ANNO QUADRAGESIMO TERTIO

GEORGII III. REGIS.

****

Cap. 139.

An Act to enlarge the Powers of and explain and amend an Act made in the Forty-first Year of the Reign of His present Majesty, intituled *An Act for forming, paving, cleansing, lighting, watching, watering, and otherwise improving and keeping in repair the Streets, Squares, and other public Passages and Places which are and shall be made upon certain Pieces or Plots of Ground in the Parish of* Saint Pancras *in the County of* Middlesex, *belonging to the Right Honourable* Ann *Dowager Baroness* Southampton; and for including therein certain other small Plots of Ground in the said Parish, therein described. [29th *July* 1803.]

WHEREAS an Act passed in the Forty-first Year of the Reign of His present Majesty, for forming, paving, cleansing, lighting, watching, watering, and otherwise improving and keeping in repair the Streets, Squares, and other public Passages and Places which were and should be made upon certain Pieces or Plots of Ground in the Parish of *Saint Pancras* in the County of *Middlesex*, belonging to the Right Honourable *Ann* Dowager Baroness *Southampton*: And whereas the 41G.3.c.131.

Commissioners for carrying the said Act into execution have made considerable Progress in the Execution of the Powers thereby vested in them, but find that the Purposes intended thereby cannot be effectually answered unless the said Act is altered, explained, and amended, and other Powers granted: And whereas there is adjoining the Ground situate on the East Side of *Tottenham Court Road*, within the Limits of the said Act, a Piece or Parcel of Ground, heretofore called the *Eighteen Acre Field*, now belonging to Sir *William Paxton* Knight, situate in the said Parish of *Saint Pancras*, on Part whereof several Houses have been erected, which are inhabited, fronting chiefly on *Tottenham Court Road* aforesaid, and the Residue thereof is designed to be built upon: And whereas there is adjoining to the said Ground of the said Sir *William Paxton* a Piece or Parcel of Ground in the said Parish of *Saint Pancras* belonging to the said Baroness *Southampton*, formerly Part of a Field called the *Six Acre Field*, but for some Years built upon, the Northernmost Part of the Street called *Upper Thornhaugh Street*, and Mewses, and also the South Side of the Street called *Pancras Street*, being formed or erected thereon, together with a Row of Houses and Buildings called the *Terrace*, on the East Side of *Tottenham Court Road*: And whereas there is adjoining to the said last-mentioned Ground of the said Baroness *Southampton* a small Piece of Ground in the said Parish of *Saint Pancras* belonging to the Most Noble *John* Duke of *Bedford*, on which Houses are erected, forming the Street called *Francis Street*, and a small Part of the North End of the Street called *Thornhaugh Street*, next to *Upper Thornhaugh Street*, and the Mewses at the Back thereof, and also forming the Southernmost Part of the said Street called *Upper Thornhaugh Street*, and Mewses; and on the said small Piece of Ground is also erected a Row of Houses and Buildings on the East Side of *Tottenham Court Road*, extending from the aforesaid Row of Houses and Buildings called the *Terrace* Southward to the Ground belonging to the Mayor, Commonalty, and Citizens of the City of *London*: And whereas the several Grounds before described of the said Sir *William Paxton*, Baroness *Southampton*, and Duke of *Bedford* are not comprised in any Paving Act, and it would contribute to the Benefit and Utility of the Inhabitants of the Houses built and to be built thereon if the Powers of the said recited Act were extended so as to comprise such Grounds: And whereas there is adjoining to the Ground on the North Side of the *New Road* and East Side of the *Hampstead Road*, within the Limits of the said Act, a small Piece of Ground in the said Parish of *Saint Pancras* belonging to *Mary Ann Tow*, on which several Houses and Buildings have been erected fronting on the said Roads, extending from the House called or known by the Sign of the *King's Head* Northward to the Ground of the said Baroness *Southampton*, including the said House called the *King's Head*: And whereas there is adjoining to the Ground on the West Side of the *Hampstead Road*, within the Limits of the said Act, several small Pieces of Ground belonging late to *Henry Gregory* deceased, and now to the Devisee named in his last Will and Testament, or to his Heir at Law, *Samuel Humberstone*, *John Cavill's* Devisee or Heir at Law, and *John Brown*, situate at the Half-way Houses in the said Parish, between the House called or known by the Sign of the *Southampton Arms* and *Slip Shoe Lane*, on which Ground Houses and Buildings have been erected fronting chiefly on the said *Hampstead Road*: And whereas the Pieces of Ground belonging to the said *Mary Ann Tow*, *Henry Gregory's* Devisee or Heir at Law, *Samuel Humberstone*, *John Cavill's* Devisee or

Description of Ground belonging to Sir William Paxton.

Description of other Ground belonging to Lady Southampton.

Description of other Ground belonging to the Duke of Bedford.

Noticing that the above Pieces of Ground were not comprised in any Paving Act, &c.

Description of a small Piece of Ground at Tottenham Court.

Noticing other Ground at the Half-way Houses.

Heir at Law, and *John Brown*, are not comprised in the said recited or any other Paving Act, but the same Pieces of Ground lie so immediately contiguous and adjoining to the Ground already comprised in the said recited Act that the Houses erected thereon receive an equal Benefit and Advantage with the Houses erected on the Ground adjoining which is comprised in the said Act; and it would be to the Advantage of all Persons concerned if the Pieces of Ground last mentioned were made subject to the Directions of the said Commissioners, under the Powers and Authorities of the said recited Act: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Twenty-fourth Day of *July* One thousand eight hundred and three all and every the Pieces or Parcels of Ground herein-before mentioned, belonging to the said Sir *William Paxton*, the said Baroness *Southampton*, the said Duke of *Bedford*, and the said *Mary Ann Tow*, *Henry Gregory's* Devisee or Heir at Law, *Samuel Humberstone*, *John Cavill's* Devisee or Heir at Law, and *John Brown*, shall, for the Purposes of paving, cleansing, lighting, watching, watering, and otherwise improving and keeping in repair the Streets, Squares, and other public Passages and Places already formed or hereafter to be formed thereon, be and the same are hereby put and placed under the Direction of the Commissioners authorized to carry the said recited Act and this present Act into execution; and every Power, Authority, Direction, Provision, Penalty, Forfeiture, Regulation, Clause, Matter, and Thing whatsoever contained in the said recited Act, or such and so many of them or such Part or Parts thereof as shall be then capable of taking effect, except such or so much thereof as is repealed, varied, altered, or rendered unnecessary by this Act, shall be construed, adjudged, deemed, and taken to apply and extend to all and every the same Pieces or Parcels of Ground respectively, as fully and effectually, to all Intents and Purposes, as if the same were herein repeated and especially enacted.

Pieces of Ground before noticed to be under the Powers and Directions of the former Act.

