissioners thereby appointed have made and set out several new Streets, Squares, Passages, and Places, on certain Lands and Grounds the Property of His Majesty, lying within the Parish of *Saint Mary-le-bone*, partly within *Mary-le-bone Park*, and partly out of the said Park: And whereas the Commissioners acting in Execution of the said recited Acts have expended, and are expending considerable Sums of Money, in paving certain of the said Streets, Passages, and Places, and in putting up certain Lamps, Posts, Lamp Irons, and Watch-boxes, and have also, under the Provisions of the said recited Acts, paid certain Sums to the said Parish, as and for the Deficiency of Church and Poor, Paving, Lighting, Watching and Cleansing Rates, occasioned by the Improvements carrying on under the said Acts, Part of which Sums of Money for Deficiencies the Vestrymen of the said Parish are liable to repay to the said Commissioners: And whereas the Vestrymen of the said Parish are desirous of paying for all such Pavements so laid down or agreed to be laid down by the said Commissioners, and for the Purchase of all such Lamps, Posts, Lamp Irons, and Watch-boxes, so put up by the Commissioners as aforesaid, and of settling and paying off the said Sums of Money so advanced and paid by the said Commissioners as aforesaid, and the said Commissioners are willing to treat and agree with the said Vestrymen concerning the same; be it therefore enacted, That it shall and may be lawful for the Vestrymen of the said Parish to treat and agree with the said Commissioners for carrying the said recited Acts into execution, and they are hereby authorized and empowered to treat and agree for the Repayment to the said Commissioners of such Sum and Sums of Money as shall be due to them from the Vestrymen of the said Parish, for the Expences incurred by the said Commissioners in making such Pavements, and for the Monies advanced to the said Parish for and on account of the Deficiencies of Rates occasioned by the Improvements aforesaid; and also to agree and settle what Sum or Sums of Money shall be paid by the Vestrymen of the said Parish, for the Purchase, by the said Vestrymen, of all such Lamps, Posts, Lamp Irons, and Watch-boxes, so put up by the said Commissioners as aforesaid; and such gross Sum of Money, or such Sums as shall be agreed upon between the said Commissioners and the said Vestrymen, shall and may be agreed for and taken as a full

Satisfaction of all Monies to be paid by the said Parish to the said Commissioners on the several Accounts aforesaid; and if the said Vestrymen of the said Parish shall, on or before the Expiration of Six Calendar Months from the passing of this Act, pay or cause to be paid to the said Commissioners acting in Execution of the said recited Acts, the Whole of such Sum or Sums of Money as shall be agreed upon between them, such Sum or Sums of Money so agreed upon shall be taken and received by the said Commissioners in full and complete Satisfaction of all Sums of Money to be paid by the said Parish for and on account of the Purchase of the Pavements and Stones laid down or agreed to be laid down as aforesaid, and for all Lamps, Posts, Lamp Irons, and Watch-boxes, set up by the said Commissioners as aforesaid, and for all Monies advanced on account of the Deficiency of the Church and Poor, Paving, Lighting, Watching and Cleansing, and all other Rates of the said Parish, occasioned as aforesaid; and from and after such Payment the Vestrymen of the said Parish shall be and are hereby freed and discharged from any further Payment to the said Commissioners on account thereof: And whereas certain Portions of the Lands and Grounds called *Mary-le-bone Park* lie within the Parish of *Saint Mary-le-bone*, and are, together with the rest of the said Park, and the Streets, Squares, and Places set out and made thereon, now paved, lighted, and watched under the Care and Superintendence of the said Commissioners, under the Provisions of the said recited Acts, and of another Act, passed in the Fifty-third Year of the Reign of His late Majesty, intituled *An Act for paving and otherwise improving certain Streets and other Public Passages and Places, which are or shall be made upon certain Pieces of Ground belonging to His Majesty, in the several Parishes of* Saint Mary-le-bone *and* Saint Pancras, *in the County of* Middlesex, *called* Mary-le-bone Park: And whereas so much of the said Lands and Grounds, and the Streets and other Passages and Places made thereon, as lie within the Parish of *Mary-le-bone*, and are situate to the South of the Carriageway of the Turnpike Road called *The New Road*, can be more conveniently paved, lighted, watched, and regulated under the Care and Superintendence of the Vestrymen of the said Parish; be it therefore further enacted, That from and after the Payment by the Vestrymen of the said Parish to the Commissioners for executing the herein-before recited Acts, of such Sum or Sums of Money as shall be agreed upon between them, under the Powers herein-before granted for that Purpose, the several Streets, Squares, Circusses, Terraces, Roads, Passages, Highways, and Places, now set out, or hereafter to be made and set out, in or on that Portion of the said Lands and Grounds called *Mary-le-bone Park*, which lies to the South of the Carriageway of the said Turnpike Road called *The New Road*, within the said Parish of *Saint Mary-le-bone*, shall be paved, cleansed, lighted, watched, watered, and regulated by and under the Care and Superintendence of the Vestrymen of the said Parish; and that all such Parts of the Pavements thereof, and such Lamps, Lamp Posts, Rails, Irons, Watch-boxes, and all other Materials and Things which have been put up or provided at the Expence of the said Commissioners as aforesaid, belonging and relating to the paving, cleansing, lighting, watching, and watering thereof, shall be and the same are hereby vested in the Vestrymen of the said Parish,

