ANNO QUINQUAGESIMO QUARTO

GEORGII III. REGIS.

****

Cap. 173.

An Act for paving, lighting, watching, and otherwise improving the several Streets and other Public Places partly lying on the West Side of *Maiden Lane*, partly on the North Side of the *New Road*, and partly on the West Side of the *Pancras Road* near *Battle Bridge*, in the Parish of *Saint Pancras*, in the County of *Middlesex*, and for preventing Nuisances and Obstructions therein. [20th *June* 1814.]

WHEREAS of late Years several Houses have been erected, and Streets, Ways, and Passages formed and paved, and several other Houses are now erecting, and other Streets, Ways, and Passages forming, upon certain Lands adjacent to *Battle Bridge*, in the Parish of *Saint Pancras* in the County of *Middlesex*, and situate on the North Side of the new Turnpike Road leading from *Tottenham Court Road* to *Islington*, and the West Side of *Maiden Lane* leading to *Highgate*, and the South-west Side of the Turnpike Road leading from *Battle Bridge* to *Pancras* Church, and leased to *Samuel Moore* and others, and which are divided by the said Turnpike Road leading to the said Church, and containing Nineteen Acres Three Roods, exclusive of the said Turnpike Road, and abutting towards the North partly on *Weston Street*, partly on Land belonging to the *Brewers Company*, partly on Land lately belonging to Messieurs *Lewis* and *Davies*, on other Part on Parish Land in Possession of *John Murbay*, and on other Part on Land belonging to *Saint Bartholomew's Hospital*, towards the East partly on Land in the Possession of *Matthew Ashton*, called *Cat's Head Acre*, and on other Part on *Maiden*

Lane, towards the South on Land belonging to *Beauvois* Esquire, and on other Part on the new Road leading from *Battle Bridge* to *Tottenham Court Road*, and towards the West partly on *Sommers Town*, partly on the Turnpike Road, and on other Part on the Church Path leading to *Saint Pancras* Church: And whereas it would greatly contribute to the Safety of all Persons Inhabitants of the said Streets, Squares, and other public Passages and Places, and to all other Persons who shall have Occasion to pass along the same, if Provisions were made, that as well the said Streets, Ways, and Passages already formed and paved, as those which may be hereafter formed and paved, may be properly cleansed, lighted, watched, and watered, and all Nuisances, Annoyances, and Encroachments removed and prevented therein; but as the said several beneficial Purposes cannot be carried into execution and effect without the Aid 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 *Charles Arthur*, *Matthew Ashton*, *John Andrews*, *John Allan*, *Joseph Adams* Doctor of Physic, *Joseph Burchell*, *George Bagster*, *George Bagster* the younger, *Samuel Bagster*, *Samuel Bettie*, *Thomas Baylis*, *Anthony Benson*, *Burrows*, *Samuel Barker*, *John Crouch*, *Samuel Denton*, *Richard Dunball*, *William Essex*, *William Essex* the younger, *Joseph Evans*, *John Eddison*, *Thomas Francis*, *Charles Gedge*, *Francis Gregg*, *George Godby*, *Joshua Hodgkinson*, *Benjamin Hargood*, *Richard Holmes*, *Thomas Holland*, *Thomas Harrison*, *Isaac Johnson*, *John Lark*, *Thomas Mills*, *Samuel Moore*, *Samuel Minton*, *Richard Morris*, *William Nash*, *William Parker*, *Andrew Purdie*, *James Pell*, *John Prosser*, *Roper*, *Robert Roudland*, *Thomas Swinbourn*, *William Smith*, *Charles Sewell*, *Isaac Solly*, *George Smith*, *Charles Thompson*, *Christopher Theakston*, *John Taylor*, *Thomas Vernon*, *William Weston*, *Giles Widger*, *Edward Weller*, *John Christian Wachsel*, *Thomas Wakefield*, *Daniel West*, *Joseph Wigg*, and *George Young*, shall be and they are hereby appointed Commissioners for paving, lighting, cleansing, watering, watching, and otherwise improving the several Streets, Squares, Passages, and Places within the Limits aforesaid, and for putting and carrying this Act into execution.

Commissioners Names.

Meeting of Commissioners.