II. And whereas it would be of great Ease to the Commissioners authorized to carry the said recited Act and this Act into execution if an additional Number of Commissioners were appointed to act jointly with them; be it therefore further enacted, That from and after the said Twenty-fourth Day of *July* One thousand eight hundred and three the said Sir *William Paxton*, together with *Samuel Foyster*, *Edmund Pepys*, *Daniel Beale*, *William Riggs*, *John Field*, *William Gray*, *Edward Thomas*, *George Griffiths*, *James Messenger*, *William Taylor*, *James Christmas*, *Richard Coultart*, *William Dunbar*, *James Bocock*, *Samuel Baxter*, *John Mott*, *John Rhodes*, *Richard Shutt*, and *George Simpson Young*, shall be and they are hereby appointed Commissioners, and joined with the Commissioners appointed in or by virtue of the said recited Act, for putting the same Act and this Act into execution; and such Persons respectively hereby appointed shall be invested with the like Powers and Authorities in all respects whatsoever, and for the same Term, as the Commissioners appointed in and by the said recited Act, for Five Years, are invested with.

Additional Commissioners appointed.

III. Pro-

Commissioners to take the Oath required by recited Act.

III. Provided always, That no Person herein-before named and appointed a Commissioner shall be capable of acting as a Commissioner in the Execution of the said recited Act and this Act until he shall have taken and subscribed an Oath to the Effect of the Oath required by the said recited Act to be taken by the said Commissioners appointed to act for Five Years, with such Variation as a Reference to this present Act shall render necessary.

For continuing the Number of Commissioners after the Expiration of the said Five Years.

IV. And be it further enacted, That in lieu of the Persons by the said recited Act named and appointed Commissioners for putting the same Acts into execution during the said Term of Five Years, there shall be elected and appointed, after the Expiration of the said Term of Five Years, Forty-one Male Persons as Commissioners for putting the said recited Act and this Act into execution; and all and every the Powers, Authorities, Directions, and Regulations in the said recited Act expressed relating to the annual Election of Commissioners upon and after the Twenty-fourth Day of *June* One thousand eight hundred and six, and the Qualification of such Commissioners, and making Provision in the Case where there shall not be a sufficient Number of qualified Persons chosen at any such annual Election to act as Commissioners in the Execution of the said recited Act, and also relating to the Election and Appointment of Commissioners in the Room of any Commissioner becoming disqualified, or dying, or being disabled from acting as a Commissioner by virtue of that Act, either before or after the said Twenty-fourth Day of *June* One thousand eight hundred and six, and likewise relating to the Oath of Qualification in the said recited Act required to be taken by the Commissioners to be elected and appointed after the Expiration of the said Term of Five Years, shall be deemed, construed, adjudged, and taken to extend (with such Variation as this present Act may render necessary) to the Election of such Forty-one Male Persons to be Commissioners for carrying the said recited Act and this Act into execution, as fully and effectually, to all Intents and Purposes whatsoever, as if the same were herein repeated and especially enacted; any thing in the said recited Act contained to the contrary thereof in anywise notwithstanding.

For repealing the signing of Proceedings of Commissioners Meetings by the Chairman.

V. And be it further enacted, That so much of the said recited Act as empowers and directs that the Chairman, to be chosen at every Meeting of the said Commissioners, shall subscribe his or their Name or Names at the End of the Proceedings of the respective Meetings of the Commissioners to be held under the Powers of that Act, be and the same is hereby repealed.

Proceedings of Commissioners to be signed by the Chairman at the next Meeting.

VI. And be it further enacted, That all the Acts, Orders, and Proceedings of the Commissioners appointed for carrying the said recited Act and this Act into execution, from Time to Time, shall be entered by the Clerk to the said Commissioners in a Book or Books to be kept for that Purpose, and shall be confirmed at and signed by the Chairman at the next Meeting after the same shall have been made and passed; and all such Entries being so signed, shall be deemed Originals, and shall be allowed to be read in Evidence in all Courts whatsoever; any thing in the said recited Act contained to the contrary thereof in anywise notwithstanding.

VII. And

Houses to be numbered.

VII. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered, from Time to Time to cause every House, Shop, or Warehouse in each of the said Streets, Squares, and Places within the Limits of the said former and this Act to be numbered.

Old Materials, &c. may be sold by Commissioners, or made use of as they think fit.

VIII. And be it further enacted, That the said Commissioners may and they are hereby authorized and empowered to sell or dispose of, by public Sale or Auction, all Stones and Posts, and all or any of the Materials which shall belong to the old Pavement, as well of the Carriage as of the Footways, within the Limits of the said former Act and this Act, and to apply the Purchase Money arising by such Sale to the Purposes of the said recited Act and this Act; and if any Person or Persons to whom such Stones, Posts, or other Materials, or any Part or Parts thereof, shall be so sold, shall refuse or neglect to pay the Purchase Money for the same, within Five Days after Sale thereof to him, her, or them, it shall be lawful for the said Commissioners to bring or cause to be brought any Action or Actions, in the Name of their Clerk or Treasurer for the Time being, for the Recovery of the Money due for such Materials so sold; or, instead of Sale, it shall be lawful for the said Commissioners to order all or any of the said old Materials to be made use of for the paving and repairing any Street, Square, or Place within the Limits aforesaid, as they may think fit.

Paviors, Carters, &c. to be appointed.

IX. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to order, direct, and appoint such and so many Paviors, Artificers, Workmen, Labourers, Carters, and others, in the respective Works mentioned in the said recited Act and this Act, as they shall judge necessary for the due Execution of such Works; and no Person or Persons shall, for any Act done in consequence of his, her, or their being so employed by Order of such Commissioners, be subject or liable to any Action, Indictment, or Information upon the Statute made in the Fifth Year of the Reign of Queen *Elizabeth*, intituled *An Act containing divers Orders for Artificers, Labourers, Servants of Husbandry, and Apprentices;* and in case any Dispute shall arise with respect to the Wages of such Paviors, Artificers, or Labourers employed, all such Disputes may be settled by any One of His Majesty's Justices of the Peace for the County of *Middlesex*, and the same shall be final.

Penalty on placing Shewboards, &c.

X. And be it further enacted, That no Person or Persons shall put up any Post or Posts, Step or Steps, or make any Dunghole or Sawpit, or place out any Shewglass or Shewboard, or Goods exposed for Sale or otherwise, so as to be an Encroachment either on the Footways or Carriageways belonging or to belong to any of the said Streets, Squares, or other Places within the Limits of the said recited or this Act, or so as to be a Nuisance or Obstruction to Foot Passengers or Carriages, upon pain that every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds nor less than Twenty Shillings, over and above the Expences of taking down such Posts and Steps, and filling up such Dungholes or Sawpits, or removing or altering such Shewboards or Shewglasses, according to the Directions of the said Commissioners;

missioners; any thing in the said recited Act or this Act contained to the contrary thereof in anywise notwithstanding.

Penalty on Persons not removing Projections or Encroachments.

