ANNO QUINQUAGESIMO

GEORGII III. REGIS.

Cap. 170.

An Act for paving and otherwise improving certain Streets, and other public Passages and Places which are or shall be made upon a certain Piece of Ground belonging to *Thomas Harrison* Esquire, situate in the Parish of *Saint Pancras*, in the County of *Middlesex*. [9th *June* 1810.]

WHEREAS *Thomas Harrison*, of *Kentish Town*, in the County of *Middlesex*, Esquire, is Owner of a certain Piece of Ground, situate on the West Side of *Gray's-Inn Lane Road*, in the Parish of *Saint Pancras*, in the said County of *Middlesex*, containing in the whole about Thirteen Acres, and lying and being on the West Side of *Gray's-Inn Lane Road*, and abutting, on the West, on Lands belonging to the Governors and Guardians of the Hospital for the Maintenance and Education of exposed and deserted young Children, commonly called The Foundling Hospital, and Lands belonging to the Worshipful Company of Skinners, of the City of *London*, on the East, on *Gray's-Inn Lane Road* aforesaid; on the North, on Lands belonging to *Joseph Lucas*; and, on the South, by a Carriage Road leading from *Gray's-Inn Lane Road* aforesaid to the Burial Ground of or belonging to the Parishes of *Saint George the Martyr* and *Saint George Bloomsbury*: And whereas the said *Thomas*

Harrison hath entered into Agreements with divers Persons for forming Streets, Squares, and other public Passages, and for erecting Houses and other Buildings upon Part of the said Piece of Ground, and in consequence thereof a Square and several Streets and public Passages have been set out and formed, and several Houses and other Buildings have been erected thereon, and it is the Intention of the said *Thomas Harrison* to let the remaining Part of the said Piece of Ground for the like Purposes: And whereas it would contribute to the Benefit and Safety of all Persons who are or shall become Inhabitants of the several Squares, Houses, and other Buildings so erected, and to be erected upon the said Piece of Ground, and to all Persons who shall have occasion to pass along the said Squares, Streets, and other public Passages, if Provisions were made for forming, paving, repairing, and keeping in repair such Squares, Streets, and other public Passages and Places, and also for cleansing, lighting, watching, and watering the same, and for removing and preventing Nuisances, Annoyances, and Encroachments thereon: And whereas it would also contribute to the Benefit and Advantage of the Owners and Occupiers of the Houses erected or to be erected in the said Squares, if the Centers or Areas of the same were inclosed and railed in with Iron Rails, and if such Inclosure or inclosed Part was planted and laid out, and properly ornamented and embellished, and if Provisions were made for raising Money to defray the Expences of forming, inclosing, making, planting, ornamenting and embellishing such Inclosures, and of continuing and keeping the same in repair: But although the several Purposes aforesaid, if carried into Execution, would evidently be to the Advantage of all Persons concerned, the same cannot be effected without the Authority of Parliament; May it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That

Commissioners.

Thomas Adams, *George Bagster*, *Joseph Burchell*, *Thomas Bingham*, *Atkinson Bush*, *Charles Brunsdon*, *Henry Blakelock*, *Samuel Compton Cox*, *Philip Charretié*, *Edmund Cotterell* the Elder, *Edmund Cotterell* the Younger, the Reverend *Whelden Champness*, *Edward Dodd*, *John Edwards*, *Hugh Edwards*, *William Francis*, *Henry Fyffe*, *John Foulston*, *George Glenny*, *Thomas Greenwood*, *John Hunter*, *William Harrison*, *Michael Heathcote*, *Thomas Harrison*, *John Harrison*, *Philip Jackson*, *Thomas King*, *Christopher Kinder*, *John Knight*, *Pynson Wilmot Longdill*, *Thomas Lane*, *John Martin Marriott*, *Abraham Moore*, *John Morgan*, *Woodbine Parish*, *James Payne*, *George Payne*, *Thomas Poynder*, *Samuel Rhodes*, *Thomas Rhodes*, *William Rhodes*, *Charles Sayer*, *George Slaton*, *William Smyth*, *Thomas Spencer*, *William Watson*, *Daniel West*, and *Joseph Wigg*, shall be and they are hereby appointed Commissioners for carrying this Act into Execution.

How Commissioners to be chosen in future.

II. And be it further enacted, That in case of the Death of any of the said Commissioners, or of their Refusal or Neglect to act for the Space of Two Years, or becoming disqualified, it shall be lawful for the surviving or remaining Commissioners, or any Seven or more of them, at any Meeting to be held by virtue of this Act, by Writing under their Hands and Seals, to elect and appoint one other Person to be a Commissioner, in the Room or Stead of each Commissioner dying, refusing, neglecting, or becoming disqualified to act as aforesaid; and every Person who shall be so elected and appointed, is hereby vested with the same Powers and Authorities

Authorities as the Commissioner in whose Place he was elected and appointed was vested with.

Qualification of Commissioners.

III. Provided always, and be it further enacted, That no Person whatsoever shall be capable of acting as a Commissioner, in the Execution of this Act, unless he shall be in his own Right, or in the Right of his Wife, in the actual Possession or Receipt of the Rents of Lands, Tenements, or Hereditaments of the clear yearly Value of Fifty Pounds, or possessed of or entitled to a personal Estate of the Value of Two thousand Pounds.

Qualification of new Commissioners.

IV. Provided also, That no Person hereafter to be elected a Commissioner, for the Purposes of this Act, except the Governors and Guardians of the said Hospital, shall be capable of acting as such in the Execution thereof, unless he shall be in his own Right, or in the Right of his Wife, in the actual Possession or Receipt of the Rents of Lands, Tenements or Hereditaments, of the clear yearly Value of Forty Pounds, issuing and arising from Lands, Tenements or Hereditaments, situate, lying or being within the Limits of this Act, and rated and assessed for the Purposes thereof; or shall be a Householder within the Limits of this Act, and possessed of or entitled to a personal Estate of the Value of One thousand Pounds; and if any Person not being so qualified, or if any Person so qualified shall, during such Time as he shall hold any Place, or Office, or Profit, or be any ways interested or concerned in any Contract to be made by virtue of this Act, or any Work or Business to be done under the same, shall presume to act as a Commissioner in the Execution of this Act, he shall for every such Offence forfeit and pay the Sum of One hundred Pounds, together with full Costs of Suit, to any Person who shall sue for the same in any of His Majesty's Courts of Record, by Action of Debt, or on the Case, or otherwise; and the Person so sued shall prove that he is qualified as aforesaid, or that he did not hold any such Place or Office of Profit, or was not interested or concerned in any such Contract, Work or Business as aforesaid (as the Case may happen), or otherwise shall pay the said Penalty, without any other Proof or Evidence being given on the Part of the Plaintiff, than that such Person had acted as a Commissioner in the Execution of this Act (not being qualified as aforesaid), or whilst holding any such Place or Office, or being interested or concerned in any such Contract, Work or Business as aforesaid.

Meeting of the Commissioners.

V. And be it further enacted, That the said Commissioners shall meet at such Time and Place as any Five or more of them shall appoint, by Notice to be signed by them, and affixed on the Church Door of the said Parish, at least Eight Days before such Meeting, in order to put this Act in Execution, and shall and may then, and from Time to Time afterwards, adjourn themselves to any Place within or near the Limits of this Act; and if at any Time there shall not appear at any such Meeting a sufficient Number of the said Commissioners, appointed or to be appointed by virtue of this Act, to act in the Execution of the same, any One of the said Commissioners present may adjourn the Meeting to another Day; and in case of any Neglect or Omission to adjourn, any Three of the said Commissioners, or their Clerk, shall and may call a Meeting at the Place where the last Meeting of the said Commissioners was appointed to be held, or was held, by Notice or Summons, to be delivered at the usual Places of Abode of all such Commissioners, at least Three Days before such Meeting;

ing; and that at all Meetings to be held in pursuance of this Act, the said Commissioners shall defray their own Expences (except for the Use of the Room or Apartment where such Meeting shall be held, which shall be paid out of the Rates or Assessments herein-after directed to be made and levied); and no Act of the said Commissioners shall be valid, unless made or done at some Meeting to be held by virtue of this Act (except the calling of Meetings as aforesaid); and that all the Powers and Authorities by this Act granted to or vested in the Commissioners hereby appointed or to be appointed by virtue hereof, shall and may, from Time to Time, be exercised by the major Part of them present at their respective Meetings, to be holden as aforesaid, the Number of Commissioners to be present at such Meeting not being less than Seven, for the Purpose of borrowing Money, granting Annuities, or making Contracts, and not being less than Five in any other Case, unless where herein otherwise particularly provided; and in all Cases where the Number of Votes upon any Question shall be equal (including the Chairman's Vote), the Chairman shall have the casting Vote; and at every Meeting to be held under or in pursuance of this Act, the first Business shall be the Election of a Chairman to preside at the same: Provided nevertheless, that it shall be lawful for the Commissioners appointed and to be appointed by or by virtue of this Act, and they are hereby authorized to hold any Special Meeting between their then last Meeting, and the Day to which any subsequent Meeting shall have been adjourned, so that such Meeting shall be required by Three or more of the said Commissioners, and Notice thereof given, as last aforesaid, at least Seven Days before the Time to be appointed for the same, and so as that such Notice shall be signed by the Clerk of the said Commissioners, and specify the Cause or Causes of such Special Meeting.

Special Meetings may be held.

Restrictions as to revoking Orders.

VI. And be it further enacted, That no Order made by the said Commissioners appointed or to be appointed by virtue of this Act, shall be revoked or altered, unless at some Special Meeting to be required as aforesaid, of which Seven Days' Notice shall be given as last aforesaid, expressing the Occasion of such Meeting, and also unless a greater Number of Commissioners shall attend such Meeting, to revoke or alter the same, than were present when such Order was made.

Proceedings of Commissioners to be entered.