II. And be it further enacted, That the said Commissioners appointed by this Act shall meet at such Time or Place as any Five or more of them shall appoint, by public Advertisement in One or more daily Newspaper or Newspapers to be published in *London* or *Westminster*, and by Notice signed by them, and affixed on the Church Door at least Seven Days before such Meeting, in order to put this Act into 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 it shall be necessary to have any Special Meetings between the last Meeting and the Day of Adjournment, or in case of any Neglect or Omission to adjourn, any 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 public Advertisement in One or more daily

Newspaper or Newspapers to be published in *London* or *Westminster*, or by Notice to be signed by any of such Commissioners or their Clerk, and affixed on the Church Door of the said Parish, at least Five Days before such Meeting, or by Notice or Summons to be delivered at the usual Places of Abode of all such Commissioners at least Three Days before such Meeting; 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 appointed or to be appointed by virtue thereof 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 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 provided; and in all Cases where the Numbers 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; and that no Person or Persons shall be capable of acting as a Commissioner in the Execution of the Powers given by this Act, except in administering the following Oath, until he shall have taken and subscribed the same; *videlicet*,

Oath.

'I do swear, That I will faithfully, impartially, and honestly, according to the best of my Skill and Judgment, execute the Trusts reposed in me, and hear and determine all such Matters and Things as shall be brought before me as a Commissioner by virtue of an Act of Parliament made and passed in the Fifty-fourth Year of the Reign of King *George* the Third, intituled [*here set forth the Title of this Act*]. So help me GOD.'

Which Oath it shall be lawful for any of the said Commissioners to administer.

Proceedings of Commissioners to be entered.

III. And be it further enacted, That all the Acts, Orders, and Proceedings of the Commissioners appointed for carrying this Act into execution from Time to Time, and the Names of the Commissioners who shall be present at the respective Meetings to be held in pursuance of this Act, shall be entered by the Clerk to the said Commissioners in a Book or Books to be kept for that Purpose, and shall be confirmed and signed by the Chairman at the next Meeting of the said Commissioners; and after the same shall have been made and passed, all such Entries, being so signed, shall be deemed Originals, and shall be allowed to be read in Evidence in all Courts whatsoever; 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; and that no Order shall be revoked or altered unless at some General Meeting to be holden as aforesaid, or at some Special Meeting to be adjourned 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.

Restrictions as to revoking Orders.

IV. And

Officers to be appointed.

IV. And be it further enacted, That the said Commissioners shall from Time to Time, by Writing under their Hands, appoint a Treasurer, Banker or Bankers, Clerk and Surveyor, and also a Collector of the Rates to be made as herein-after mentioned, and such other Officers and Persons as they shall think necessary, and may remove any 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 other Persons as they the said Commissioners shall think reasonable.

Officers to give Security.

V. And be it further enacted, That the said Commissioners shall and they are hereby required to take sufficient Security from the Treasurer or Collector to be appointed under or by virtue of this Act, for the faithful Execution of their respective Offices; and that no such Treasurer or Collector shall be permitted to enter upon or continue in such their respective Offices unless they shall have previously given such Security.

Treasurer and Collector to account.

VI. 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, a true and perfect Account 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 shall pay all such Monies as shall remain in their Hands to such Banker or Bankers as the said Commissioners shall from Time to Time direct or appoint, the Receipt of which Banker or Bankers shall be a sufficient Discharge to such Treasurer and Collector for the same; and if any such Collector as aforesaid shall at any Time or Times hold or keep in his own Hands, for the Space of Six 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 made 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 required 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 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

last 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 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 received 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 Person; and if no such Goods and Chattels can be found sufficient to answer and satisfy the Money, and the Charges of distraining and selling the Distress, or if it shall appear to such Justice that any such Treasurer or Collector had refused or willingly neglected to render and give such Accounts, 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, Writings, or Duplicates of the same as aforesaid; but 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 than Six Calendar Months.

Annual Accounts to be made out.

VII. And be it further enacted, That in the Month of *February* in every Year a true Account shall be made in Writing of all Monies received and paid by virtue of this Act during the preceding Year ending upon the Twenty-fifth Day of *December*, and a Copy or Duplicate of such Account shall be deposited with the Clerk of the said Commissioners, who shall permit any Person or Persons who shall be rated as herein-after mentioned, and have paid all Arrears thereof then due, or any Person or Persons on his, her, or their Behalf, to inspect the same any Day in the Week between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon, except *Sundays*, upon paying One Shilling for such Inspection, and shall upon Demand forthwith give Copies of the same or any Part thereof, upon being paid at the Rate of Sixpence for every Seventy-two Words, and so in proportion for a less Number of Words.