XI. And be it further enacted, That if any Person or Persons shall at any Time hereafter hang, place, erect, or build any Sign, Sign Iron, Sign Post or other Posts, Penthouse, Screen, Close Fence, Spout, Step, Shop Window, Cellar Window, or other Encroachment, Obstruction, Projection, or Annoyance whatsoever, in, upon, or near or attached to any of the Houses or other Buildings within any of the Streets, Squares, and other Places within the Limits of the said recited Act or this Act, or cause the same to be done, contrary to the true Intent and Meaning of the said former Act or this Act; or if any Person or Persons shall at any Time hereafter take down, remove, or alter any Pipe or Trunk to be affixed to the Sides of any House or Building, for the conveying the Water from the Roof, Cornices, and Penthouses, and from thence by Drains into the Common Drains or Sewers, or remove or alter any such Drain for conveying such Water from any such Pipe or Trunk into the said Common Drains, contrary to the Meaning of the said former Act and this Act; every Person shall, in every such Case so offending, forfeit and pay any Sum not exceeding Five Pounds nor less than Twenty Shillings, and the Sum of Five Pounds for every Week the same shall be continued after Notice in Writing given by the Commissioners to remove or reinstate the same (as the Case may be), over and above the Costs and Charges attending the Removal thereof, or reinstating the same (as the Case may happen to be); any thing in the said former Act or this Act contained to the contrary thereof in anywise notwithstanding.

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

XII. And be it further enacted, That if any Person or Persons whatsoever shall dig or cause to be dug any Earth, or leave or cause or permit to be left any Hole in any Square, Street, or Place before any House or Tenement now or hereafter to be built or in building, within the Limits of the said former Act and of this Act, for the Purpose of making Areas or Vaults, or any other Purposes whatsoever, and shall not inclose the same in a good and sufficient Manner, to be approved of by the Surveyor or Surveyors to the said Commissioners; or if any such Person or Persons, having inclosed the same, shall keep up such Inclosure longer than the said Commissioners shall think absolutely necessary; or if any such Person or Persons shall not well and sufficiently fence or rail before the Area or Areas fronting to any Street or Place; every Person or Persons guilty of any of the Offences aforesaid shall forfeit and pay the Sum of Five Pounds, and the like Sum of Five Pounds for every Week that such Nuisance shall be continued.

To prevent Nuisances by private Drains or Cesspools.

XIII. And be it further enacted, That when any private Drain, Vault, Sewer, or Cesspool shall fall in or become ruinous or choaked up, so as to affect or injure the Pavement of any of the said Streets, Squares, and Places within the Limits of the said former Act and this Act, then and so often the Owner or Owners, Proprietor or Proprietors of the several Messuages, Lands, and Tenements which shall or may have the Use of such Drains, Vaults, Cesspools, or Sewers, shall, within Five Days after Notice delivered or left for him, her, or them at the said several Messuages or Dwelling Houses of such Owner or Owners, Proprietor or Proprietors, from the said Commissioners or their Surveyor, with all convenient Speed effectually

fectually cleanse, repair, and amend every such Sewer, Vault, Drain, or Cesspool; or, in default thereof, it shall be lawful for the said Commissioners or their Surveyor to cause the same to be done, and the Charges thereof, and of repairing and reinstating the Pavements damaged thereby, shall stand charged on the said several Messuages, Lands, and Tenements, and be paid by the said respective Owners and Proprietors thereof, or their Undertenants on their Behalf, according to their respective Rights and Interests therein; and the Quota or Share each Party shall pay of such Charges shall be ascertained, proportioned, and assessed by the said Commissioners; and in case Default shall be made in Payment of any of the said Proportions of the said Charges, the same shall be recovered by Distress and Sale of the Goods and Chattels of the Occupier and Occupiers of any or either of the said Messuages, Lands, or Tenements which shall be charged with the Payment thereof, by Warrant under the Hands and Seals of the said Commissioners; and such Occupier or Occupiers, paying such Apportionment and Assessment, is and are hereby authorized and empowered to deduct the Monies so paid out of his or her Rent or Rents then due, or which shall thereafter accrue due for the same; or the said Commissioners may, at their Election, prosecute One or more Action or Actions, Suit or Suits at Law, against the said respective Proprietors or Owners of the said several Messuages, Lands, or Tenements, for their said respective Proportions of the said Charges, as they shall think proper.

Power to seize Offenders damaging Watch-houses, &c. or breaking Lamps, &c.

XIV. And be it further enacted, That in case any Person or Persons shall wilfully break, throw down, take away, spoil, or damage any Watch-house or Watchbox that may be erected for the Purposes of the said former Act or of this Act, within any of the Streets, Squares, or other Places within the Limits aforesaid, or any Lamp that is or may be set up, for the Purpose of lighting any of the said Streets, Squares, or Places, or the Iron, Post, or other Furniture of any such Lamp, or shall wilfully extinguish the Light or Lights within the same, or deface or obliterate the Name of any Street, Square, or Place within the Limits aforesaid, or the Number of or Name upon any House, Shop, or Warehouse within the same, contrary to the true Intent and Meaning of the said former Act or of this Act, then and in any of the said Cases, and as often as they or any of them shall happen, it shall and may be lawful to and for any Person or Persons whatsoever to seize and assist in seizing the Offender or Offenders, and they are hereby required so to do, by the Authority of this Act, and without any other Warrant to convey him, her, or them before some Justice of the Peace for the County of *Middlesex*; and such Justice is hereby authorized and required to hear Evidence and determine upon such Offences; and if the Party or Parties accused shall be convicted of any such Offence, he, she, or they shall forfeit and pay the Sum or Sums in the said former Act expressed to be paid by such Offender or Offenders, on Commission of the Offences respectively above mentioned; and in case any Person shall carelessly, negligently, or accidentally break, throw down, or otherwise spoil or damage any of the said Watch-houses or Watchboxes, or 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*, upon Proof thereof by the Oath of any credible Witness, or on the Confession of the Party, to award such Sum of Money by way of Satisfaction for

Accidental Damages to Watch-houses, Lamps, &c. to be made good.

for such Damage as such Justice shall think reasonable; and 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; any thing in the said former Act or this Act contained to the contrary thereof notwithstanding.

For preventing Annoyances on Carriage or Footways.