53 G. 3. c. 62.

who

who shall have full Power and Authority to pave, repair, cleanse, light, watch, water, and regulate the said Streets, Squares, Circusses, Terraces, Roads, Passages, Highways, and Places; and to rate and assess all the Houses, Shops, Warehouses, Coach-houses, Stables, Cellars, Vaults, Buildings, and Tenements, in the said Streets, Squares, Circusses, Terraces, Roads, Passages, Highways, and Places, to the full Extent of Power given to the said Vestrymen, under and by virtue of this Act and the other Acts of Parliament, passed for paving, cleansing, lighting, watching, watering, and regulating the said Parish, and to collect such Rates and Assessments by the same Powers and Authorities, and in the same Manner as are now vested in the said Vestrymen, or in the same Manner as any other Part of the said Parish is regulated, rated, assessed, and collected; and the said Commissioners under the said recited Acts are hereby freed, exonerated, and discharged from all future Care, Maintenance, and Repair of the Pavements in the said Streets, Squares, Highways, Passages, and Places, and from the cleansing, lighting, watching, and watering the same; and all the Clauses and Provisions in the said recited Acts, as to paving, cleansing, lighting, watching, watering, and assessing and levying Rates for that Purpose by the said Commissioners, shall be no longer in force or available to the said Commissioners, within that Portion of the said Lands and Grounds called *Mary-le-bone Park*, that lies on the South Side of the Carriageway of the said Turnpike Road called *The New Road*, within the said Parish: Provided always, that such Parts of the said Parish as are situated between *Oxford Street* and the South End of *Portland Place* shall from Time to Time be paved and lighted in the same Manner as the other Parts of the Streets under the Care and Superintendence of the said Commissioners.

Lamps to be set up, and Streets, &c. to be named, and Houses numbered.

XLIX. And be it further enacted, That it shall be lawful for the said Vestrymen and they are hereby empowered from Time to Time to cause such Lamp Irons or Lamp Posts to be put or fixed upon or against the Walls or Palisadoes of any of the Houses, Tenements, or Buildings and Inclosures, or in such other Manner within the said intended Streets, Squares, Circusses, Ways, Courts, and other public Passages and Places, as they shall think proper; and also to cause such Number of Lamps of such Sizes and Sorts to be provided and affixed and put upon such Lamp Irons and Lamp Posts as they shall think necessary for lighting; and also to cause such Number of Watch-houses or Watch-boxes to be provided and affixed as they shall think necessary, for watching all or any of the said Streets, Squares, Circusses, Ways, Courts, and other public Passages and Places; and also to cause the said Lamps and Watch-boxes, and also the several Houses within the said several Streets, Squares, Circusses, Ways, and Courts, and other public Passages and Places, to be numbered; and also to cause to be painted, engraved, or described in or upon Stone, Wood, or otherwise, and to be fixed in a conspicuous Part of One or more House or Houses, Building or Buildings, at or near each End, Corner, or Entrance of such Streets, Squares, Circusses, Ways and Courts, and other public Passages and Places, the Name by which each respective Street, Square, Circus, Lane, Way, Court, Yard, Mews, Passage, and Place, is to be properly called or known, in such Manner as they shall judge most

proper

proper for distinguishing the same: Provided nevertheless, that nothing herein contained shall extend or be construed to extend to authorize and empower the said Vestrymen to erect or cause to be erected or fixed any Lamp, Lamp Post, or Lamp Iron against the Walls of any Dwelling House, or to continue the same, without the Consent in Writing of the Owner and Owners, Occupier and Occupiers for the Time being of every such Dwelling House as aforesaid; and if any Person shall wilfully break, throw down, take away, spoil, or damage any Watch-house or Watch-box, Lamps, or any of the Irons, Posts, or other Furniture thereof, or wilfully extinguish the Light of any such Lamp, or deface or obliterate any such Name or Number, or any Part thereof, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, whereof one Moiety shall go to the Informer and the other Moiety to the Vestrymen acting under and by virtue of this Act, to be by them applied for the Purposes thereof; and such Offender shall also pay to the said Vestrymen, or to such Person as they shall appoint to receive the same, such Sum of Money as shall be a full Satisfaction for the Damages so done; and in case any Person shall carelessly, negligently, or accidentally break, throw down, or otherwise spoil or damage any of the said Lamps, or the Irons, Posts, or other Furniture thereof, and shall not, upon Demand, make Satisfaction for the Damage done thereto, it shall be lawful for any Justice of the Peace for the County of *Middlesex*, or the City of *Westminster*, upon Proof thereof made by the Oath of any credible Witnesses, or on the Confession of the Party, to award such Sum of Money by way of Satisfaction for such Damage, as such Justice shall think reasonable, not exceeding Forty Shillings for every such Lamp, Lamp Iron, or Lamp Post; or in default of Payment thereof upon Demand, to cause the same to be levied by Distress and Sale of the Goods and Chattels of the Person who shall have done such Damage, rendering the Overplus (if any) after deducting the Charges of prosecuting such Complaint, and of such Distress and Sale, to the Owner of such Goods and Chattels, upon Demand.