For choosing new Commissioners.

VIII. And be it further enacted, That in case of the Death of any of the said Commissioners hereby appointed, or hereafter to be elected and appointed pursuant to this Act, or when and so often as any of the said Commissioners hereby or hereafter to be appointed by this Act shall refuse or neglect to act for the Space of Two Years, it shall be lawful for the surviving or remaining Commissioners, or any Five or more of them, and they are hereby authorized and required, at any Special or General Meeting to be convened for that Purpose by the Clerk to the said Commissioners for the Time being, by public Advertisement in One of the daily Newspapers published in *London* or *Westminster*, 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 or neglecting to act as aforesaid; and each Person who shall be so elected and appointed is hereby vested with the same Powers and Authorities as the Commissioner in whose Place or Stead he shall be elected and appointed was vested with; and no Person who shall neglect to act for the Space of Two Years shall after the Term be capable of acting as a Commissioner, unless he shall be re-elected and appointed at any Special or General Meeting by the remaining Commissioners or any Five or more of them.

Qualification of Commissioners.

IX. Provided always, and be it further enacted, That no Person shall be elected or re-elected a Commissioner under this Act, or capable of acting after being elected or re-elected, unless he be an Inhabitant Householder residing within the Limits of this Act, and shall not be more than Two Quarters in arrear to the Rates herein-after mentioned next preceding every such Meeting, and also shall, either in his own Right or in the Right of his Wife, be in the actual Possession or Enjoyment or Receipt of the Rents and Profits of some Building, Land, Tenement, Hereditament, or Premises situate and being within the Limits of this Act, of the clear yearly Value of Thirty Pounds, or a Lessee or Occupier of some House, Building, Tenement, Land, or Premises within such Limits, rated or liable to be rated by virtue of or for the Purposes of this Act at or for the clear yearly Value of Fifty Pounds, or resident within the said Limits, and possessed of a Personal Estate to the Amount or Value of One thousand Pounds over and above what will be sufficient to satisfy and discharge his just Debts, or shall be, either in his own Right or in the Right of his Wife, possessed of an actual Interest, either Freehold, Leasehold, or by Mortgage, in Lands, Tenements, or Hereditaments in the said Parish of *Saint Pancras*, of the clear yearly Value of One hundred Pounds and upwards, or resident within the said Parish, and possessed of a Personal Estate of the Amount or Value of Two thousand Pounds over and above what will be sufficient to satisfy and discharge his just Debts.

Commissioners to take an Oath.

X. Provided always, and be it further enacted, That no Person shall be elected or re-elected or be capable of acting as a Commissioner in the Execution of this Act, until he shall have taken the Oath herein-before and also the Oath herein-after mentioned, which Oaths any One of the said Commissioners is hereby empowered to administer; (that is to say,)

‘ I do swear, That I am in my own Right (*or* in the Right of my Wife) in the actual Possession and Enjoyment or Receipt of the Rents and Profits of some Building, Land, Tenement, Hereditament, or Premises of the clear yearly Value of Thirty Pounds, ‘ situate

'situate and being within the Limits of an Act passed in the Fifty-fourth 'Year of the Reign of King *George* the Third, intituled *An Act* [*here* 'set forth the Title of the Act]; *or*, that I am Lessee or Occupier of some 'Building, House, Tenement, Land, or Premises rated or liable to be 'rated at or for the Value of Fifty Pounds *per Annum* at the least, by 'virtue of or for the Purposes and within the Limits of the said Act; 'or, that I am resident within the Limits aforesaid, and am possessed of 'a Personal Estate of the Amount or Value of One thousand Pounds 'over and above what is sufficient to satisfy and discharge my just Debts; 'or, that I am possessed, in my own Right or in the Right of my Wife, 'of an actual Interest to certain Lands, Tenements, or Hereditaments 'in the Parish of *Saint Pancras* of the clear yearly Value of One hun-'dred Pounds and upwards; *or*, that I am resident within the said Parish, 'and possessed of a Personal Estate to the Amount or Value of Two 'thousand Pounds over and besides what will be sufficient to satisfy and 'discharge my just Debts. 'So help me GOD.'