XV. And be it further enacted, That if any Person or Persons shall at any Time or Times hereafter drive or place or cause to be driven or placed in any of the Carriageways within the Limits aforesaid any Waggon or Cart, with or without Horses, and cause or permit or suffer the same Waggon or Cart to stand or remain in any of the said Streets, Squares, or Places within the Limits aforesaid for any longer Time than shall be necessary for the loading and unloading thereof; or shall cause, permit, or suffer any Stage Coach, Post Coach, Post Chaise, or other Carriage let to Hire (except Hackney Coaches authorized to stand in any of the said Streets, Squares, or Places by the Commissioners of Hackney Coaches,) to stand or remain in any of the said Streets, Squares, or Places within the Limits aforesaid for any longer Time than shall be necessary for the taking up and setting down Passengers, or for loading or unloading their Baggage or other Loading, (except for Repair in Cases of Accident,) or shall place, or cause, permit, or suffer any Horse to stand at the Door or House of any Person so as to obstruct or incommode the Passage of any of the said Footways, or shall lay or place or cause to be laid or placed any Timber, Bricks, Stones, Wood, Goods, or other Things, and suffer the same to remain in any of the said Streets, Squares, or other public Passages or Places for any longer Time than shall be necessary for removing or housing the same, or for the repairing of any House or Building, as the Case may happen to be, it shall and may be lawful to and for the Surveyor, Inspector, or any other Person or Persons appointed or to be appointed by the said Commissioners, to seize any such Waggon or Cart, Stage Coach, Post Coach, Post Chaise, or other Carriage let to Hire, (except as aforesaid,) together with the Horse or Horses, if any shall be thereunto belonging, and such Horse so standing at the Door of any Person to the Obstruction of the Passage of any of the said Footways, Timber, Bricks, Stone, Wood, Goods, or other Things as aforesaid, and cause the same to be removed to some convenient Place or Places to be appointed by the said Commissioners or their Surveyor, there to be kept and detained until the Owner or Owners thereof, or other Person or Persons interested therein as aforesaid, shall pay or cause to be paid the Penalty for that Purpose expressed in the said recited Act, together with the Charges of taking, removing, and keeping the same; and in case the same shall not be claimed, and the said Penalty and Charges paid, within the Space of Five Days next after any such Seizure and Removal thereof, then it shall and may be lawful for the said Commissioners, or Surveyor, Inspector, or other Person or Persons appointed or to be appointed by them as aforesaid, to order the same to be appraised and sold; and the Overplus (if any) of the Money arising by such Sale shall be returned to the Owner or Owners thereof, on Demand, after deducting the said Penalty, and the Costs, Charges, and Expences attending such seizing, removing, appraising, and selling the same.

XVI. And

XVI. And be it further enacted, That if any Person or Persons, other than the Person or Persons contracting with the said Commissioners for cleansing the Streets, Squares, and other Places under their Direction, or those employed under such Contractor or Contractors, shall, on any Pretence whatever, go about to collect or gather, or shall take or carry away, any Dirt, Dust, Cinders, or Ashes from any House or other Premises in any Street, Square, or other Place under the Management of the said Commissioners, (unless such Dirt, Dust, Cinders, or Ashes shall be carried away for the immediate Use and Consumption of the Proprietors of such House or Houses;) or if any Person shall begin to empty any Privy, or shall take away any Night Soil, or shall bring or place any Cart or other Carriage for receiving the same from any House, Place, or Building within the Limits of the said former Act and of this Act, except between the Hours of Twelve in the Night and Five in the Morning between *Michaelmas Day* and *Lady Day*, and the Hours of Twelve in the Night and Four in the Morning between *Lady Day* and *Michaelmas Day*; then and in either of the said Cases it shall be lawful for any Person or Persons whatsoever to seize and apprehend, and to assist in seizing and apprehending, the Offender or Offenders, and by the Authority of this Act, and without any other Warrant, to convey him, her, or them before some Justice of the Peace for the said County of *Middlesex*; and such Justice is hereby authorized and required to hear Evidence and determine upon such Offence; and every Person so offending shall for every such Offence forfeit and pay the Sum or Sums respectively in the said former Act expressed in that Behalf: Provided always, that in case the Person or Persons so offending cannot be apprehended, then the Owner or Owners of such Cart or Carriage in which such Dirt, Dust, Cinders, or Ashes or Night Soil shall be placed shall be liable to and shall forfeit and pay such Penalties or Penalty as aforesaid.

For preventing Ashes being taken away by any Person but Contractor for cleansing.

For preventing the taking away Night Soil except between the Hours expressed.

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

Penalty on carrying away Slop, &c. other than in coveredCarts.

Scaffolds, &c. to be taken down after the Purposes for which they were erected are answered.

XVIII. And be it further enacted, That if any Scaffold, or any Poles or other Materials used for Scaffolding, shall be erected or set up, for the Purposes of erecting or building or repairing any House or other Erection or Building, within the Limits of the said recited Act and this Act, and shall be continued longer than shall be necessary for finishing and completing the Building or Repairs or other Works for which the same shall be so erected or set up, it shall and may be lawful to and for the said Commissioners or their Surveyor to remove, take away, and dispose of the same in such and the same Manner as they or he are or is empowered to do in respect of any other Encroachments, Nuisances, or Annoyances, under or by virtue of the said recited Act.

If Surveyor shall be of opinion that Pavements complained of are not defective, Commissioners to view the same, whose Determination to be final.

XIX. And be it further enacted, That in case of any Notice being given by any Householder within the Limits of the said former Act or of this Act, to the Surveyor or Inspector for the Time being to the said Commissioners, complaining of any Defect or Want of Repair in the Pavement of any of the Streets, Squares, or Places within the Limits aforesaid, and such Surveyor or Inspector shall, on Enquiry and Examination of the Nature of the Complaint, be of opinion that the Pavement or Pavements mentioned to be defective and out of Repair in such Notice is not bad and defective, then and in such Case the said Commissioners, or any Three or more of them, shall proceed forthwith to view the said Pavement, and to make such Order thereupon as they shall think proper; and their Opinion and Order concerning the same, after such View, shall be final and conclusive; any thing in the said former Act or this Act contained to the contrary thereof notwithstanding.

Expence of taking up, relaying, or repairing Pavement taken up for Amendment or altering of any Pipes, to be paid by the Owners of Pipes.

XX. And be it further enacted and declared, That whenever the Pavement of any of the Streets, Squares, or Places within the Limits of the said former Act and of this Act shall be taken up for the Purpose of laying, altering, or repairing any Water Pipe or Plug, and the same Pavement shall be relaid and repaired according to the Directions for that Purpose expressed in the said former Act, the Charges and Expences of taking up, relaying, and repairing such Pavement shall be reimbursed and paid to the said Commissioners, or to such Person as they shall appoint to receive the same, by the Clerk or Treasurer for the Time being of the respective Water Companies to whom such Pipe or Pipes, Plug or Plugs, shall belong; or if the same shall not belong to any of the said Water Companies, then by the respective Owner or Owners thereof; and if such Clerk or Treasurer to any of the said Water Companies, or the respective Owner or Owners of such Pipe or Pipes, Plug or Plugs, liable to reimburse and pay such Charges and Expences, shall refuse or neglect to pay the same within Ten Days next after Demand thereof made in Writing, signed by the Clerk to the said Commissioners, and left at their respective Dwelling Houses or last Place of Abode, or at the Office of the respective Companies, together with an Account of such Charges and Expences, then and in every such Case the Money so expended shall and may be recovered by the said Commissioners of and from the Person or Persons so liable thereto, by Action or Actions of Debt or on the Case, or otherwise.