VII. And be it further enacted, That Entries shall be made in a Book or Books, to be provided for that Purpose, of all the Acts, Orders, and Proceedings of the said Commissioners, and of the Names of the Commissioners who shall be present at the respective Meetings; and One or more of the said Commissioners who shall be present shall subscribe his or their Name or Names at the End of the Proceedings of the respective Meetings; and all such Entries, being so signed, shall be deemed Originals, and shall be allowed to be read in Evidence in all Causes, Suits, and Actions, touching any Thing done in pursuance of this Act; and that such Books shall, at all seasonable Times, be open to the Inspection of all Persons rated or assessed for the Purposes of this Act.

Officers to be appointed, and to give Security.

VIII. And be it further enacted, That the said Commissioners shall, from Time to Time, by Writing under their Hands, appoint a Treasurer, Clerk, and Surveyor, and also a Collector of the Rates or Assessments to be made, as herein-after mentioned, and such other Officers and Persons as

as they shall think necessary, and may remove any such Officers or other Persons as they shall think proper, and appoint others in their Stead, and pay such Salaries, and make such Allowances to all such Officers or Persons as they the said Commissioners shall think reasonable; and the said Commissioners are hereby required to take such Security from every such Treasurer and Collector as they shall think proper.

Treasurer and Collector to account.

IX. And be it further enacted, That every such Treasurer and Collector shall, under their respective Hands (at such Time or Times, and in such Manner as the said Commissioners shall direct), deliver to the said Commissioners, or to such Person or Persons as they shall appoint, true and perfect Accounts in Writing of all such Matters and Things as may be committed to their Charge, and also of all Monies which shall have been by them received by virtue and for the Purposes of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the proper Vouchers for such Payments; and if any such Collector as aforesaid shall at any Time or Times hold or keep in his own Hands, for the Space of Three Days together, any larger Sum of Money, to be received by him under this Act, than the Sum of Fifty Pounds, he shall for every such Offence forfeit and pay to the said Commissioners, for the Purposes of this Act, any Sum of Money not exceeding Five Pounds, within the Space of Ten Days next after he shall be called upon by them, or their Treasurer, to pay such Penalty; and every such Collector shall, when thereunto required by the Commissioners assembled at any such Meeting as aforesaid, produce a Book, containing an Account of the Rates and Assessments laid by virtue of this Act, which shall be in arrear and unpaid, and the Names of the Persons by whom the same ought to be paid, with the Sums by them respectively owing, and the Times when the same became due; and every such Treasurer and Collector so accounting shall upon Oath, if thereunto required by the said Commissioners (which Oath any one of the said Commissioners is hereby empowered to administer), verify such their respective Accounts; and if any such Treasurer or Collector shall refuse or wilfully neglect to make and render, or shall refuse to verify upon Oath any such Account, or to produce or deliver up the Vouchers relating to the same, or to make Payment as aforesaid; or in case the Clerk of the said Commissioners, or any such Treasurer or Collector, shall not deliver to the said Commissioners, or to such Person as they shall appoint, within Fourteen Days next after being thereunto required by Notice in Writing, signed by the said Commissioners or any Three or more of them, and given to or left at the last or usual Place of Abode of such Treasurer, Clerk or Collector, all Books, Papers, and Writings, in their respective Custody or Power, relating to the Execution of this Act, or Duplicates thereof respectively, or give Satisfaction to the said Commissioners respecting the same, and Complaint shall be made thereof, on the Behalf of the said Commissioners, to any Justice of the Peace for the County of *Middlesex*, such Justice is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Treasurer, Clerk or Collector, to be brought before him, and upon his appearing, or not being to be found, to hear and determine the Matter of such Complaint in a summary Way; and if upon the Confession of the Party, or by the Testimony of any credible Witness upon Oath (which Oath such Justice is hereby empowered to administer), it shall appear to such Justice that any of the Monies which shall have been collected and raised by

virtue of this Act, shall be in the Hands of any such Treasurer or Collector, such Justice is hereby authorized and required, upon Non-payment thereof, by Warrant under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Persons; and if no such Goods or Chattels can be found sufficient to answer and satisfy the Money, and the Charges of distraining and selling the Distress, or if it shall, in Manner aforesaid, appear to such Justice that any such Treasurer or Collector had refused or wilfully neglected to render and give such Account, or to verify the same as aforesaid, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings, relating to the Execution of this Act, shall be in the Custody or Power of any such Treasurer, Clerk or Collector, and he shall have refused or neglected to deliver up or give Satisfaction respecting the same as aforesaid, then such Justice shall commit him to the Common Gaol or House of Correction, there to remain without Bail or Mainprize until such Person, being Treasurer or Collector, shall make and give a true and perfect Account, and have paid such Money as aforesaid, or shall have compounded for such Money with the said Commissioners, and have paid such Composition in such Manner as they shall appoint (which Composition the said Commissioners are hereby empowered to make and receive), and until such Person, being Treasurer, Clerk, or Collector, shall deliver up all such Books, Papers, and Writings, or Duplicates of the same as aforesaid: Provided always, that no Person who shall be committed on account of his not having sufficient Goods or Chattels as aforesaid, shall be detained in Prison for any longer Term then Six Calendar Months.

Power to set out Inclosures.

X. And be it further enacted, That the sole Power of inclosing, forming, making, ornamenting and embellishing the said Inclosures, and of continuing, maintaining, and keeping the same in proper Order and Repair, shall be and the same is hereby vested in the said Commissioners, who shall at all Times hereafter maintain the same in proper Order and Condition: Provided always, that nothing herein contained shall be construed, adjudged, deemed, or taken to alter the Inheritance or Property of the said Inclosures, or of the Use thereof, but that the Inheritance and Property, and the Use thereof, shall remain and belong to and for the said *Thomas Harrison*, his Heirs and Assigns, in such and the same Manner as if this Act had not been made.

The Inheritance of the Inclosures not to be altered.

Commissioners to pave and repair Streets, &c.

XI. And be it further enacted, That it shall and may be lawful for the said Commissioners, and they are hereby authorized and empowered from Time to Time, to cause the several Streets, Squares, and other public Passages and Places to be made and set out within the Limits of this Act, both in the Carriage and Footways, to be paved, and such Pavements to be from Time to Time amended and kept in good Repair, upon such Levels and in such Manner, and with such Sorts and Kinds of Materials, as they shall judge necessary and proper; and also to cause the said Streets, Squares, and other public Passages and Places, to be cleansed, lighted, watched and watered, and the Sides thereof, or other Places which shall be made or set out, to be fenced or inclosed with Iron or other Rails, in such Parts and Places, and in such Manner as the said Commissioners shall think proper; and all Encroachments, Obstructions, Nuisances, and Annoyances therein to be removed, and Drains, Sinks, Gutters, or Watercourses to be made for conveying the Water off and from the Streets,

Squares, and other public Passages and Places, in such Manner as they shall think proper; and also that the said Commissioners shall and may erect Iron or other Gates at the East Ends of all or any of the said Streets, Squares, or public Passages or Places, which shall be made contiguous to or adjoining *Gray's-Inn Lane Road* aforesaid, and on the West Side thereof, to prevent the passing through the same of all Carts, Waggons, Drays, horned and other Cattle, Asses, Sheep, and Pigs, and also to erect a Lodge or House to each of the said Gates for the Convenience thereof, such Lodge or House so to be erected not to exceed Twelve Feet in Height; and that no Person shall, without the Consent of the said Commissioners, alter the Form or break up the Ground or Pavement of the Carriage or Foot-ways, or the Iron Gates so to be erected or made as aforesaid, within any of the said Streets, Squares, and other public Passages or Places, or make the same otherwise than shall be directed by the said Commissioners, upon Pain of forfeiting any Sum not exceeding Ten Pounds for every Offence; and such Person so offending shall also pay all the Expences of restoring such Ground, Pavement, or Iron Gates, to their former State.

Persons not to be prevented from passing through Gates adjoining Gray's-Inn Lane Road.

XII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to authorize the said Commissioners to prevent the passing through any of the said Gates, contiguous to or adjoining *Gray's-Inn Lane Road* aforesaid, of any Person or Persons whomsoever, on Foot or on Horseback, or of any Horses or Carriages whatsoever other than and except any Cart, Waggon, or Dray.

Gray's-Inn Lane Road not to be injured.

XIII. Provided also, That nothing herein contained shall extend or be construed to extend to enable the said Commissioners to form the Carriage or Footways of any such intended Street or Streets, upon such a Level as to throw the Water therefrom upon *Gray's-Inn Lane Road* aforesaid.

Commissioners empowered to compound with the Trustees of the Roads for paving the Carriage-ways of such Roads as shall be necessary.

XIV. 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 Road called *Gray's-Inn Lane Road*, for paving the Carriage-way of those Parts of the said Road which are within the Limits of 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 this Act.

If Commissioners judge any new-built Street or Place proper to be levelled and paved, they are to require Lessees to meet and compound for levelling and paving.

XV. 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 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 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 public Passages or Places within the Limits of this Act, which now are or hereafter may be built upon or in building; and if upon such View they shall be of Opinion

nion that the Foot and Carriage-ways of the same, or any Part or Parts thereof, are fit and proper to be levelled, and filled in, and paved, the said Commissioners, at any Meeting to be held in pursuance of 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 said 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 Sixpence 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 Carriage-way 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 this Act are herein directed to be levied and recovered.

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

Commissioners may purchase or hire Ground for getting Materials, and for building Watch-houses, &c.

and erect Watch-boxes, and may purchase or hire Carriages, &c.

XVI. And be it further enacted, That the said Commissioners may and they are hereby authorized and empowered either to purchase or hire any Piece or Pieces of Ground for the Purposes of digging Gravel, for the better paving such Streets, Squares, and Places as aforesaid, and for the Purpose of depositing Materials thereon for or on account of such paving, or for the Purpose of erecting a Watch-house thereon, or to rent any Building to be made use of as or for any other of the Purposes of this Act, as shall appear to them to be necessary, for such Sum or Sums of Money, yearly Rent or Rents, or for such Time as to them shall appear reasonable; which Sum and Sums of Money, yearly Rent and Rents, shall be respectively paid out of the Monies to arise by virtue of this Act; and also to erect any Number of Watch-boxes for the Purposes of this Act, in such Place or Places as they may think proper; and likewise to buy or hire such Horses, Carts, Teams or Carriages, as may be necessary for the Purposes of carting, or for cleansing or watering such Streets, Squares, Passages, and Places as aforesaid, or for any other Purpose directed by this Act; and also to hire such Persons, buy such Materials, and make such Regulations for the better Execution of any such Purposes, as they the said Commissioners shall in their Discretion think proper.