Penalty for acting not being qualified.

And if any Person not being so qualified (except the said Commissioners appointed and named in this Act), or if any Person so qualified (during such Time as he shall hold any Place or Office of Profit, or be any way 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 necessary on the Part of the Plaintiff than that such Person had acted as a Commissioner in the Execution of this Act.

Commissioners may pave and repair Streets.

XI. And be it further enacted, That it shall and may be lawful for the said Commissioners and they are hereby empowered from Time to Time to cause the several unpaved 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 Foot Ways, to be properly formed and paved, and such Pavements to be from Time to Time, and also all those already formed and paved, to be 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 said Streets, Squares, and other public Passages and Places, into the public Sewers, in such Manner as they shall think proper, with the Permission of the Commissioners of Sewers; and that no Person or Persons whatsoever shall, without the Consent of the said Commissioners or their Surveyor or Inspector, alter the Form, break

or

or take up the Ground or Pavement of the Carriage or Foot Ways 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 Forty Shillings for every Offence; and such Person or Persons so offending shall also pay all the Expences of restoring such Ground or Pavement to its former State, to the Satisfaction of the said Commissioners or their Surveyor or Inspector.

Not to open James Street.

XII. Provided always, and be it further enacted, That the said Commissioners for putting this Act in execution shall not open a certain Street called *James Street*, leading out of *Skinner Street*, within the Limits of this Act, for the Accommodation of Carriages to pass and repass through the same, without the Consent of *William Smith*, the Lessee, and his Lessor or Assignee of certain Houses therein.

To pave Kennel and narrow Sides of Turnpike Roads adjoining Footways.

XIII. And be it further enacted, That it shall and may be lawful for the said Commissioners and they are hereby authorized and empowered to pave the Kennel and narrow Sides of the said Turnpike Roads next adjoining the Kirbs of the said Footway, not less than Five Feet in Width, if they shall think proper: Provided always, that the said Pavement shall be done with Granite, and shall be laid on such Levels and Currents as the Trustees of the said Turnpike Roads shall appoint, and shall from Time to Time be kept in good and substantial Repair by the said Commissioners.

On Neglect, Trustees to pave the same.

XIV. And be it further enacted, That if the said Kennels shall be paved in any other Manner than is herein directed, or shall be in want of Repair, it shall and may be lawful for the Trustees of the said Turnpike Roads, or any Five or more of them, to give or leave a Notice in Writing for the said Commissioners of such Alteration or Repairs as may be necessary, such Notice to be left at the House or Office of the Clerk or Treasurer of such Commissioners for the Time being; and if the said Commissioners shall neglect or refuse to alter or repair, or cause the said Pavement to be altered or repaired, by the Space of Fourteen Days next after such Notice to be given or left as aforesaid, it shall and may be lawful to and for the said Trustees to cause the said Pavement to be altered or repaired, and to charge the Costs and Expences of such Alteration or Repair to the said Commissioners; and in default of Payment of such Costs and Expences the same shall be recovered by Action of Debt in any of His Majesty's Courts of Record at *Westminster*, to be brought in the Name of the Clerk, Treasurer, or Surveyor of the said Trustees, against the Clerk or Treasurer to the said Commissioners for the Time being.

Footpaths to be paved, and Commissioners to compound for paving Carriageways.

XV. Provided always, and be it further enacted, That it shall and may be lawful for the said Commissioners and they are hereby authorized and empowered to cause the Footways or Paths which shall be made in front next the Turnpike Roads, and leading from *Battle Bridge* to *Highgate*, and also to *Tottenham Court Road*, to be paved, and such Pavement to be from Time to Time kept in repair, and to compound and agree with the Trustees of the said Roads for paving the said Carriageways, or such Part or Parts thereof as shall from Time to Time be deemed necessary, and as they the said Commissioners shall think expedient and proper; and the Money to be laid out for that Purpose shall be paid out of the Money to be raised by this Act.