Commissioners may appoint Watch-

XXI. And, for the better Security of the Inhabitants within the Limits of the said recited Act and of this Act, be it further enacted, That the said

said Commissioners shall and may appoint and employ such a Number of Watch-house Keepers, Serjeants of the Night, and other Persons to guard and protect the Inhabitants within the Limits aforesaid, and allow such Salaries, and also give such other Rewards and Gratuities to the said several Persons so employed, as they shall think proper, and also shall and may offer and give, as well to the said Persons as to any others not specially employed by them, such Gratuities and Rewards for apprehending Felons or other Offenders within the Limits aforesaid, as to them shall seem proper, and shall and may defray the Expences of prosecuting any such Felons and Offenders, if they shall think proper; and the said Salaries, Rewards, and Gratuities, and the Costs of such Prosecutions, and all other Expences that may be incurred by the said Commissioners, for the Guard and Protection of the Inhabitants, shall and may be paid by the said Commissioners or their Treasurer for the Time being, out of the Money arising from the Rates directed to be laid by this Act.

house Keepers, and give Reward for the Security of Inhabitants.

XXII. And be it further enacted, That during the Time any Street, Square, or any public Passage or Place shall be new paving or repairing, under the Direction of the said Commissioners, they the said Commissioners shall have Power to order the necessary Materials to be lodged in that or any adjoining Street or Place, or Streets or Places, which they shall think fit, as also to stop the Way through any adjoining Street, Square, or other public Passage or Place so long as they shall judge necessary; and all Persons acting under their Directions as aforesaid are hereby indemnified from any Prosecution or Action whatsoever, except where such Materials shall be lodged upon or over or within Six Feet of any Fire Plug or Cock, and also except where any such Materials shall be deposited in or near the End of any narrow Street or Place in such Manner as to prevent the Admission of Fire Engines into such Street or Place.

Materials for paving and repairing may be lodged in the adjoining Street.

XXIII. And be it further enacted, That if any Person or Persons shall, at any Time or Times hereafter, obstruct, hinder, or molest any Surveyor or Surveyors, or other Person or Persons whomsoever, who are or shall be employed by the said Commissioners, in the Performance or Execution of their Duty, every Person or Persons so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; any thing in the said recited Act contained to the contrary thereof notwithstanding.

Penalty on obstructing Surveyors or other Officers employed under the Commissioners.

XXIV. And be it further enacted, That when and as often as it shall happen that any wooden or other Flap-door, Coal-place Covering, or Entrance belonging to any Vault, Cellar, or other Place lying under or near any Part of the Footway within the Limits of the said former Act and this Act, shall be broken or otherwise damaged or out of Repair, or shall be removed or insecure, it shall and may be lawful to and for the said Commissioners, or their Surveyor or Inspector for the Time being, to give Notice in Writing to the Owner or Proprietor of such Vault, Cellar, or other Place, to repair and amend or supply such Flap-door, Coal-place Covering, or Entrance, forthwith; and if within the Space of Three Days next after such Notice shall have been given the same shall not be repaired and amended or supplied, every such Owner or Proprietor shall forfeit the Sum of Twenty Shillings; and it shall and may be

For repairing Flaps and Doors to Cellars.

be lawful to and for the said Commissioners, or their Surveyor or Inspector, immediately after the Expiration of the said Three Days, to cause such Flap-door, Coal-place Covering, or Entrance to be repaired and amended or supplied; and all Costs and Expences attending such Reparation and Amendment, together with the said Penalty or Forfeiture of Twenty Shillings, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of such Owner or Proprietor who shall have so neglected to repair the same, by Warrant under the Hand and Seal of any Justice of the Peace for the said County of *Middlesex*, or for the County or Place where such Owner or Proprietor shall reside; which Warrant such Justice is hereby required and empowered to grant, upon Proof of such Neglect being made before him by the Oath of One or more credible Witness or Witnesses.

For repealing the Power of making a Rate for paving, repairing, cleansing, and lighting, and also for making a Rate for watching, and the Time when all the Rates on the Houses not paved are to take effect.

XXV. And whereas the Carriageways of those Parts of *Tottenham Court Road*, the *New Road*, and the *Hampstead Road*, within the Limits of the said recited Act and of this Act, are under the Care and Management of the Trustees appointed to put in execution an Act of Parliament made in the Forty-first Year of the Reign of His present Majesty, for repairing the Highways leading to *Highgate Gate House* and *Hampstead*: And whereas the Carriageway of such Parts of the Roads above mentioned are not nor can the same or any Part thereof be paved without the Authority of the said Trustees under the said last-mentioned Act: And whereas the greater Part of the Footway of the said Roads within the Limits of the said first herein-before recited Act, fronting or upon which the Houses and Buildings already erected and built thereon do abut, is paved, and there are also other Parts of the Streets, public Passages, and Places, within the Limits of the said first-recited Act, that are also paved in the Footways, but have no Pavement in the Carriageways thereof: And whereas there are other Parts of the Streets, public Passages and Places, within the Limits of the same Act, that are not yet paved either in the Foot or Carriage Ways thereof: And whereas by the said first-recited Act the said Commissioners are empowered, for the Purposes of that Act, to make One or more Rate or Rates, Assessment or Assessments, Once in every Year, for paving, repairing, cleansing, and lighting the several Streets, Squares, and other public Passages and Places within the Limits of the same Act, not exceeding the Sum of Two Shillings in the Pound; and also One or more Rate or Rates, Assessment or Assessments, Once in every Year, for watching the same Streets, Squares, and other Places, not exceeding the Sum of Sixpence in the Pound: And whereas the Monies which have been raised under and by virtue of the Rate or Assessment for watching made by the Commissioners appointed by or by virtue of the said first-recited Act have been found insufficient to answer the Expences and Establishment of the Watch, but the aggregate Amount of the Money to be raised by the several Rates or Assessments for repairing, cleansing, lighting, and watching would be found to be adequate to the several Objects of the Act in regard thereto, if such several Rates or Assessments were in future to be consolidated and included in One and the same Rate or Assessment, in the Manner herein-after expressed; and it is also desirable that a Variation should be made in the Mode of Assessment as herein-after mentioned; be it therefore further enacted, That so much of the said first-recited Act as empowers and directs the Commissioners appointed by or

by

by virtue thereof to make a Rate or Assessment for paving, repairing, cleansing, and lighting the said Streets, Squares, and other Places under their Management, and also a Rate or Assessment for watching the same Streets, Squares, and other Places; and also so much of the said first-recited Act as directs that the several Rates or Assessments to be made under and by virtue of the same Act, in respect of all such Houses or Buildings as should be erected or built within the Limits of that Act, from and after the passing thereof, which should not be tiled in and paved in front thereof as far as the Middle of the Street, Square, or Place on which they should respectively abut, on the Twenty-fourth Day of *June* One thousand eight hundred and one, should commence from the next Quarter Day after the same should be so tiled in, and the Pavement made in the Front thereof as aforesaid; shall be, and the same is hereby repealed.

The Commissioners to make a new Rate for repairing, cleansing, lighting, and watching.