Vestrymen may water Streets.

L. And be it further enacted, That the said Vestrymen shall and they are hereby authorized and empowered to cause all or any of the Streets, Squares, Circusses, Ways, Courts, Passages, and public Places within that Portion of the said Lands and Grounds called *Mary-le-bone Park*, that lies on the South Side of the Carriageway of the said Road called *The New Road*, to be watered when they shall think proper, and for that Purpose to cause such Number of Wells and Pumps to be dug, sunk, and made in any of the said Streets, Squares, Circusses, Ways, Courts, Passages, and Places, as they shall think necessary; and from Time to Time to alter and repair the same as there shall be Occasion, and to defray the Expences thereof out of the Monies to be raised by virtue of this Act; provided that no such Well or Pump shall be sunk or made so as to injure any House or other Building in, or any Vault or Cellar under any of the said Streets, Squares, Circusses, Terraces, or other public Passages or Places.

Rates to be laid on Houses, &c.

LI. And for raising Money to enable the said Vestrymen to carry the several Purposes of this Act into Execution, be it further enacted, That One or more Rate or Rates, Assessment or Assessments, shall, for the

the Purpose of paving, cleansing, lighting, watering, and watching the said Streets, Squares, Circusses, Ways, Courts, and other public Passages and Places which shall be situate within that Portion of the said Lands and Grounds called *Mary-le-bone Park*, that lies on the South Side of the Carriageway of the said Turnpike Road called *The New Road*, within the said Parish, and for carrying the several Purposes of this Act in relation thereto into Execution, be laid, rated, and assessed by the said Vestrymen once in every Year, if they shall judge it needful, upon all and every Persons and Person who do or shall inhabit, hold, or occupy any Land, House, Shop, Warehouse, Coach-house, Stable, Cellar, Vault, Building, or Tenement in any of the said Streets, Squares, Circusses, Ways, Courts, and other public Passages and Places, in such Sum or Sums of Money as such Vestrymen shall order and direct, so nevertheless as that such Rate or Rates, Assessment or Assessments, do not exceed in the Whole in any one Year the several Sums of Money next herein-after mentioned; (that is to say), for paving, repairing, cleansing, watching, and lighting the said several Streets, Squares, Circusses, Ways, Courts, and other public Passages and Places, the Sum of Two Shillings in the Pound, according to the yearly Rent or Value of such Houses, Shops, Warehouses, Coach-houses, Stables, Cellars, Vaults, Buildings, and Tenements which are or shall be situate within that Portion of the said Lands and Grounds called *Mary-le-bone Park*, that lies on the South Side of the Carriageway of the said Turnpike Road called *The New Road*; and for watering such Streets, Squares, Circusses, Ways, Courts, Passages, and Places, the Sum of Sixpence in the Pound, according to the yearly Rent or Value of such Houses and Buildings as are or shall be erected and built in or about such Streets, Squares, Circusses, Ways, Courts, Passages, and Places which shall from Time to Time be watered in pursuance of the Directions of this Act; the making of which said several Rates or Assessments the Stables, Coach-houses, Erections and other Buildings which shall belong to or be respectively held and occupied with any of the Houses erected or to be erected or situate in any of the said Streets, Squares, Circusses, Ways, Courts, and other public Passages and Places, shall be respectively rated together and along with such Houses, and not as separate Buildings.

Streets to be paved under the Provisions of the Mary-le-bone Parish Acts.