Property of Pavements, &c. to be

XVII. And be it further enacted, That the Property of and in the Pavements of the Carriage-ways and Footways, and also the Ballast or Gravel to be brought or laid in the said several Streets, Squares, and public Passages

Passages and Places already or hereafter to be set out or made upon the said Piece or Plot of Ground, and of and in the Iron Rails, Gates, Lamp-irons, Posts, Rails, and other Materials and Things, which now are, and which shall be made, set up, and affixed thereon, and in the said Inclosures or the Fences round the same; and all Trees, Shrubs, and other Things to be planted within the same, when made, set up, affixed, and planted; and also of and in all Watch-houses, Watch-boxes, Pumps, and Wells, which shall be erected, fixed, sunk, or made; and all Materials, Implements, and other Things which shall be purchased or gotten by virtue or for any of the Purposes of this Act, shall be and are hereby vested in the said Commissioners; and the said Commissioners are hereby authorized and empowered to bring or cause to be brought any Action or Actions in the Name or Names of any One or more of them, or in the Name of their Treasurer or Clerk; or to prefer, or order and direct the preferring of any Bill or Bills of Indictment against any Person or Persons who shall steal, take, or carry away all or any Part of such Iron Rails, Gates, Lamp-irons, Lamp-posts, Rails, Plants, or other Materials and Things as aforesaid; and if any Person or Persons shall wilfully or maliciously break, pull down, destroy, or otherwise injure, damage, or spoil any of the said Iron Rails, Gates, Lamp-irons, Lamp-posts, Rails, Plants, Materials, and Things, or any of the Works which are or shall be carrying on, made, done, or executed within or about the said Inclosures in the said Squares, and the said several Streets, or other Public Passages or Places already or hereafter to be set out or made as aforesaid, in pursuance of this Act, or any Part or Parts thereof, every Person so offending shall for every such Offence forfeit any Sum not exceeding Five Pounds, and also make full Satisfaction to the said Commissioners for any Damage done by him, her, or them, as aforesaid; and that if any Person or Persons shall cause any Nuisance or Annoyance within the said Inclosures, or any of them, either by beating or dusting of Carpets, or laying or casting any Filth, Ashes, Dung, Dust, or Rubbish therein, or in any other Manner whatsoever, he, she, or they shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

vested in the Commissioners.

XVIII. 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 such Lamp-irons or Lamp-posts to be put or affixed 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, 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, or put upon such Lamp-irons and Lamp-posts as they shall think necessary for lighting all or any of the said Streets, Squares, and other public Passages and Places; and also to cause the said Lamps, and also the several Houses within the several Streets, Squares, 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 affixed 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, and other public Passages and Places, the Name by which each respective Street, Square, Lane, Court, Yard, Mews, Passage, and Place is to be properly called or known, in such Manner as they shall judge most proper for distinguishing the same; and if any Person shall wilfully break,

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

break, throw down, take away, spoil, or damage any Watch-house or Watch-box, Lamps, or any of the Iron 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, and not being otherwise sued or prosecuted for the same, 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 Commissioners 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 Commissioners, or to such Person as they shall appoint to receive the same, such Sum of Money as shall be a full Satisfaction for the Damage so done; and in case any Person shall carelessly, negligently, or accidently 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*, upon Proof thereof made 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 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.

Persons to sweep the Footway opposite their Houses once a Day.

XIX. And be it further enacted, That the Occupier of every House and Tenement now erected and to be erected within the Limits of this Act, shall once in every Day before the Hour of Ten of the Clock in the Forenoon of each Day, scrape, sweep, and cleanse, or cause to be scraped, swept, and cleansed, the Footway all along and opposite to the whole front and flank Wall (if any) of his, her, or their respective Houses or Tenements, or in Default thereof, every such Occupier shall forfeit and pay any Sum not exceeding Five Shillings; and if any such House or Building be let furnished or in separate Tenements to Inmates, then and in every such Case the Person or Persons so letting the same shall for the Purpose aforesaid be deemed and taken to be the Occupier thereof.

Commissioners may water Streets, and make Wells.

XX. And be it further enacted, That the said Commissioners shall and they are hereby authorized and empowered to cause all or any of the Streets, Squares, Passages and public Places within the Limits of this Act, to be watered when they or any of their Surveyors for the Time being 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, 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 also 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, or other public Passages or Places.

Commissioners may contract for per-

XXI. And be it further enacted, That the said Commissioners shall and may and they are hereby authorized and empowered, from Time to

Time at any of their Meetings as Occasion shall require, to contract and agree with any fit Person or Persons for paving, keeping in Repair, cleansing, lighting, and watering all or any of the said Streets, Squares, or public Passages, and for forming, inclosing, planting, and ornamenting the said Inclosures or any of them, and for preserving and keeping the same in good Order and Condition, and the Iron Rails, Walls, and other Things belonging thereto, or for the doing and performing all or any of the Works by this Act authorized or directed to be done and performed by them, or for supplying any of the Materials for the same, or for watering the said Streets, Squares, and other public Passages and Places or any of them; which Contract or Contracts shall specify the several Works to be done, and the Prices to be paid for the same, and the Time or Times when the same Works shall be completed, and the Penalties to be suffered in case of Non-performance thereof, and shall be signed by Five or more of the said Commissioners, and also by the Person or Persons contracting to perform such Works respectively; which Contract or Contracts, or a Copy or Copies thereof, shall be entered in a Book to be kept for that Purpose by the Clerk to the said Commissioners; but previous to the making of any such Contract, Fourteen Days' Notice at the least shall be given in One or more of the public Newspapers published in *London* or *Westminster*, expressing the Intention of entering into such Contract, in order that any Person or Persons willing to undertake the same may make Proposals for that Purpose, to be offered and presented to the said Commissioners at a certain Time and Place in such Notice mentioned.

forming Works.

XXII. And be it further enacted, That the said Commissioners shall cause all and every the Works to be done in pursuance of this Act to be inspected by their Surveyor or Surveyors, or by such other Person or Persons as they shall for that Purpose appoint; and in case the same shall not be well and sufficiently performed according to the Terms, Intent, and Meaning of such Contract or Contracts, or shall not be finished and completed at or within the Time or Times specified in such Contract or Contracts, then the said Commissioners may cause an Action to be bought in any of His Majesty's Courts of Law at *Westminster*, against any such Contractor for any Penalty contained in his Contract, and on Proof of the signing of the said Contract or Contracts, or Non-performance thereof, at the Time or Times for that Purpose to be therein mentioned, the said Commissioners shall be entitled to and shall recover the full Penalty contained in such Contract, which, when recovered, shall be applied for the Purposes of this Act: Provided always, that it shall be lawful for the said Commissioners (if they think fit) to compound and agree with any Contractor for any Penalty incurred by him for the Breach or Non-performance of any such Contract, for such Sum of Money as the said Commissioners shall think proper, not being less than the Injury or Damage sustained by the Breach or Non-performance of such Contract, and all Costs, Charges, and Expences that shall be occasioned thereby.

Works to be inspected and Contracts enforced.

Commissioners may compound for Breach of Contracts.

XXIII. 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 Squares, Streets, and Places under their Direction, or those employed under such Contractor or Contractors, shall on any Pretence whatsoever go about to collect or gather, or shall ask for, receive, or carry away

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

away any Dust, Dirt, Cinders, or Ashes from any House or other Premises in any Square, Street, or Place under the Management of the said Commissioners, it shall and may be lawful for any Person or Persons who shall see such Offence committed to seize, and also for any other Person or Persons to assist in seizing the Offender or Offenders, together with the Horses, Carts, Wheel-barrows, or other Carriages or Implements made use of for carrying away the same, 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 shall, and he is hereby authorized to examine upon Oath the Person or Persons apprehending such Offender or Offenders, and any Witness or Witnesses who shall appear to give Information touching such Offence; and if the Party or Parties shall be convicted of going about to collect or gather, asking for, receiving, or carrying away any Dust, Dirt, Cinders, or Ashes, from any House or other Premises in any Square, Street, or Place under the Management of the said Commissioners, not being the Person or Persons so contracting with the said Commissioners, or acting under his or their Authority, he, she, or they shall respectively for the First Offence forfeit and pay any Sum not exceeding the Sum of Ten Shillings, for the Second Offence any Sum not exceeding the Sum of Twenty Shillings, and for the Third and every subsequent Offence any Sum not exceeding the Sum of Forty Shillings, and One Moiety of every such Penalty shall be paid to the Person or Persons who shall apprehend the Offender or Offenders, and the other Moiety to the said Commissioners, and if such Offender or Offenders shall not immediately on Conviction pay the said Penalty or Penalties, such Justice is hereby required to direct such Horses, Carts, Wheel-barrows, or other Carriages or Implements which shall have been so seized, to be appraised and sold; and after deducting out of the Monies to arise by such Sale the Penalty or Penalties incurred, together with the reasonable Charges and Expences of such Distress and Sale, the Overplus thereof shall be returned to the Party or Parties whose Horses or other Things shall be appraised and sold; and in case there shall have been no such Seizure as aforesaid, or if the Horses or other Things which shall be so appraised and sold shall not produce a sufficient Sum of Money to pay the said Penalty or Penalties, Charges and Expences, then if such Offender or Offenders shall not immediately upon Conviction pay the said Penalty or Penalties, or such Part or Parts of the said Penalty or Penalties, Charges and Expences, which shall remain over and above the Produce of the Horses and other Things so seized and sold, then such Justice is hereby required to commit such Offender or Offenders to the Common Gaol or House of Correction for the said County of *Middlesex*, there to be kept to hard Labour for any Time not exceeding Forty Days, unless such Penalty or Penalties be sooner paid and satisfied: Provided nevertheless, that nothing in this Act contained shall extend to prevent or hinder the Owner or Owners of such Dust, Dirt, Cinders, or Ashes, from carrying away the same for his, her, or their own Use, to be applied to any Manufacture of any such Owner or Owners, or to the manuring of any Ground occupied by him, her, or them.