XVI. And

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

XVI. And be it further enacted, That the said Commissioners may, and they are hereby authorized and empowered, either to purchase, take, or hire any Piece or Pieces of Ground for the Purposes of digging Gravel for the better making or paving such Streets, Squares, or other public Passages 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 or Watch-houses thereon, or to rent or erect any Building or Buildings 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, and for such Time as to them shall appear reasonable; which Sum or Sums of Money, yearly Rent or Rents, shall be respectively paid out of the Monies to arise by virtue of this Act; and also to erect any Watch-house or Watch-houses, and any Number of Watchboxes, for the Purposes of this Act, in such Place or Places as they may think proper; and likewise to buy or hire such Horses, Teams, Carts, or Carriages as may be necessary for the Purpose of carting such Gravel, or for cleansing or watering such Streets, Squares, and other public 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.

Commissioners may erect Watch-houses and Watch-boxes, and purchase and hire Horses, Carriages, &c.

Commissioners may pave new Streets and compound for the same.

XVII. And whereas there are and may be several new Streets, Squares, and other public Passages and Places which are not paved (Part of which is built and is building), and small Pieces and Parcels of Ground within the Limits of this Act unbuilt upon, which are neither paved, cleansed, or lighted, nor the Foot and Carriage Ways thereof levelled and filled in; be it therefore enacted, That it shall and may be lawful to and for the said Commissioners for putting this Act into execution, or any Five or more of them, to view and inspect all Streets, Squares, Lanes, Courts, Yards, Mews, Alleys, Passages, or Places within the Limits aforesaid, which now are or hereafter may be built upon or in building, and if upon such View they shall be of opinion that the same or any Part or Parts thereof is or are fit and proper to be paved, and the Foot and Carriage Way thereof levelled and filled in, the said Commissioners for putting this Act into execution, or any Five or more of them, 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, Assignee or Assignees, Mortgagee or Mortgagees, Owner or Owners of all and every such Lands, Grounds, Houses, Shops, Warehouses, Coach-houses, Stables, Cellars, Vaults, Tenements, or Hereditaments situated within the Limits of this Act, 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, Assignee or Assignees, Mortgagee or Mortgagees, Owner or Owners, 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, Assignee or Assignees, Mortgagee or Mortgagees, Owner or Owners, to meet the said Commissioners for putting this Act into execution, or any Five or more of them, at the Time and Place to be therein mentioned, (not being less than Ten Days from the Delivery of such Notice,)

Notice,) to compound for levelling and filling up such Foot and Carriage Ways, and paving thereof, at any Sum not exceeding Two Shillings for every Cubical Yard of such Ground so to be levelled and filled in, nor Six Shillings for every Square Yard of such Pavement, whether Carriageway or Footway, nor One Shilling and Sixpence *per* Foot, Running Measure, for the Kirb or Boundary Stone, which Composition the said Commissioners for putting this Act into execution, or any Five or more of them, are hereby authorized to make; and if such Lessee or Lessees, Assignee or Assignees, Mortgagee or Mortgagees, Owner or Owners, shall not attend, or shall not compound or agree with the said Commissioners for putting this Act in execution, or any Five or more of them, as aforesaid, then it shall and may be lawful to and for the said Commissioners, or any Five or more of them, 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, Assignee or Assignees, Mortgagee or Mortgagees, Owner or Owners, or either of them, and shall be recovered and levied by Distress and Sale of his or their Goods and Chattels in the same Manner as the Rates and Assessments to be raised by virtue of this Act are herein-after directed to be levied and recovered.

To make Remuneration to Persons who have paved before their Houses, and fixed Lamp Irons and Posts.

XVIII. And whereas several Lessees, Owners, and Inhabitants of many Houses and Premises situate in various Streets and public Places within the Limits of this Act have paved as well the Foot as the Carriage Way, and some the Footway only, in front of their respective Houses and Premises, and have also fixed several Lamp Irons and Posts in the said Streets for the Benefit of the Public, and it is reasonable that they should receive a Remuneration for the Monies so laid out and expended by them for those Purposes, in order that the said Lessees, Owners, and Inhabitants should be upon an Equality with those Lessees, Owners, and Inhabitants of the several Houses and Premises in the several Streets or Places that are not yet and that may be hereafter new paved and lighted; be it therefore further enacted, That it shall and may be lawful to and for the said Commissioners, or any Five or more of them, at a General or Special Meeting or Meetings to be convened for that Purpose in manner herein-before directed, to pay and allow to such Lessee, Owner, or Inhabitant of the said Houses and Premises, who shall have paved the Foot and Carriage Way, or Footway only, before his, her, or their respective Premises, such Sum and Sums of Money as they the said Commissioners shall at such Meeting or Meetings think proper and reasonable, not exceeding Four Shillings *per* Yard for the Carriage and Foot Way Paving, and Seven Shillings *per* Foot for the Kirb, over and above the respective Sums of Money which the said Lessees, Owners, or Inhabitants of the said Houses and Premises would be required to pay for the Composition for paving the said Carriage or Foot Way, in case the said Ways had not been paved by them respectively, and also a reasonable Sum for the several Lamp Irons and Posts that shall have been placed by them in the said several Streets and Places, for the public Benefit; and that such Sum and Sums of Money shall be paid out of the Monies that shall be raised for the Purposes of carrying this Act into execution.