XXVI. And be it further enacted, That from and after the Twenty-fourth Day of *July* One thousand eight hundred and three, One or more Rate or Rates, Assessment or Assessments, shall, for the Purpose of repairing, cleansing, lighting, and watching the said several Streets, Squares, and other public Passages and Places within the Limits of the said first-recited Act and this Act, be made, laid, and assessed by the said Commissioners appointed for carrying the same Acts into execution, once in every Year or oftener, if they shall judge it needful, (forming One Aggregate Account,) upon all and every Person and Persons who shall inhabit, hold, use, occupy, possess, or enjoy any House, Shop, Warehouse, Coach-house, Stable, Cellar, Vault, Building, or Tenement in any of the said Streets, Squares, and other public Passages and Places, in such Sum or Sums of Money as the said Commissioners shall order or direct, so as such Rate or Rates, Assessment or Assessments, do not exceed in the whole in any One Year the Sum of Two Shillings and Sixpence 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 the Limits of the said first-recited Act and of this Act; in the making of which said Rate or Rates, Assessment or Assessments, the Stable, Coach-house, Erections, and other Buildings which shall belong to or be respectively held and occupied with any of the Houses erected or situate in any of the said Streets, Squares, and other Places, shall be respectively rated together with such Houses, and not as separate Buildings.

Where Footways only paved, the Rate not to exceed Two Thirds.

XXVII. Provided always, That where any of the said Streets, Squares, and other public Passages and Places shall be repaired, cleansed, lighted, and watched, and also paved as far as the Footway or Footways thereof respectively only, the Rate or Rates, Assessment or Assessments, to be made by the said Commissioners in manner above mentioned, for or in respect of such Houses or other Buildings where the Footway only of the Street, Square, or Place on which they shall respectively abut shall be paved shall not exceed Two Thirds of the said Rate or Rates, Assessment or Assessments, to be made for repairing, cleansing, lighting, and watching any of the said Streets, Squares, and other public Passages and Places aforesaid; and also that where any of the said Streets, Squares, and other public Passages and Places shall be repaired, cleansed, lighted, and watched only, and not paved, under or by virtue of the said first-recited Act

Where no Pavement in the Foot or Carriage Ways to be charged only with One Half.

or of this Act, the Rate or Rates, Assessment or Assessments to be made by the said Commissioners in manner above mentioned, for or in respect of such Houses or other Buildings where the Street, Square, or Place on which they shall respectively abut shall be repaired, cleansed, lighted, and watched only, and not paved, shall not exceed One Half of the said Rate or Rates, Assessment or Assessments, to be made for repairing, cleansing, lighting, and watching any of the said Streets, Squares, and other public Passages and Places aforesaid; any thing in the said first-recited Act or herein contained to the contrary notwithstanding.

Commencement of the Rates.

XXVIII. And be it further enacted, That the First Rate or Assessment to be made under or by virtue of this Act shall commence from the Twenty-ninth Day of *September* One thousand eight hundred and three.

But not to excuse Arrears of Rates.

XXIX. Provided always, and be it further enacted, That nothing in this Act contained shall prevent the collecting or Recovery of any Arrears of any Rate or Assessment due from any Person or Persons under or by virtue of the said first-recited Act.

Unfinished Houses, &c. to pay Rates.

XXX. And whereas there are several Houses and other Buildings within the Limits aforesaid which are unfinished, or not let, and it is reasonable that the same should be rated and assessed for the Purposes aforesaid, until such Time as the same are occupied; be it further enacted and declared, That until such Time as any Houses or other Buildings shall be finished and tenanted it shall be lawful for the said Commissioners, and they are hereby required and directed, when and as soon as conveniently may be, to rate and assess all such Houses and other Buildings which are or shall be erected, covered in, and unoccupied at One Half of the Rate or Assessment, Rates or Assessments respectively, to be made under or by virtue of the said first-recited Act or this Act, and no more, until the same shall be let or occupied; which Rates or Assessments shall be paid by and recoverable from the Proprietor or Proprietors, Lessee or Lessees, Owner or Owners of such House or Houses, Building or Buildings respectively, and shall be charged and chargeable on the said Premises; and if the said Owner or Owners, Proprietor or Proprietors, Lessee or Lessees, shall refuse or neglect to pay the same, upon Demand, then and in every such Case all such Rates or Assessments, and all Arrears due thereon, shall and may be levied on the Goods and Chattels of the Person or Persons so required to pay the same, in manner in the said former Act directed; and in case the Owner or Owners, Proprietor or Proprietors, Lessee or Lessees of such House or Houses, Building or Buildings, shall not be known or cannot be found, then the said Rates or Assessments made thereon shall be and remain charged and chargeable on the said Premises until the Owner or Owners, Proprietor or Proprietors, Lessee or Lessees can be found, when the same, and all Arrears due thereon, shall be levied on the Goods and Chattels of such Owner and Owners, Proprietor and Proprietors, Lessee and Lessees, who is and are hereby made liable to pay the same, or upon the said Premises, in like Manner as other Rates made by virtue of the said first-recited Act and this Act are made recoverable.

Houses let out in Tenements how to be rated.

XXXI. And whereas there are many Houses and Buildings within the Limits of the said first-recited Act and this Act which are by the several

Lessors, Owners, or Proprietors thereof let out in Parcels or separate Apartments to divers Tenants; be it further enacted, That the Lessor, Landlord, Owner, or Proprietor of all such Houses and Buildings so let out in Parcels or separate Apartments shall be deemed and taken as the Occupier or Occupiers thereof, and shall be liable and subject to the Payment of the Rates or Assessments directed by the said first-recited Act or this Act to be made, raised, and levied, to be recovered in such Manner as directed by the said first-recited Act and this Act; and for the more easy Recovery of such Rates or Assessments, each and every Person so renting or occupying any such Parcel or separate Apartment as aforesaid shall be liable and compellable to the Payment of the said Rates or Assessments, and all Arrears due thereon, to be recovered in manner aforesaid; and that every such respective Occupier or Occupiers who shall pay any such Rate or Assessment respectively, or from whom the same shall be recovered, in pursuance of the said first-recited Act and this Act, shall and may deduct the same from and out of the next Rent due and payable from him, her, or them to such respective Lessor, Landlord, or Proprietor; and the Receipt for such Payment shall be a sufficient Discharge for such Tenant or Tenants, Occupier or Occupiers, to his, her, or their respective Landlord, for so much Money as he, she, or they shall pay, or that shall be levied upon his, her, or their Goods or Chattels, by virtue of the same Acts.

Rates may be recovered before Quarter Day.