Commissioners annually to make out Account of Receipts and

XXIV. And be it further enacted, That the said Commissioners shall at their Second Meeting in every Year cause an Acconnt of the Monies received and disbursed in the preceding Year, and the Amount of Arrears of Rates then due, and the Balance of Cash in Hand, to be made out

out, which Account it shall be lawful for all Persons rated or assessed under and by virtue of this Act, and all Persons interested therein, at all seasonable Times to inspect. Disbursements.

XXV. And be it further enacted, That if any Householder within the Limits of this Act shall by Writing under his or her Hand, to be left at the usual Place of Abode of the Surveyor or Inspector for the Time being to the said Commissioners, make Complaint of any Defect of lighting or cleansing or want of Repair in the Pavement in any of the Streets, Squares, or other public Passages or Places, the said Surveyor or Inspector in every such Case shall enquire into and examine the Matter of Complaint, and report thereupon to the said Commissioners at their next Meeting; and if by such Report it shall appear that the Pavement complained of is bad and defective, unless it shall appear to arise from a Defect relating to the Water Pipes lying under such Pavement, the Commissioners shall give Notice to their Contractor or Paviour to repair the same, within such Time as the said Commissioners shall judge necessary, which Time shall be specified in such Order; and if the Contractor or Paviour to whom such Order shall be given, shall not repair and amend such Pavement within the Time directed by such Order, he shall in every such Case forfeit and pay any Sum not exceeding Forty Shillings, for every Day that the said defective Pavement shall remain unrepaired after the Time limited by such Order; and One Moiety of every such Penalty shall be paid to the Inhabitant so making Complaint, and the other Moiety shall be paid to the said Commissioners, to be applied by them for the Purposes of this Act; and if it shall appear by such Report that the Contract for cleansing or lighting shall not be duly performed, the said Commissioners shall forthwith give Directions for recovering the Penalty under such Contract. Householder making Complaint of defective Pavement or Lighting, Surveyor to view it, and if defective to give Notice to the Contractor.

XXVI. And be it further enacted, That all Signs, Sign Posts, Gutters, Screens, and Close Fences, which shall be placed against any of the Houses or other Buildings now erected and erecting, or hereafter to be erected or built within the several Streets, Squares, and other public Passages and Places aforesaid, shall be fixed close to the Fronts of the Houses, Shops, Warehouses, and Buildings, to which they shall respectively belong and not otherwise; and that the respective Occupiers of any such Houses or other Buildings as aforesaid shall at their own Charges, within such Time and in such Manner as the said Commissioners shall from Time to Time, (by Notice in Writing under the Hands of any Three or more of them, to be delivered to such respective Occupiers or left at their respective Dwelling-houses) order and direct, cause all Signs which may belong to and shall not be fixed or placed upon such respective Houses or other Buildings in Manner aforesaid, to be taken down and fixed or placed flat on the Fronts thereof; and all Sign Irons, Sign Posts, and other Posts, Pent-houses, Screens, Close Fences, Spouts, Steps, Shop Windows, and Cellar Windows, and other Encroachments, Obstructions, Projections, and Annoyances, which may hereafter be made by any such Occupier, or other Person, in, upon, or near or attached to any such respective Houses or other Buildings contrary to the Meaning of this Act, to be removed, altered, or reformed; and also to cause the Water to be conveyed from the Roofs, Cornices, and Pent-houses, which belong to such respective Houses or other Buildings, by proper and sufficient Pipes or Trunks For preventing Encroachments.

Trunks to be affixed to the Sides of such Houses and other Buildings respectively, and from thence by proper Drains into the Common Drains or Sewers; and in case any such Occupier shall neglect or refuse so to do, it shall be lawful for the said Commissioners to cause the same to be done, and to cause all the Costs and Charges attending the same to be levied by Distress and Sale of the Goods and Chattels of such Occupier, by Warrant under the Hand and Seal of any Justice of the Peace for the County of *Middlesex*, (which Warrant such Justice is hereby required and authorized to grant) rendering the Overplus (if any) when demanded to the Person whose Goods and Chattels shall be so distrained and sold; and if the Tenant in Possession of any such House or other Building shall remove, alter, or reform any such Encroachments, Obstructions, Projections, or Annoyances as aforesaid, according to the Directions of the said Commissioners (except such as shall be put up or occasioned by such Tenant), it shall be lawful for every such Tenant to deduct and retain the Charges and Expences thereof out of his or her Rent, and the Landlord of every such House or other Building is hereby required to allow the same accordingly: Provided always, that nothing herein contained shall extend to authorize the said Commissioners to stop up any Cellar Window, where there shall be no other Way from the Street or other public Passage or Place into such Cellar, unless the said Commissioners shall make or provide some other commodious Way into such Cellar; and in case the Palisado, Fence, or Railing for separating the Area of any House or other Building from the Way or Passage shall be broken down or out of Repair, or any such House or other Building shall otherwise be dangerous for Passengers, and the Owner or Occupier of such House or other Building shall not forthwith (being thereunto required in Writing signed by the Surveyor or Clerk of the said Commissioners for the Time being) set up, repair, or amend such Palisado, Fence, or Railing, it shall be lawful for the said Commissioners from Time to Time to cause the same to be set up, amended, and repaired, or altered in such Manner as they shall judge necessary, and to levy the Charges and Expences attending the same upon or from the Owner or Occupier of every such House or other Building by Distress and Sale, in like Manner as any Penalty or Forfeiture is by this Act authorized to be levied.

Penalties on occasioning Nuisances.

XXVII. And be it further enacted, That if any Person shall run, drive, or place, or cause to be run, driven, or placed, any Coach, Cart, or Waggon, Dray, Truck, Sledge, Wheelbarrow, or any Carriage whatsoever upon or over any of the Foot Pavements within the Limits of this Act, or shall wilfully ride, drive, or lead any Horse or other Beast or Cattle along or upon any of the said Foot Pavements, or shall within any Street, Square, or other public Passage or Place within the Limits of this Act slaughter, dress, or cut up any Swine or other Beast, or hoop, cleanse, or scald any Cask, or hew or saw any Stone, Wood, or Timber, or bind or make the Wheel of any Carriage, or shoe, bleed, dress, or farry (unless in case of Accident) or turn or drive loose any Horse, or beat, dust, or clean any Carpet, or set, place, or expose to Sale any Goods, Wares, or Merchandize either in the Foot Ways or Carriage Ways belonging or to belong to any of the said Streets, Squares, or other public Passages or Places, every Person so offending in any of such Cases, shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings, and also that if any Person or Persons shall sift, screen, or slack any Lime (except within

such Hoard or Inclosure as herein-after is mentioned) in any such Street, Square, Passage, or Place, or cause the same to be so done, he and they shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence.

Hoards may be erected.

XXVIII. Provided always, and be it further enacted, That nothing herein contained shall hinder or prevent any Person from erecting or building any Hoard or other Thing by way of Inclosure, for the Purpose of making Mortar or depositing Bricks or Stone, or making or working up any Lime, Sand, or other Materials for making, building, altering, or repairing any House, Wall, or other Building within the Limits of this Act, or to subject him to any Penalty on account thereof, but so nevertheless that every such Person shall previously have and obtain a Licence for that Purpose under the Hand of the Surveyor to the said Commissioners, which Licence such Surveyor is hereby required forthwith to grant to any Person applying for the same, and for which he shall receive the Sum of One Shilling and no more, and which Licence shall specify the Length and Breadth of every such Hoard, and the Time it is to continue for such Purposes as aforesaid; and if any Person shall erect any Hoard or Inclosure of greater Dimensions than shall be specified in, or shall suffer such Hoard or Inclosure to remain for any longer Time than shall be allowed by such Licence, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Shillings for every Day of Twenty-four Hours that every such Hoard or Inclosure, or any Part thereof, shall be continued after Notice shall have been given by the Surveyor to take down and remove the same.

Penalty on leaving Carriages, &c. in the Streets.

XXIX. And be it further enacted, That if any Waggon, Cart, or other Carriage shall be left to stand or remain in any of the said Streets, Squares, or other public Passages or Places, with or without Horses, for any longer Time than shall be necessary for the loading and unloading thereof, or if any Stage Coach, Postchaise, or other Carriage let to hire, except Hackney Coaches, shall be left to stand or remain in any such Street, Square, Passage or Place with or without Horses for any longer Time than shall be reasonable and necessary for taking up or setting down Passengers, or for loading or unloading their Baggage or other Loading, (except for Repairs in case of Accident), or if any Horse or other Cattle shall be suffered 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 if any Timber, Bricks, Stones, Wood, Goods, or other Things shall be laid or placed and left to remain in any of the said Streets, Squares, and other public Passages or Places for any longer Time than shall be necessary for removing or housing the same, or if any Dung, Ashes, Rubbish, Dust, Dirt, or other Nuisance or Annoyance shall be thrown, cast, or laid in any of the said Streets, Squares, or other public Passages or Places, and suffered to remain for any longer Time than shall be necessary for removing the same, then and in every such Case the Owner or Driver of every such Carriage, and the Owner of such Timber or other Things aforesaid, and the Person who shall throw, cast, or lay any Dung, Ashes, Rubbish, Dust, Dirt, or other Nuisance or Annoyance as aforesaid, or otherwise offend in the Premises, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; and if any such Timber or other Things, or such Dung, Ashes, Rubbish, Dust, Dirt, or other Nuisance or Annoyance, shall be suffered

to

to remain in any of the said Streets, Squares, or other public Passages or Places longer than shall be necessary as aforesaid, the Surveyor to be employed by the said Commissioners is hereby authorized and empowered to cause the same to be removed to such Place as he shall think proper, and the Expence thereof shall be paid by the Person liable to the Payment of the said Penalty, and shall and may, in case of Non-payment on Demand, be recovered in like Manner as any Penalty is by this Act authorized and directed to be recovered.

Dirt not to be swept into any Common Sewer, or within a certain Distance of any Gutter or Channel.