XIX. And

Property of Pavement to be vested in Commissioners.

XIX. And be it further enacted, That the Property of and in the Pavements of the Carriageways and Footways now paved or to be paved, and also the Ballast or Gravel so brought or laid in the said Streets, Squares, and other Passages and Places within the Limits of this Act, and of and in the Iron Rails, Fences, Gates, Lamp Irons, Lamp or other Posts, Rails, and other Materials and Things to be set up and affixed, and also of and in all Watch-houses, Watchboxes, 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 of or for any of the Purposes of this Act, shall be and the same are hereby vested in the Commissioners; and they, or any Five of them, are hereby authorized 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 or carry away all or any Part of such Iron Rails, Gates, Lamp Irons, Lamp or other Posts, Rails, 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 Pavements, Iron Rails, Gates, Lamp Irons, Lamp or any other Posts, Rails, Materials, or Things, or any of the Works which shall be carrying on, or be made, done, or executed within or about the said Streets, Squares, 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 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.

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

XX. 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 up 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 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 fixed 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 said 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 fixed in a conspicuous Part of One or more House or Houses, Building or Buildings, at or near each End, Corner, or Entrance of such Streets, Squares, and other public Passages and Places, the Name by which each respective Street, Square, Lane, Court, Yard, Mews, Passage, and Place is to be called or known, in such Manner as they shall judge most proper for distinguishing the same respectively; and if any Person shall wilfully break, throw down, take away, spoil, or damage any Watch-house, Watchbox, Lamp, or any Part or Parts thereof respectively, or any of the Irons, Posts, or other Furniture thereof, or wilfully extinguish the Light of any such Lamp, or deface or obliterate any such Name or Number, or any Part thereof, every Person so offending, and not being otherwise sued or prosecuted for the same, shall for every such Offence forfeit and pay any Sum not

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 accidentally break, throw down, or otherwise spoil or damage any of the Paving in the said Streets, Squares, Passages, or Places, within the Limits aforesaid, or 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 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, not exceeding the Value of the Paving, Lamp, or other Articles so injured and damaged, and the Costs and Charges of repairing and replacing the same respectively, 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.

XXI. And be it further enacted, That the Tenant or Occupier of every House and Tenement 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 Ten Shillings.

Commissioners may water Streets and dig Wells.

XXII. 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, and other public Passages and Places within the Limits of this Act to be watered when they shall think proper, and for that Purpose to cause such Number of Wells and Pumps to be dug, sunk, and made in any of the said Streets, Squares, and other public 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 performing Works.

XXIII. And be it further enacted, That the said Commissioners shall and may, and they are hereby authorized and empowered, from Time to Time, and if they shall think proper, to contract and agree with any Person or Persons for the doing and performing all and any of the Works by this Act authorized or directed to be done and performed by them, or for the 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 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 to be mentioned.

Commissioners may employ Surveyors to inspect Works contracted for.

XXIV. 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, Inspector or Inspectors, 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 brought 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, and 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 shall think fit) to compound and agree with any Contractor for any Penalty incurred by him for the Breach or Non-performance of such Contract, for such Sum of Money as the said Commissioners shall think proper, not being less than the Damage or Injury sustained by the Breach or Non-performance of such Contract, and all Costs, Charges, and Expences as shall be occasioned thereby.

May compound for Penalties.

For preventing Encroachments.