XXXII. And be it further enacted, That in order to avoid the Loss that frequently happens by Tenants or Occupiers of Houses or Tenements quitting or removing from such Houses or Tenements before the Quarter Day on which the Rates and Assessments, charged by virtue of the said first-recited Act or this Act, on the said Houses or Tenements, become due and payable, it shall and may be lawful to and for the Collector or Collectors to the said Commissioners to demand and receive, Thirty Days before every such Quarter Day, or at any subsequent Time, the respective Rates and Assessments which would be due and payable on such Quarter Day; and in case of Nonpayment thereof to enforce the Payment of such Rates and Assessments in the same Manner and with the same Powers as he or they could or might, by virtue of the said first-recited Act or this Act, in case of Nonpayment of the said Rates and Assessments upon the Quarter Day on which the same became due and payable.

Goods and Chattels of Defaulters may be followed.

XXXIII. And be it further enacted, That the Goods and Chattels of any Person or Persons liable to pay any of the said Rates or Assessments, to be made by virtue of the said first-recited Act or this Act, neglecting or refusing to pay the Sum or Sums of Money by him, her, or them respectively made payable as aforesaid, shall and may be followed, levied, distrained, and sold in manner in the said first-recited Act and this Act mentioned, not only within the Limits of the same Acts, but elsewhere in the said County of *Middlesex*; and if sufficient Distress cannot be found in the same County, then, upon Oath thereof made before One or more Justice or Justices of the Peace of any other County, City, Liberty, or Place, (which Oath shall be certified under the Hand of the said Justice or Justices on the Warrant made for such Distress, and which Oath the said Justice or Justices is and are hereby empowered and required to administer,) the Goods and Chattels of the said Person or Persons so refusing

refusing or neglecting to pay shall be subject and liable to such Distress and Sale, in such other County, City, Liberty, or Place where the same shall be found, and may by virtue of such Warrant and Certificate be distrained and sold in the same Manner as if the same had been found within the Limits of the said first-recited Act and this Act.

Deficiency of the Rates to be made up in the next ensuing Year.

XXXIV. And be it further enacted, That in case the Money arising by the Rate or Rates to be made under or by virtue of the said first-recited Act or this Act, in any Year, shall appear to be insufficient for the several Purposes for which such Rate or Rates was or were so made, the said Commissioners may and they are hereby required and empowered to cause such additional Sum to be raised by the Rate or Rates to be made in the succeeding Year as shall be necessary to make up such Deficiency.

Power to Commissioners to remit a Part of Rates.

XXXV. And whereas it may be reasonable to excuse some Persons from the Payment of the said Rates or Assessments on account of their Poverty, be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, to grant to such Person or Persons such Relief, in the Payment of any Rate or Assessment, as they the said Commissioners shall think proper, so as such Reduction do not exceed One Half of the Assessment payable by such Person or Persons.

Justices in case of Appeal against Rate may correct but not quash the whole Rate.

XXXVI. And be it further enacted, That in Cases of Appeal to the Justices of the Peace at the Quarter Sessions to be holden for the County of *Middlesex*, from the Determination of the said Commissioners relating to any Rate or Assessment made or assessed under or by virtue of the said first-recited Act or this Act, the said Justices, upon hearing any such Appeal, (where they shall see just Cause of Relief,) shall and are hereby empowered to correct, alter, and amend the said Rates and Assessments in such Manner only as shall be necessary for giving Relief to the Person or Persons so appealing, without altering such Rates and Assessments with respect to any other Person or Persons mentioned in the same; any Law, Statute, or Usage to the contrary thereof notwithstanding.

Commissioners may rectify Omissions in the Rates.

XXXVII. And be it further enacted, That if it shall appear to the said Commissioners, at any Time after the making of any Rate or Assessment to be made by them under the Authority of the said first-recited Act and this Act, that the Name of any Person liable to be included in such Rate or Assessment hath been omitted therein, it shall be lawful for the said Commissioners to add or cause to be added to such Rate or Assessment the Name of the Person so omitted, together with the Sum for which he ought to be so rated, and the Amount of such Rate or Assessment in respect thereof; and every such Addition made to any of the said Rates shall be as valid and effectual in Law, to all Intents and Purposes, as if the same had been inserted in the Rate at the Time the same was first made out.

If Commissioners judge any new built Street or Place proper to be levelled and paved, they are to

XXXVIII. And whereas there are and may be several new Streets, Squares, and Places which are not paved, Part of which are built and in building, and small Pieces or Parcels of Ground within the Limits of the said first-recited Act and this Act, unbuilt upon, which are neither paved, cleansed, or lighted, nor the Foot or Carriage Way thereof levelled and filled in, and it would be a Means of forwarding the good Purposes of the said first-

first-recited Act and this Act, if the Builders and others who by Law are liable to level, fill in, and pave the same were to pay such Sums of Money for that Purpose as are herein-after directed; be it therefore enacted, That it shall and may be lawful to and for the said Commissioners to view and inspect all Streets, Squares, or other public Passages or Places within the Limits of the said first-recited Act and this Act, which now are or hereafter may be built upon or in building, and if upon such View they shall be of opinion that the Foot and Carriage Ways of the same, or any Part or Parts thereof, are fit and proper to be levelled or filled in and paved, the said Commissioners, at any Meeting to be held in pursuance of the said first-recited Act and this Act, after such View, shall and may order their Surveyor or Surveyors, or other Person or Persons by them appointed for that Purpose, to give Notice to the Lessee or Lessees of all and every such Lands, Grounds, Houses, Shops, Warehouses, Coach-houses, Stables, Cellars, Vaults, Tenements, or Hereditaments situated within the Limits aforesaid, or leave the same at his, her, or their last or usual Place of Abode, or with his, her, or their known Servant or Servants, or if no such Lessee or Lessees can be found, then such Notice shall be stuck against the Premises or any Part thereof; which Notice shall require such Lessee or Lessees to meet the said Commissioners at the Time and Place to be therein mentioned (not being less than Ten Days from the Date of such Notice) to compound for levelling and filling in such Foot and Carriage Ways, and paving thereof, at any Sum not exceeding Six-pence for every cubical Yard of such Ground so to be levelled and filled in, nor Three Shillings for every square Yard of such Pavement, whether Carriageway or Footway, nor Eight-pence *per* Foot running Measure for the Kirb or Boundary Stone, which Composition the said Commissioners are hereby authorized to make; and if such Lessee or Lessees shall not attend, or shall not compound and agree with the said Commissioners as aforesaid, then it shall and may be lawful to and for the said Commissioners to order the said Foot and Carriage Ways to be levelled and filled in, and to be paved, as soon as conveniently may be; and all the Charges and Expences attending such levelling, filling in, and paving shall be paid by the respective Lessee or Lessees, and shall be recovered and levied by Distress and Sale of their Goods and Chattels in the same Manner as the Rates and Assessments to be laid by virtue of the said first-recited Act or this Act are therein and herein directed to be levied and recovered.

Lessees required to meet and compound for levelling and paving.

On Neglect, the whole Expence of levelling and paving to be paid by Proprietors.

XXXIX. Provided always, and it is hereby declared, That nothing in the said first-recited Act or this Act contained shall extend or be construed to extend to empower the said Commissioners for putting the said first-recited Act or this Act in execution, or any of them, to charge or make chargeable any Lessee of such vacant Ground with more than One hundred and fifty square Yards of paving, on account of any such vacant Ground in One Street, Square, or Place, until the same shall be built upon or shall be in building.