XXX. And be it further enacted, That no Scavenger or other Person shall sweep, rake, or place, or cause to be swept, raked, or placed, any of the Mud, Dirt, Dust, Rubbish, Ashes, Filth, or Soil to be found in any of the said Streets, Squares, or other public Passages or Places, or brought therein, into any Common Sewer, Drain, or Tunnel thereunto belonging, but every such Person shall place, sweep, or rake the same together so as to be at the Distance of Ten Feet at least from each of the Grates to belong to or be placed over such Common Sewers, Drains, or Tunnels, and at the Distance of Three Feet at the least from the Channel where the Width of the Street, Lane, or Place will admit thereof; and that no Person shall use or employ any Cart or other Carriage in or about the cleansing or watering of any of the said Streets, Squares, or other Passages or Places, or in carrying any Dirt, Dust, Cinders, or Ashes out of the same, unless the Fellies of the Wheels of such Cart or other Carriage shall be of the Breadth or Gauge of Six Inches at the least; and if any Person shall offend in any of the Cases aforesaid, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, One Moiety thereof to go to and be paid to the Informer.

Regulations as to Night Soil.

XXXI. And be it further enacted, That no Person shall begin to empty any Privy or to take or carry away any Night Soil, or bring or place any Carts for removing the same from any House, Building, or Place already erected, now erecting, or hereafter to be erected, built, or made within the Limits of this Act, before the Hour of Twelve in the Night, or shall continue to take away the same after the Hour of Five in the Morning between *Michaelmas* and *Lady-day*, or after the Hour of Four in the Morning between *Lady-day* and *Michaelmas*; and that no Person shall put or cast, or cause to be put or cast, any of such Night Soil out of any Cart, Tub, or otherwise, within the Limits of this Act; and if any Person shall offend herein, he shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, One Moiety whereof shall go to the Informer.

Scavengers' Duty.

XXXII. And be it further enacted, That all Persons contracting with the said Commissioners for cleansing the said Streets, Squares, and other public Passages and Places, shall once in every Fortnight, or oftener if the Commissioners shall so direct, between the Hours of Three in the Morning and Eight in the Evening, attend in all and every the Streets, Squares, and other public Passages and Places within the Limits of this Act, and shall give One Day's Notice at the least in Writing to the Surveyor to the said Commissioners, specifying the particular Day in every Week when they are to attend in each of the said respective Streets, Squares, or other public Passages and Places for the Purposes aforesaid, of which the said Surveyor shall make an Entry in a Book; and such Surveyor shall on that

that Day inspect the said Streets and other Places to see if the Work is properly performed, and shall make an Entry thereof in the same Book; and the Persons so contracting shall also, upon the Request of any of the Inhabitants or their Servants or Lodgers, go into all and every of the Houses or other Places where any Dirt, Dust, Cinders, or Ashes shall be deposited, and take and carry away the same; and if any Person so contracting, or any Person to be employed by him, shall neglect or refuse so to do, he shall forfeit and pay for every Neglect or Refusal any Sum not exceeding Twenty Shillings, one Moiety whereof shall be paid to the Person complaining.

Regulations for repairing Water Pipes.

XXXIII. And be it further enacted, That when and so often as any Pipe belonging or to belong to any of the Water Companies, who now furnish or shall hereafter furnish any of the Inhabitants within the Limits of this Act with Water, shall happen to burst or be out of Repair in any of the Streets, Squares, Passages, or Places within the Limits of this Act, the Surveyor to the said Commissioners, or any other Person or Persons to be by them appointed for that Purpose, shall forthwith cause the Pavement to be taken up and open the Ground at or near the Place where the Water shall or may issue by reason of the bursting or breaking of any such Pipe, and when upon taking up the Pavement and opening the Ground it shall appear to what Water Company such Pipe shall belong, then the Surveyor to the said Commissioners, or such other Person or Persons appointed as aforesaid, shall give Notice to the Pavior of such last-mentioned Company, or leave the same at his last or usual Place of Abode, and the Pavior of the Company to whom such Pipe shall belong is hereby required to repair or cause to be repaired such Water Pipe, and to fill in the Ground over the same, in such Manner as the Surveyor to the said Commissioners for the Time being shall direct, within Two Days next after such Notice shall be so given or left as aforesaid; and in case the Pavior of the Company to whom such defective Pipe shall belong shall refuse or neglect to amend or repair such Pipe, and fill in the Ground in such Manner as the said Surveyor shall direct as aforesaid, for the Space of Two Days next after such Notice shall be given or left as aforesaid, then and in every such Case the Person guilty of such Neglect shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and if any Pipe (other than such as shall belong to any such Water Companies) shall happen to break or burst in any of the said Streets, Squares, Passages, or Places, the Owner or Owners thereof shall cause the Ground to be opened, and such Pipe to be repaired within the Time herein-before respectively limited for such Purpose, and also shall forthwith give Notice to the Surveyor of the said Commissioners, or such other Person or Persons so appointed by them as aforesaid, to relay the Pavement so broken or taken up, on Pain of forfeiting for every Neglect or Refusal any Sum not exceeding Forty Shillings; or if any Pavement shall be broken or taken up by the Commissioners of Sewers, or any other Person or Persons, for the Purpose of making, repairing, or altering any Sewer or Drain, or for any other Purpose whatsoever, the Surveyor for the Time being to such Commissioners of Sewers, or any other Person or Persons so breaking or taking up the said Pavement, shall forthwith give Notice thereof to the Surveyor or Paving Contractor or Contractors appointed or employed by the said Commissioners to relay or repair the Pavement so broken or taken up as aforesaid, upon Pain of forfeiting for every such Neglect or Refusal any

Sum not exceeding Forty Shillings; and if the said Surveyor to or of whom such Notice shall be given or left as aforesaid, shall neglect or refuse to acquaint the Paving Contractor or Contractors appointed by the said Commissioners with such Notice, or if such Contractor or Contractors shall not within Two Days next after such Notice from such Surveyor or other Person or Persons respectively relay or repair the same, then and in every such Case the Person or Persons so respectively offending shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings, and a further Sum of Twenty Shillings for every Day such Pavement shall continue without being relayed or repaired after the Expiration of the said Two Days.

Pavement.

XXXIV. And be it further enacted, That whenever the Pavement of any of the said Streets, Squares, Passages, or Places shall be taken up for the Purpose of laying, altering, or repairing any Water Pipe or Plug, the said Pavement shall with all convenient Speed be relayed and repaired by the Pavior or Paviors contracting with or employed by the said Commissioners, and the Expence of taking up, relaying, and repairing such Pavement shall be borne and paid by the Company or Companies, Person or Persons, to whom such Pipe or Plug shall belong; but if for the Purposes of this Act it shall at any Time be found necessary to raise, sink, or otherwise alter the Position of any of the Pipes or Plugs laid down or placed by any of the said Companies, or to alter any Sewers, Drains, Gully-holes, or Grates within the Limits of this Act, the same shall be done with as little Detriment or Inconvenience to the Company or Companies to whom the same shall belong, as the Circumstances of the Case will admit of, and the Expences thereof shall be defrayed by the said Commissioners out of the Monies arising by virtue of this Act.

Paviors and Turncocks to give Notice of their Abodes to the Surveyors, &c.

XXXV. And be it further enacted, That the several and respective Paviors and Turncocks, now appointed and hereafter to be appointed in case of the Death or Removal of any such Paviors or Turncocks belonging to the said respective Water Companies, shall and they are hereby required, within the Space of Forty Days after the passing of this Act, or within the Space of Seven Days next after he or they shall be appointed Pavior or Paviors, Turncock or Turncocks to such Company or Companies, to give Notice in Writing to the Surveyor or Surveyors of the said Commissioners for the Time being, or to such other Person or Persons as shall be by them appointed for that Purpose, which Notice shall contain the Name and Place of Abode of every such Pavior or Turncock, as also to what Company he is Pavior or Turncock, and in what District he has the Care of the Pipes belonging to such Company or Companies; and in the like Manner the Surveyor or Surveyors for the Time being to the said Commissioners shall, within the respective Times aforesaid, give Notice to the respective Paviors or Turncocks of the said several Water Companies, and also to the Surveyor or Surveyors to the said Commissioners of Sewers, of his or their own Place or Places of Abode, and likewise of the Names and Places of Abode of such Paving Contractor or Contractors, or Person or Persons employed as Pavior or Paviors by the said Commissioners; and every Person neglecting or refusing to give such Notice as aforesaid, within the Times before respectively specified, shall forfeit any Sum not exceeding Twenty Shillings for every such Offence.

XXXVI. And

XXXVI. And be it further enacted, That when and so often as any Sewer, Gully-hole, or Drain which shall or may be under the Direction of the Commissioners of Sewers in any of the said Streets, Squares, Passages, or Places within the Limits of this Act, shall require to be repaired, altered, cleansed, or emptied, or any new or additional Grate to be put and placed over any Sewer, Gully-hole, or Drain in any of the said Streets, Passages, or Places, or any old Grates over the same shall require to be repaired, removed, or altered, then and in every such Case the said Commissioners of Sewers shall, within Three Days next after Notice given to or left for their Surveyor for the Time being at his last or usual Place of Abode, signed by the Surveyor to the Commissioners for putting this Act into Execution, cause such Sewer, Gully-hole, or Drain to be repaired, altered, cleansed, or emptied, or such new or additional Grates to be made and put down, or such old Grates to be repaired, removed, or altered; and in default thereof it shall be lawful for the said Commissioners for putting this Act into Execution, or their Surveyor, to cause such Sewer, Gully-hole, or Drain to be repaired, altered, cleansed, or emptied, or such new and additional Grates to be made and put down, or such old Grates to be repaired, removed, or altered, as the Case may require, or so much of the said Works to be completed as shall remain unfinished: Provided always, that the Charges and Expences of relaying or repairing the Pavement which shall be broken or taken up for the Purpose of repairing or amending any Pipe shall be paid to the said Commissioners, or to such Person or Persons as they shall appoint to receive the same; and that the Charges and Expences of making, repairing, altering, cleansing, or emptying any such Sewer or Drain, and of making or putting down any such new or additional Grates, and altering or repairing such old Grates, and of relaying or repairing the Pavement so broken or taken up for any of the Purposes aforesaid, shall be paid to the said Commissioners, or such Person or Persons as they shall at any such Meeting as aforesaid appoint to receive the same, by the Treasurer or Clerk to the said Commissioners of Sewers, or by the Person or Persons who shall take or cause the said Pavement to be taken up for the Purposes aforesaid; and in case the Owner or Owners of such Pipe as aforesaid, or the Treasurer or Clerk of the said Commissioners of Sewers, or other Person or Persons as aforesaid, shall neglect or refuse to pay what shall have been so laid out or disbursed for the Purposes aforesaid, within Ten Days next after Notice thereof in Writing signed by the Clerk to the Commissioners for putting this Act into Execution, and left at their respective Dwelling Houses or last or usual Places of Abode, together with a Bill annexed thereto (which Bill shall contain an Account of such Charges and Expences), then and in every such Case it shall be lawful for the said Commissioners for putting this Act into Execution, and they are hereby authorized and empowered, to bring or cause to be brought an Action against any or either of the respective Persons aforesaid, for the Recovery of such Sum or Sums of Money as the said Commissioners shall have so laid out and expended for the Purposes aforesaid.