XXV. 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 and built, within any of the said Streets, Squares, or 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 Tenants and Occupiers of all 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 Three or more of them, to be delivered to such respective Tenants or 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 Signs, Irons, Sign Posts and other Posts, Pent-houses, Screens, Poles,

Bulks, Stalls, Close Fences, Showglasses, and Showboards, or Goods exposed to Sale, whether within the Rails of an Area or otherwise, Spouts, Steps, Shop Windows and Cellar Windows, and other Encroachments, Obstructions, Projections, and Annoyances, now or which may hereafter be made by any such Tenant or 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 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, with the Permission of the Commissioners of Sewers; and in case any such Tenant or 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 any of the said Streets, Squares, or other public Passages or Places 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 shall not forthwith (being thereunto required by Writing signed by the Surveyor, Inspector, or Clerk of the said Commissioners for the Time being,) set up, amend, or repair 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 and Forfeiture is by this Act authorized to be levied.

Not to stop up Cellar Windows in certain Cases.

Penalty on placing Showboards.

XXVI. And be it further enacted, That no Person or Persons shall put up any Post or Posts, Step or Steps, or make any Dung-hole or Saw-pit, or place out any Showglass or Showboard, or Goods exposed for Sale, or otherwise, either on the Footways or Carriageways belonging or to belong to any of the said Streets, Squares, or other public Passages or Places within the Limits of this Act, which may be a Nuisance or Ob-

struction to Foot Passengers or Carriages, upon Pain that every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Three Pounds over and above the Expence of taking down such Posts and Steps, and filling up such Dung-holes or Saw-pits, or removing or altering such Showboards or Showglass, or Goods exposed for Sale, according to the Directions of the said Commissioners; any thing in this Act contained to the contrary thereof in anywise notwithstanding.

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

XXVII. And be it further enacted, That if any Person or Persons shall dig or cause to be dug any Earth, or leave or cause or permit to be left any Hole, in any Street, Square, or Place, before any House or Tenement, now or hereafter to be built, or in building, within the Limits of this Act, for the Purpose of making an Area or Vault, or any other Purpose whatsoever, and shall not inclose the same in a good and sufficient Manner, to be approved of by the Surveyor or Inspector to the said Commissioners, or if any such Person or Persons, having inclosed the same, shall keep up the said Inclosure longer than the said Commissioners shall think absolutely necessary, or if any such Person or Persons shall not well and sufficiently fence or rail before the Area or Areas fronting to any Street, Square, or Place, every Person or Persons guilty of any of the Offences aforesaid shall forfeit and pay any Sum not exceeding Five Pounds, and forfeit and pay any Sum not exceeding Five Pounds for every Week that such Nuisance shall be continued; and in case any Slaughterhouse, Hogstye, Necessary House, or other noisome or offensive Building or Place whatsoever, in or near any of the Streets, Squares, or public Passages or Places within the Limits of this Act, shall by the said Commissioners, or any Seven or more of them, be deemed a Nuisance to any of the Inhabitants or Persons residing within the said Limits, it shall and may be lawful to and for the said Commissioners, upon Complaint thereof made by any such Inhabitant or other Person or Persons, by Notice under the Hands of the said Commissioners or their Clerk, to order such Nuisance or Offences to be removed; and in case the same shall not be removed within Seven Days after such Notice given to the Person or Persons who ought to remove the same, or left at his, her, or their last usual Place of Abode, such Person or Persons shall forfeit and pay any Sum not exceeding Five Pounds for every Day the same shall continue unremoved after the Expiration of the Time mentioned in such Notice.

Penalties on occasioning Nuisances.

XXVIII. 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, or farry, unless in case of Accident, or turn or drive loose, any Horse or Beast, dust or clean any Carpet, or shall make or assist in making any Fire or Fires commonly called Bonfires, or set fire to or let off any Gun, Pistol, (except in case of Self-defence, or by Accident,) Squib, Serpent, Fire Balloon, Cracker, or Fireworks, within any of the said Streets, Squares, Lanes, public

public Passages or Places as aforesaid; or in case the Tenant or Tenants, Occupier or Occupiers, or Inhabitant or Inhabitants of any the said Houses and Premises within the Limits of this Act, shall place or cause or permit to be placed at the Outside of any Window or Windows next the public Streets, or on the Cills thereof, any Earthen Garden or other Pot, without the same being safely and properly inclosed with Iron Bars or Rails, or shall permit or suffer any Stone, Iron, or other Plate (commonly called Coal Plates) over the Opening in the Vaults, or otherwise, belonging to the said Houses and Premises, to be loose and unfastened; every Person so offending in any of such Cases shall for every such Offence forfeit and pay any Sum not exceeding Three Pounds; 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, or other public Passage or Place, or cause the same to be so done, he and they shall forfeit and pay any Sum not exceeding Three Pounds for every such Offence.