LII. And be it further enacted, That the said Streets, Squares, Highways, Passages, and Places shall be paved, cleansed, lighted, watched, watered, and regulated by the Vestrymen of the said Parish, under the Powers, Authorities, and Provisions of this Act and the other Acts of Parliament passed for paving, cleansing, lighting, watching, watering, and regulating the said Parish; and all Clauses, Powers, Provisoes, and Authorities in those Acts contained, shall be in force and extend over that Portion of *Mary-le-bone Park* lying South of the Carriageway of the said Turnpike Road called *The New Road*, within the said Parish, as fully and effectually as if the same had been originally inserted and mentioned in this Act and the said other Acts for paving, cleansing, lighting, watching, watering, and regulating the said Parish, except so far only as the same are altered or varied by the Provisions of this Act; and it shall and may be lawful for the Vestrymen of the said Parish to direct and superintend the paving, cleansing, lighting, watching, and watering the

said Streets, Squares, Passages, Highways, and Places, and to raise and levy the aforesaid Rates for those Purposes on the Inhabitants thereof, and to make Orders and Regulations for preventing Annoyances, and for the better Government of that Part of the said Parish lying within *Mary-le-bone Park*, on the South Side of the Carriage-way of the Turnpike Road called *The New Road*, as fully, amply, and effectually, and in the same Manner as they may do in or for any other Part of the said Parish.

Restriction on the Rental repealed.

LIII. And be it further enacted, That so much of the said recited Act of the Fifty-sixth Year of the Reign of His late Majesty, as restricts the Rental of certain Houses within the said Parish to the Sum of Six thousand and eighty-four Pounds, and no more, for the Purposes of assessing the Rates thereon, shall be and the same is hereby repealed.

Power to borrow Money.

LIV. And for the Purpose of enabling the said Vestrymen of the said Parish to pay off and discharge, by the Time herein-before specified, such Sum or Sums of Money as shall be agreed to be paid by them to the said Commissioners for executing the said recited Acts; be it further enacted, That it shall and may be lawful for the said Vestrymen to borrow and take up at Interest such Sum or Sums of Money, not exceeding in the whole the Sum of Three thousand Pounds, as they shall judge necessary for the said last-mentioned Purposes of this Act, and for the further paving and improving such Parts not yet paved, upon the Credit of the Rates to be raised as herein-before directed, on the Houses and Buildings erected or to be erected on that Part of *Mary-le-bone Park* within the said Parish, South of the said Turnpike Road called *The New Road*; and that it shall and may be lawful for the said Vestrymen to borrow and take up at Interest a further Sum of Money not exceeding the Sum of Two thousand Pounds, as they may judge necessary for the before-mentioned Purposes of this Act, upon the Credit of the new Paving Rate of the said Parish, and by Writing under their Hands and Seals to assign any Part of such before-mentioned Rates to such Person or Persons as shall lend or advance any Money thereon, or to his, her, or their Trustee or Trustees, as a Security for the principal Money to be advanced, with lawful Interest for the same; and the Charges and Expences, and the Form of such Assignment, shall be paid and made in every respect the same as in this Act is directed as regards Monies to be borrowed on the Credit of the Poor's Rates of this Parish: Provided always, that a Sinking Fund shall be established by the Vestrymen of the said Parish, by the Operation of which not less than the Sum of Three hundred Pounds shall be annually set apart for the Payment and Redemption of the principal Money hereby authorized to be borrowed; and the said Bonds shall be and are hereby directed to be paid off by Ballot, in the same Form and after the same Manner, and subject to the same Regulations, as certain Bonds called Church and Paving Bonds, heretofore granted by the said Vestrymen, are now paid off and discharged by them the said Vestrymen of the Parish of *Saint Mary-le-bone*.

LV. And

For inclosing a waste Piece of Ground.

LV. And whereas there is a Piece of Waste Land not inclosed, lying at the North-east End of *Portland Road*, within the Eastern District of the said Parish of *Saint Mary-le-bone*, whereon for Years past Nuisances have been committed, to the great Annoyance of the Parishioners and the Public in general; and it is desirable to put an End to such Nuisances, and that the said Piece of Ground should be inclosed with an ornamental Iron or other Fence, and planted; be it therefore enacted, That it shall and may be lawful to and for the said Vestrymen, or any Seven or more of them, to treat and agree with the Owner or Owners, or other Person or Persons interested in the said Piece of Ground, for the Purchase thereof, or for the Liberty to inclose, fence off, and plant the same as aforesaid; and also to pay any Sum or Sums of Money for such Purchase, or for such Liberty to inclose, fence off, and plant the same as aforesaid: Provided always, that no Building or other Erection, except such Fence as aforesaid, shall at any Time be set up or made in or upon the said Piece of Ground, nor shall the same be used or occupied otherwise than as an ornamental Garden or Shrubbery.

Expences of obtaining this Act how to be paid.

LVI. And be it further enacted, That the Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act, shall be paid by the said Vestrymen out of Monies already raised by virtue of the said before-mentioned Acts or either of them, or out of the Monies which shall be collected or received by virtue of the said Acts and this Act, or any of them, in such Manner as the said Vestrymen shall direct.

Public Act.

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

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