Commissioners of Sewers to repair Drains, &c. under their Direction, and Owners of Pipes to pay the Expences of repairing them.

XXXVII. And be it further enacted, That the said Commissioners for putting this Act into Execution may and are hereby authorized and empowered from Time to Time to appoint such Number of Watchmen and Patroles, to be employed within the Limits of this Act, for so long a Time in the Night, under such Regulations and for such Wages as they shall think proper, and to provide them with proper Arms, Ammunition, Weapons,

Watchmen to be appointed.

Weapons, and Clothing for the Discharge of their Duty; and if any Watchman or Patrole appointed as aforesaid shall refuse or neglect to perform his Duty, or shall in anywise misbehave himself in the Execution of his Office, he shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Duty of Watchmen.

XXXVIII. And be it further enacted, That the Watchmen to be appointed and employed as aforesaid shall, during the Time of their being upon Duty, use their utmost Endeavours to prevent any Mischief by Fire, and also any Burglaries, Robberies, Affrays, and other Outrages and Disorders within the Limits of this Act; and that it shall be lawful for the said Watchmen or any of them, and they are hereby respectively authorized and required while on Duty, to apprehend and secure all Malefactors, Rogues, Vagabonds, and other disorderly Persons within the Limits of this Act, who shall disturb the public Peace, or whom they shall have cause to suspect of any evil Designs, and to secure and keep in safe Custody every such Person, in order that he or she may be conveyed as soon as conveniently may be before some Justice of the Peace for the County of *Middlesex*, to be examined and dealt with according to Law; and if any Victualler or Keeper of any Public House shall knowingly harbour or entertain any Watchman to be employed within the Limits of this Act, or permit or suffer any such Watchman to be and remain in his House during any Part of the Time appointed for his being on Duty, every such Victualler or Keeper of such Public House shall for every such Offence forfeit any Sum not exceeding Five Pounds.

Rates to be laid on Houses, &c.

XXXIX. And for raising Money to enable the said Commissioners appointed and to be appointed by or by virtue of this Act 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 Purpose of paving, repairing, cleansing, lighting, watering, and watching of the said Streets, Squares, and other public Passages and Places which shall be within the Limits of this Act, be laid and assessed by the said Commissioners Once in every Year, if they shall judge it needful, upon all Houses, Shops, Warehouses, Coach Houses, Stables, Cellars, Vaults, Buildings, and Tenements 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 and direct; and that One or more Rate or Rates, Assessment or Assessments, shall, for the Purpose of forming, making, inclosing, planting, ornamenting, and embellishing the Centre or Area of the said Squares, be in like Manner laid and assessed on the Houses and Buildings erected and built, or to be erected and built, and encompassing the said Squares, in such Sum and Sums of Money as the said Commissioners shall order and direct, but 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, and other public Passages and Places, after the Rate 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 the Limits of this Act; and for watering such Streets, Squares, and other public Passages and Places, the Sum of Sixpence in the Pound,

Pound, according to the yearly Rent or Value of such Houses and Buildings as shall be erected and built in or about such public Squares or Places which shall from Time to Time be watered in pursuance of the Directions of this Act; and for forming, making, inclosing, ornamenting, and embellishing the Centre, Area, or middle Space of the said Squares which shall be laid and made within the Limits of this Act, and for supporting and maintaining the same, after the Rate of One Shilling 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 Squares or Places; in 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 and to be erected or situated in any of the said Streets, Squares, and other public Passages and Places, shall be respectively rated together and along with such Houses and not as separate Buildings; and that the said Commissioners shall cause separate and distinct Accounts to be kept of the Produce of the said respective Rates and Assessments, and of the Application of the same respectively.

How the yearly Value of Houses is to be ascertained.

XL. And be it further enacted, That the annual Value of all such Houses, Stables, Cellars, Vaults, Buildings, and Tenements so to be respectively rated and assessed as aforesaid, shall be settled and ascertained according to the real Rack Rent or full yearly Value thereof, as the said Commissioners shall think proper; and the First Year for which such Rates or Assessments as aforesaid shall be made shall commence for or in respect of such Houses or other Buildings as now are or shall be then erected, built, and tiled, slated or covered in, within the Limits of this Act, and the Pavements made in the Front thereof as far as the Middle of the Street, Square, or Place, and the whole of the Foot and Carriage Ways of the Square on which they shall respectively abut, from the Twenty-fourth Day of *June* One thousand eight hundred and ten; and for or in respect of all such Houses or Buildings hereafter to be erected or built within the Limits of this Act, which shall not be tiled, slated, or covered in and paved in front thereof as aforesaid, on the said Twenty-fourth Day of *June* in the First Year, shall commence from the next Quarter Day after the same shall be so tiled, slated, or covered in, and the Pavements made in front thereof as aforesaid; and the Money so rated and assessed, under or in pursuance of this Act, shall from Time to Time be paid to the Collectors to be appointed as aforesaid, at such Time and Times in every Year, and in such Manner, as the said Commissioners shall order and direct, and shall be paid over by such Collectors into the Hands of the Treasurer to the said Commissioners: Provided always, that when any of the said Houses or other Buildings shall at the Time of making of any of the said Rates or Assessments be empty or unoccupied, then and in every such Case it shall be lawful for the said Commissioners to rate and assess such Premises respectively at One-half only of such Rates or Assessments and no more, during the Time such Premises shall be empty or unoccupied; and also in case any such Premises after the making of any such Rate or Assessment shall become empty or unoccupied, One-half only of such Rates or Assessments shall be charged on such Premises respectively, for and during so long a Time as the same shall continue empty or unoccupied; and then and in every such Case the said Rates or Assessments, and all Arrears due thereon, shall be paid by the Person or Persons for

Empty Houses to be charged with Half Rates.

the Time being entitled to such Premises, or by the first or any other Tenant or Occupier thereof, but such Tenant or Occupier shall not be liable and compellable to pay more than One Year's Rates or Assessments due in respect of such Premises, and every such Tenant or Occupier shall and may and is hereby authorized to deduct and retain the same out of his or her Rent, and the Person or Persons for the Time being entitled to such Premises is and are hereby required to allow such Deductions; and that where any House, Building, or Tenement in respect whereof any Rate or Assessment shall be made as aforesaid, shall be let to more than One Tenant, any One or more of such Tenants shall be deemed the Occupier or Occupiers thereof for the Purposes of this Act.

Proportion of Rates to be paid by Persons removing.

XLI. Provided also, That in all Cases where any Person shall remove from or quit any House, Building, or Tenement which shall be rated or assessed by virtue of this Act, such Person shall be liable to such Rate or Assessment in proportion to the Time that he or she occupied the same; and in all Cases where any Person shall come into or occupy any House, Building, or Tenement rated or assessed as aforesaid, out of or from which any other Person who shall have been rated or assessed for the same shall be removed, or which at the Time of making any Rate or Assessment was empty or unoccupied, the Person coming into or occupying the same shall be liable to pay such Rate or Assessment in respect thereof, in proportion to the Time that he or she occupied the same, which said respective Proportions in case of Dispute shall be settled and ascertained by the said Commissioners.

Public Buildings to be rated according to the Number of Square Yards of Paving belonging thereto.

XLII. Provided always, and be it further enacted, That the Rates or Assessments to be made and laid by virtue of this Act, upon or in respect of any Chapel, Meeting House, Hospital, School, or other public Building, or any Wall or void Space of Ground, shall be ascertained according to the Number of square Yards of Pavement paved or repaired, cleansed, lighted, watched, or watered under or by virtue of this Act, belonging to such Chapel, Meeting House, Hospital, School, or other public Building, Wall, or void Space of Ground, measuring the same from such Chapel, Meeting House, Hospital, School, Building, Wall, or Square of Ground, to the Middle of the Street, Square, or Place on which the same shall respectively abut, and the same shall never exceed in any One Year the Sum of Nine-pence for every square Yard; and such Rates or Assessments to be made and laid upon such Chapel, Meeting House, Hospital, School, or other public Building, Wall, or void Space of Ground, shall be paid by the Chapel Wardens or Owners or Proprietors thereof respectively, but so nevertheless as that no Rate or Assessment shall by virtue of this Act be laid upon or collected or received for or in respect of any Wall or void Space of Ground, unless the same shall abut upon or front some Street, Lane, or Place to be paved, cleansed, or lighted as aforesaid.

Rates of Houses let to Ambassadors, &c. to be paid by Landlords.

XLIII. And be it further enacted, That every Rate or Assessment which shall be laid or assessed by virtue of this Act for or in respect of any House, Building, Coach House, Stable, or Tenement which any Ambassador, resident Agent, or other public Minister of any foreign Prince or State, or the Servant of any such Ambassador, resident Agent, or other public Minister, or any other Person not liable by Law to pay

such Rate or Assessment, shall hereafter inhabit, shall be paid by and recoverable from the Landlord or Proprietor of every such House, Building, Coach House, Stable, or Tenement, who shall for that Purpose be deemed the Occupier thereof.