Lessees of vacant Ground not to be charged for more than 150 square Yards until built upon or in building.

XL. Provided always, and be it further enacted and declared, That nothing in the said first-recited Act or this Act contained shall be deemed or taken to make void any Contract, Covenant, or Agreement between Landlord and Tenant touching or concerning the paving, repairing, cleansing, lighting, watering, and watching any or any Part of the said Streets, Squares, or other public Passages or Places within the Limits of the

No Contract between Landlord and Tenant to be void by said former or this Act.

the same Acts, but that every Person who is now by virtue of any such Contract or Agreement obliged to pave, keep in repair, and cleanse any or any Part of the said Streets, Squares, or other public Passages or Places, shall in lieu thereof be obliged to pay the Rates hereby directed to be made and assessed.

Commissioners empowered to compouud with the Trustees of the Roads for paving the Carriageways of such Roads as shall be necessary.

XLI. And be it further enacted, That it shall be lawful for the said Commissioners to compound and agree with the Trustees, or other Persons duly authorized, for the repairing and Maintenance of the said Roads called *Tottenham Court Road*, the *New Road*, and the *Hampstead Road* respectively, for paving the Carriageway of those Parts of the said Roads which are within the Limits of the said first-recited Act and this Act, or such Part or Parts thereof as shall from Time to Time be deemed necessary, as they the said Commissioners shall think expedient; and the Monies to be paid, laid out, or expended by the said Commissioners for that Purpose shall be defrayed out of the Monies to be raised under or by virtue of the said first-recited Act and this Act.

Optional Power for Upper Gower Street, and the North End of Gower Street, to be included in the Bill.

XLII. And whereas there is adjoining to *Upper Thornhaugh Street* aforesaid a Piece or Parcel of Ground in the said Parish of *Saint Pancras* belonging to the said Baroness *Southampton*, being the Residue of the said Field called the *Six Acre Field* on which the Northernmost Part of a Street called *Upper Gower Street* and the Mewses at the Back thereof has been erected: And whereas there is adjoining to the same Piece or Parcel of Ground a small Piece of Ground in the said Parish of *Saint Pancras* belonging to the said Duke of *Bedford* on which Houses are erected forming the Southernmost Part of the said Street called *Upper Gower Street*, and a small Part of the North End of the Street called *Gower Street*, and the Mewses at the Back thereof; be it therefore enacted, That if at any Time hereafter Two Thirds or more in Number of the Inhabitants or Occupiers for the Time being of the Houses, Lands, Tenements, and Hereditaments in *Upper Gower Street* aforesaid, and at the North End of *Gower Street* aforesaid, shall be desirous to have the said Street called *Upper Gower Street*, and the said Part of *Gower Street*, and the Mewses at the Back thereof, placed under the Care and Direction of the Commissioners authorized to carry the said recited Act and this Act into execution, and shall by Writing under their Hands signify such their Desire to the said Commissioners, and the said Commissioners present at any Meeting to be held for that Purpose (of which Meeting Fourteen Days Notice shall be given) shall approve thereof, that then the said Pieces of Ground forming *Upper Gower Street*, and the North End of *Gower Street*, and the Mewses at the Back thereof, shall from thenceforth be placed under the Care and Direction of the said Commissioners; and every Power, Authority, Direction, Provision, Penalty, Forfeiture, Regulation, Clause, Matter, and Thing whatsoever contained in the said recited Act and this Act, or such and so many of them, or such Part or Parts thereof as shall be then capable of taking effect, shall be construed, adjudged, deemed, and taken to apply and extend to the said Street called *Upper Gower Street*, and the said Part of *Gower Street*, and the said Mewses at the Back thereof, as fully and effectually to all Intents and Purposes as if the said Premises had been included in this Act.

XLIII. And

Manner of recovering Penalties.

XLIII. And be it further enacted, That all Penalties, Forfeitures, and Fines by the said first-recited Act or this Act inflicted or authorized to be imposed, the Manner of levying and recovering whereof is not hereby or by that Act otherwise particularly directed, shall be levied and recovered by Distress and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the County or Place wherein the Offender or Offenders shall be or reside, which Warrant such Justice or Justices is and are hereby empowered to grant upon the Confession of the Party, or upon the Information of any credible Witness upon Oath (and the Informer is hereby rendered a competent Witness); and such Penalties, Forfeitures, and Fines, when recovered, after rendering the Overplus (if any), upon Demand, to the Party or Parties whose Goods and Chattels shall be so distrained and sold, (the Expences of making such Distress, and the keeping and selling thereof, being first deducted,) shall (if not directed to be otherwise applied by the said Act or this Act) be paid to the Treasurer for the Time being to the said Commissioners, and applied towards the Purposes of the said Act and this Act; but nevertheless it shall and may be lawful to and for the said Commissioners, at any Meeting to be held in pursuance of the said Act or 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 Case where Distress is directed to be taken by the said Act or this Act, and sufficient Distress shall not be found, and such Penalties, Forfeitures, and Fines shall not be forthwith paid, it shall and may be lawful for such Justice or Justices of the Peace, and he and they is and are hereby authorized and required, by Warrant or Warrants under his or their Hand and Seal or Hands and Seals, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction of the County or Place where such Offender or Offenders shall be convicted, there to remain without Bail or Mainprize, for any Time not exceeding Six Calendar Months, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges attending the same, shall be sooner paid and satisfied.

Form of Conviction.

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

‘ } BE it remembered, That on the Day of
‘ to wit. } in the Year of the Reign of His Majesty
‘ King *A. B.* is convicted before
‘ of His Majesty's Justices of the Peace for the
‘ of by virtue of an Act of Parliament made in the
‘ Year of the Reign of His Majesty King *George* the Third,
‘ intituled *An Act* [*here set forth the Title of this Act, and specify the*
‘ *Offence, and the Time and Place when and where the same was committed*].
‘ Given under our Hands and Seals [*or* my Hand and Seal], the Day and
‘ Year aforesaid.’

XLV. And

Clauses of former Act extended to this Act.

XLV. And be it further enacted, That all the Clauses and Powers in the said first-recited Act contained (except such as are hereby varied, altered, or repealed,) shall extend and be construed to extend to this Act, as fully and effectually as if the same were repeated and re-enacted in this present Act.

How the Expences of this Act shall be paid.

XLVI. And be it further enacted, That the Costs, Charges, and Expences preparatory to and attending the applying for and obtaining and passing this Act shall be borne, paid, and defrayed out of any Money which hath arisen by virtue of the said first-recited Act, or out of the first Money which shall arise by virtue thereof and of this Act, in preference to all other Payments whatsoever.

Public Act.

XLVII. And be it further enacted, That this Act shall be deemed to be a Public Act, and all Judges, Justices, and other Persons are hereby required to take notice thereof as such without specially pleading the same.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1831.