Lessee subject to Rates of Houses let to Lodgers.

XLIV. And be it further enacted, That the Lessee, Landlord, or Owner of every House within the Limits of this Act which is or shall or may be let out ready-furnished to a Lodger or Lodgers, shall be deemed and taken to be the Occupier thereof, and shall be liable and subject to the Rates or Assessments directed by this Act to be made, raised, and levied according to the yearly Value of the Premises; and that every Person renting or occupying any such ready-furnished House as aforesaid shall be liable and compellable to the Payment of the said Rates or Assessments, to be recovered in manner herein directed, but such Person so renting or occupying any such ready-furnished House as aforesaid shall not be liable and compellable to the Payment of the said Rates or Assessments beyond the Rent actually due in respect of the said Premises; and that every such respective Occupier or Occupiers who shall pay any such Rate or Assessment, or from whom the same shall be recovered in pursuance of 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 Lessee, Landlord, or Owner, and the Receipt for such Payment shall be a sufficient Discharge for such Tenant or Tenants, Occupier or Occupiers, to his, her, or their Landlord, for so much Money as he, she, or they shall pay, or as shall be levied on him, her, or them by virtue of this Act.

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

XLV. Provided always, and be it further enacted, That if any House or Premises shall be situate partly within the Limits of this Act, and partly in any Street or Place not within such Limits, such House or Premises shall be assessed to the Rates to be raised by virtue of this Act for a proportionable Part only of the Rent thereof, and it shall be lawful for the said Commissioners, or any Person appointed by them, at some Meeting to be holden for that Purpose, and they or he are or is hereby respectively authorized and required to apportion and settle at how much and what Part of the Rent of such House and Premises the same shall be assessed.

Arrears of Rates how to be recovered.

XLVI. And for the better enforcing the Payment of the Rates or Assessments to be made by virtue of this Act, be it further enacted, That if any Person or Persons liable to pay any of the said Rates or Assessments shall refuse or neglect to pay the Money rated or assessed upon him, her, or them, and all Arrears due thereon, or if any Person or Persons liable to pay any of the said Rates or Assessments shall at any Time begin to remove his, her, or their Goods or Furniture from the House or Premises in his, her, or their Occupation within the Limits of this Act, or to sell or dispose of such Goods or Furniture therein by public Auction, or sell, dispose of, or carry away his, her, or their Goods or Furniture as aforesaid, without paying all Arrears then due or rated in respect of such House (in which the current Quarter shall be considered as due), that then and in any of the said Cases it shall be lawful for the Collector for the Time being to the said Commissioners to collect and levy such Rates or Assessments, and all Arrears due thereon, and the Rate or Assessment for such Quarter wherein such Removal or Sale shall begin to be made as aforesaid (although

(although previous to the Time for Payment of the Rate or Assessment for such Quarter), by Warrant under the Hand and Seal or Hands and Seals of any One or more Justice or Justices of the Peace for the County of *Middlesex*, by Distress and Sale of the Goods and Chattels of the Party so neglecting or refusing, or beginning to remove, take away, or sell any such Goods or Furniture as aforesaid; and if within Five Days next after such Distress shall be made, the said Rates or Assessments, and all Arrears due thereon, together with the reasonable Charges of taking and keeping the said Distress, shall not be paid, the said Collector shall cause the said Goods and Chattels to be appraised and sold, or such Part thereof as shall be sufficient to pay such Rates or Assessments, together with all Arrears due thereon, and the reasonable Charges of making such Distress and of keeping and selling the same, returning the Overplus (if any) to the Owner or Owners of such Goods and Chattels respectively.

Commissioners may bring Actions for Rates.

XLVII. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners, if they think it more expedient, to bring or cause to be brought in the Name of their Clerk, or of any One or more of them the said Commissioners, any Action or Actions of Debt or Special Action on the Case, in any of His Majesty's Courts of Record at *Westminster*, for all or any of the Rates or Assessments to be made by virtue of this Act; in which Action or Actions it shall be sufficient for the Plaintiff to declare that the Defendant is indebted to the Plaintiff in such Sum of Money as the Plaintiff shall suppose to be due; and if the Plaintiff shall recover such Sum so declared for, or any Part thereof, he shall have full Costs, to be levied and recovered as other Monies upon Judgments are now by Law levied and recovered, in which Action or Actions no Essoign, Protection, or Wager of Law, or more than one Imparlance, shall be allowed.

Rate Books to be admitted Evidence.

XLVIII. And be it further enacted and declared, That the Books of Rates to be delivered by the Collectors, or other Officers to the said Commissioners, and all Entries afterwards made therein, or examined Copies thereof respectively, shall be received as Evidence of the Rates imposed by virtue of this Act, and of the Payment of such Rates, or such of them or such Part thereof as shall by such Entries appear to have been paid to such Collectors.

Commissioners may make Allowances to such Persons as may have paved at their own Expence.

XLIX. And whereas several Persons already have paved and may hereafter at their own Expence pave certain Part or Parts of the said Streets, Squares, Passages, and Places within the Limits of this Act, or have formed and gravelled the Carriage Ways in front of the same, for which it is reasonable some Allowance should be made; be it therefore further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, from and out of the Monies to arise under this Act, to make and pay to such Persons respectively such Payments or Allowances for or in respect of such Pavement made or to be made by them as aforesaid, or the Materials thereof, as to the said Commissioners shall appear fair and reasonable.

Commissioners may borrow Money.

L. And for the more speedy raising Money for the Purposes of this Act, be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered from Time to Time to borrow and

and take up at Interest any Sum or Sums of Money upon the Credit of the Rates or Assessments herein-before granted, and by Writing under their Hands and Seals to mortgage or assign over the said Rates or Assessments, or any Part thereof, to the Person or Persons who shall advance or lend such Monies, or his or their Trustee or Trustees, as a Security for the Money so to be borrowed, together with Interest for the same; and every such Mortgage or Assignment may be according to the Form following; (*videlicet*),

Form of Assignment.

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

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

Money may be raised by Annuities.

LI. Provided always, and be it further enacted, That in case the said Commissioners shall think it adviseable to raise all or any Part of the Money necessary for the Purposes of this Act by the granting of Annuities for the Life or Lives of any Person or Persons, or for any limited Number of Years not exceeding Thirty Years, then it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, by any Writing or Writings under their Hands and Seals, to grant any Annuity or Annuities to any Person or Persons who shall contribute, advance, and pay into the Hands of the Treasurer to the said Commissioners any Sum or Sums of Money for the absolute Purchase of any Annuity or Annuities, to be paid and payable during the natural Life of every such Contributor, or the natural Life of every such Person who shall be nominated by or on the Behalf of such Contributor at the Time of the Payment of his or her Contribution or Purchase Money, or for any limited Number of Years not exceeding Thirty Years as aforesaid, so as that no such separate Annuity do exceed the Rate of Ten Pounds for every One hundred Pounds for a Year.

Commissioners may cause Bonds or other Securities to be given for Payment of Annuities.

LII. And be it further enacted, That the said Commissioners shall cause a Bond or Note, or other Security in Writing under the Hands and Seals of Five or more of them, to be delivered to every Person advancing any Part of the said Monies for Payment of such Annuities in respect thereof, which Bonds, Notes, or other Securities shall be assignable by Indorsement; which said several Annuities so to be purchased shall be and are

are hereby charged upon and shall be paid out of the Rates or Assessments herein-before mentioned, and shall be made payable and paid quarterly during the natural Lives of such Contributors respectively, or the natural Life or Lives of such other Person or Persons as shall be nominated by such respective Contributors; and a proportional Part of each Annuity shall be paid from the last quarterly Day of Payment to the Day of the Death of the Annuitant or his Cestuique Vie; and none of the said Annuities shall be subject to any Deduction whatsoever:

Commissioners not personally liable.

Provided always, that nothing herein contained shall be deemed, construed, or taken to extend to make the said Commissioners personally, or their respective Estates, Lands, and Tenements, Goods and Chattels, liable to the Payment of the same Annuities so to be purchased in pursuance of this Act by reason of their giving or executing such Bond as aforesaid:

Money borrowed not to exceed 20,000*l.*

Provided nevertheless, that no greater Sum in the whole than Twenty thousand Pounds shall be raised by Loan or Mortgage and by the Sale or granting of Annuities as aforesaid, and that before any such Money shall be borrowed or Annuity granted Fourteen Days' Notice at the least shall be given in some Newspaper published in *London* or *Westminster*, signifying the Intention of borrowing such Money or granting such Annuities.

Mode of transferring Securities.

LIII. And be it further enacted, That it shall be lawful for the Persons entitled to any of the Securities or Orders for the Money borrowed, or for the Annuities granted and ordered to be paid as aforesaid, by Writing under their Hands indorsed thereon, to transfer the same respectively to any Person or Persons according to the Form following; (*videlicet*),

Form of Transfer.

'I do hereby assign the within Mortgage [*or* Bond] 'for the Payment of the within-mentioned Annuity, and all my 'Right and Title in and to the Principal Money and Interest [*or* Annuity, 'and all the Arrears now due thereon by virtue of the within-written 'Bond] thereby secured, unto his Executors, Administrators, and Assigns. Dated the Day of .'

Entries or Memorials of all Mortgages, &c. to be entered in a Book.

And Entries or Memorials of all Mortgages or Assignments and Bonds for the Payment of Annuities which shall be made in pursuance of this Act, and of all Transfers thereof, expressing in Words at length the Names, Additions, Places of Abode, and other proper Descriptions of all such Persons as shall from Time to Time be entitled to the Principal Money and Interest, or the Annuities thereby respectively secured, shall be entered in a Book to be kept for that Purpose by the Clerk to the said Commissioners, to which Book any Person interested shall at all seasonable Times have access, and shall have free Liberty to inspect the same, without Fee or Reward; and for the Entry of every such Transfer or Assignment the said Clerk shall be paid Five Shillings, and no more; and every such Transfer or Assignment, after such Entry thereof as aforesaid, shall entitle the Person or Persons to whom the same shall be made, and his, her, or their Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred; and all Persons to whom such Mortgages, Assignments, or Bonds for any Annuities shall be made, or who shall be entitled to the Money or Annuities thereby secured, shall be, in proportion to the Sums therein respectively mentioned, Creditors on the said Rates or Assessments equally one with another, without any

Preference in respect to the Priority of advancing such Money or the Dates of any such Mortgages, Assignments, Grants, or Orders respectively.

Application of the Money.

LIV. And be it further enacted, That all the Money to arise by or from the said Rates or Assessments, and which may be borrowed or advanced upon or received for the Purchase of any Annuities on the Credit or Security thereof, shall be applied, in the first Place, in paying and discharging the Expences attending the obtaining and passing this Act, and afterwards from Time to Time in paying the Interest of the Principal Money to be borrowed and the Annuities to be granted as aforesaid, and making such Allowances to the several Persons who shall have paved any Part of the said Streets, Squares, Passages, and Places, and in defraying the Expences of forming, making, inclosing, ornamenting, and embellishing the said Centre or Area of the said Squares, and of paving, repairing, cleansing, lighting, watching, and watering the said Streets, Squares, and other public Passages and Places, and of carrying this Act into Execution, and in paying off the said Principal Money, in such Manner as the said Commissioners shall think proper.

Creditors to be paid by Ballot.

LV. And in order that no undue Preference may be given to any of the Persons entitled to the Principal Money which shall be borrowed and secured on the Credit of the said Rates or Assessments in discharging such Principal Money in pursuance of this Act, be it further enacted, That when and so often as the Money to be raised by the said Rates or Assessments shall amount to the Sum of Two hundred Pounds (over and above what shall be necessary to pay the growing Interest upon the said Principal Money and the Annuities which may be secured or granted in pursuance of this Act, and the Expences herein-before provided for), the said Commissioners shall cause the Number of all the Mortgages, Assignments, or Securities to be granted or made and then in force for securing the Principal Monies borrowed, of which Part shall be then intended to be paid off, to be written upon distinct Pieces of Paper of an equal Size, and all such Papers to be rolled up in the same Manner as near as may be and put into a Box or Glass, and One Number of the said Mortgages, Assignments, or Securities, shall be drawn out of the said Box or Glass by the Clerk to the said Commissioners in the Presence of Five or more of the said Commissioners: Provided always, that if it shall happen that any Mortgage, Assignment, or Security, the Number whereof shall be drawn out as aforesaid, shall be for a greater Sum than One hundred Pounds, no more than One hundred Pounds shall be discharged in consequence of such Mortgage being so drawn.

Notice shall be given to the Persons whose Assignments are to be paid off.

LVI. And be it further enacted, That the said Commissioners shall cause a Notice, signed by their Clerk, to be given or left at the usual Place of Abode of the Person or Persons whose Principal Money shall be intended to be paid off; which Notice shall express the Sum to be paid off, together with the Interest due thereon, and that the same will be paid at the Place to be mentioned in such Notice at the Expiration of Six Calendar Months from the Day of giving or leaving such Notice as aforesaid; and the Interest of the Principal Money so to be paid off shall from and after the End of the said Six Calendar Months cease and be no longer paid or payable, unless such Principal Money shall be demanded pursuant to such Notice

and

and not paid; but the Principal Money in respect whereof such Notice shall be given, and also the Interest thereof to the End of the said Six Calendar Months, shall nevertheless be payable on Demand.

Power to borrow Money at lower Interest.

LVII. And be it further enacted, That in case the said Commissioners can at any Time borrow or take up any Sum or Sums of Money at a lower Rate or Interest than the Mortgages, Assignments, or Securities which shall be then in force shall bear, it shall be lawful for the said Commissioners from Time to Time to charge the said Rates or Assessments in manner aforesaid with such Sum or Sums of Money as they shall think proper, and the Interest thereof at such lower Rate as aforesaid, and to pay off and discharge the Assignments or Securities bearing a higher Rate of Interest.

Recovery of Penalties.

LVIII. And be it further enacted, That all Penalties and Forfeitures by this Act imposed (the Manner of recovering which is not hereby otherwise 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 such Penalties and Forfeitures shall (if not directed to be otherwise applied by this Act) be paid to the Treasurer to the said Commissioners, and applied for such of the Purposes of this Act as the said Commissioners shall think proper; and in case sufficient Distress shall not be found, or such Penalties or Forfeitures shall not be forthwith paid, such Justice or Justices is and are hereby authorized and required, by Warrant under his or their Hand and Seal or Hands and Seals, to cause the Offender or Offenders to be committed to the Common Gaol or House of Correction within such County or Place, there to remain, without Bail or Mainprize, for any Time not exceeding Six Calendar Months, unless such Penalties or Forfeitures, and all reasonable Charges attending the Recovery thereof, shall be sooner paid and satisfied.

Commissioners in Commission of the Peace may act as Justices.

LIX. And be it further enacted, That all such Commissioners as are or shall be Justices of the Peace may act as Justices in all Matters under the Authority of this Act (except in Cases where they shall be personally interested) notwithstanding their being Commissioners, and in all Cases where any Justice or Justices of the Peace is or are authorized by this Act to examine any Person or Persons on Oath or Affirmation, it shall be lawful for such Justice and Justices, and he and they is and are hereby required to administer such Oath or take such Affirmation; and that where any Parties, Witnesses, Officers, or Commissioners, or other Persons, are to be heard or examined by, before, or in Presence of the said Commissioners, in any Case, Matter, or Thing relating to this Act, it shall be lawful for any One of such Commissioners, being a Justice of the Peace, to administer an Oath or take the Affirmation of such Parties, Witnesses, or Persons.

Inhabitants not to be in-

LX. And be it further enacted, That in all Actions, Prosecutions, Informations, Causes, and Proceedings whatsoever, relating to or concerning

cerning the Execution of this Act, no Person residing within the Limits of this Act shall be deemed to be incompetent to give Evidence, by reason of such Persons being charged with and liable to pay any Rate or Assessment by virtue of this Act; and that the said Commissioners may sue or be sued in the Name of their Treasurer or Clerk, and that no Action to be brought by or against the said Commissioners, or any of them, by virtue of this Act, shall abate or be discontinued by the Death or Removal of any such Treasurer or Clerk, but that the Treasurer or Clerk for the Time being to the said Commissioners shall always be deemed the Plaintiff or Defendant in such Actions, as the Case shall be.

competent to give Evidence.

Commissioners may sue or be sued in the Name of their Treasurer or Clerk.

LXI. Provided always, and be it further enacted, That if any Person shall think himself or herself aggrieved by any Rate or Assessment which shall be made in pursuance of this Act, he or she, having first paid the said Rate or Assessment, may appeal to the said Commissioners at their next Meeting to be holden after the Payment of such Rate or Assessment, and the said Commissioners are hereby authorized and empowered, if they shall think such Person aggrieved, to give such Relief in the Premises as to them shall seem reasonable; and if any such Person shall be dissatisfied with the Determination of the said Commissioners therein, or if any Person shall think himself or herself aggrieved by any other Matter or Thing to be done in pursuance of this Act, every such Person may appeal to the Justices at any General or Quarter Sessions of the Peace to be holden for the County of *Middlesex*, within Four Calendar Months next after the Cause of Complaint shall have arisen, such Appellant first giving Fourteen Days' Notice at the least in Writing of his or her Intention to make such Appeal, and of the Matter thereof, to the Clerk to the said Commissioners, and within Five Days after such Notice entering into a Recognizance before some Justice of the Peace for the said County, with Two sufficient Sureties, conditioned to try such Appeal, and abide the Order of and to pay such Costs as shall be awarded by the Justices at such Sessions, and the Justices at such Sessions shall hear and finally determine the Cause and Matter of such Appeal in a summary Way, and award such Costs to the Party appealing or appealed against as they shall think proper; and their Determination thereon shall be final, binding, and conclusive to all Parties, to all Intents and Purposes.

Appeal.

LXII. And be it further enacted, That no Rate or Assessment, or any Proceeding to be had touching any Order made, or other Matter or Thing to be done or transacted in or relating to any Complaint or Appeal, or any Order or Determination thereon in pursuance of this Act, shall be quashed or vacated for want of Form only, or be removed or removable into any of His Majesty's Courts of Record at *Westminster* by Certiorari, or by any other Writ or Process whatsoever; any Law, Statute, or Usage to the contrary notwithstanding.

Rates of Proceedings not to be quashed for want of Form or removed by Certiorari.

LXIII. Provided always, and be it further enacted, That no Plaintiff shall recover in any Action for any Irregularity, Trespass, or wrongful Proceeding made or committed in Execution of this Act, if sufficient Tender of Amends be made by or on the Behalf of the Party or Parties who shall have committed or caused to be committed any such Irregularity, Trespass, or wrongful Proceeding, before such Action brought; and in case no such Tender shall have been made it shall be lawful for the Defendant

Plantiff shall not recover after Tender of sufficient Amends.

Defendant or Defendants in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money he or they shall see fit; whereupon such Proceedings or Order and Judgment shall be had, made, or given by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Distress not unlawful for want of Form.

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

Limitation of Actions

LXV. And be it further enacted, That no Suit or Action shall be commenced against any Person or Persons for any thing to be done in pursuance of this Act until Twenty-one Days Notice thereof shall be given to the Clerk to the said Commissioners, or after such sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, or after Three Calendar Months next after the Fact committed; and every such Action or Suit shall be brought and tried in the County of *Middlesex*, and not elsewhere; and the Defendant or Defendants in every such Action or Suit shall and may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if the same shall appear to be so done, or if such Action or Suit shall be brought before Twenty-one Days Notice thereof shall be given as aforesaid, or after sufficient Satisfaction made or tendered as aforesaid, or after the Time herein-before limited for bringing the same, or shall be brought in any other County or Place than as aforesaid, then the Jury shall find a Verdict for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become nonsuit or discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover Treble Costs, and have such Remedy for the same as any Defendant or Defendants hath or have for Costs of Suit in other Cases by Law.

Public Act.

LXVI. 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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