No Swine to be suffered about the Streets.

XXIX. And be it further enacted, That no Person or Persons whomsoever shall suffer any Sort or Manner of Swine to stray or to go about any Street or other public Passage or Place within the Limits of this Act, upon Pain of forfeiting any Sum not exceeding Forty Shillings to the Commissioners appointed or to be appointed under and by virtue of this Act.

Hoards may be erected.

XXX. 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, or 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 as that every such Person shall previously have and obtain a Licence for that Purpose under the Hand of the Surveyor or Inspector to the said Commissioners; which Licence such Surveyor or Inspector 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 Sixpence, 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 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 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.

XXXI. 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 reasonable and necessary for the loading and unloading thereof; or in case the same shall not be placed, during such Time, as near the Side of the said Streets, Squares, Passages, or Places as conveniently may be; or if any Stage Coach, Post Chaise, or other Carriage let to hire, except Hackney Coaches, shall be left to stand or remain in any such Street,

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 Repair 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, or other Things shall be laid or placed and left to remain in any of the said Streets, Squares, or other public Passages or Places for any longer Time than shall be necessary for removing or housing the same; or 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 (except in Times of Frost); 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 and 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 remain in any of the said Streets, Squares, or other public Passages or Places longer than shall be necessary as aforesaid, the Surveyor or Inspector 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 Nonpayment, on Demand, be recovered in like Manner as any Penalty is by this Act authorized and directed to be recovered.

No Person to take the Ashes, &c. but the Scavenger.

XXXII. And be it further enacted, That if any Person or Persons other than the Person or Persons contracting with the said Commissioners, or those employed under such Contractor or Contractors, shall on any Pretence whatsoever go about, or collect or gather, ask for, receive, or carry away, any Dust, Dirt, Cinders, or Ashes from any House or other Premises in any Street, Passage, or Place within the Limits of this Act, 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, and by the Authority of this Act, and without any Magistrate's Warrant, to convey the offending Party or Parties before some Justice of the Peace for the said County of *Middlesex*; and such Justice shall examine upon Oath the Person or Persons apprehending the Offender or Offenders, or any Witness or Witnesses who shall appear to give Information touching such Offence; and if the offending Party or Parties shall be convicted, he, she, or they respectively shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds nor less than Twenty 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 or their Treasurer; and if such Offender or Offenders shall not immediately on Conviction pay the Penalty, such Justice is hereby required to commit the Offender or Offenders to the House of Correction for the said County, there to be kept for any Time not exceeding Thirty Days nor less than

Seven Days, unless such Penalty be sooner paid: Provided nevertheless, that nothing in this Act contained shall extend to prevent or hinder the Owners of any such Dirt, Dust, Cinders, or Ashes to carry away the same, for their own Use, but not for Sale.

Regulations as to Night Soil.

XXXIII. And be it further enacted, That no Person shall begin to empty any Privy, or to take and 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*, and after the Hour of Four in the Morning between *Lady Day* and *Michaelmas*; and that no Person shall unload or cast, or cause to be unloaded or cast, any 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.

Scavenger's Duty.

XXXIV. 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 as aforesaid, shall sweep, rake, or place together, or cause to be swept, raked, or placed together, all Mud, Dirt, Rubbish, Ashes, Filth, or Soil to be found in the said Streets, Squares, or other public Passages or Places, at the Distance of Three Feet at the least from the Channel, where the Width of the Street will admit thereof, and Ten Feet from any Grating in the said Streets, Squares, or other public Passages and Places; and shall use or cause to be used no Cart or other Carriage in or about the cleansing or watering the said Streets, Squares, and other public Passages or Places, or 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 also shall once in every Fortnight, or oftener, if the said Commissioners shall so direct, between the Hours of Three in the Morning and Eight in the Evening, attend in all and every the said Streets, Squares, and other public Passages and Places within the Limits of this Act, and shall give One Day's Notice at least in Writing to the Surveyor or Inspector 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 or Places, for the Purposes aforesaid, of which the said Surveyor or Inspector shall make an Entry in a Book; and such Surveyor or Inspector shall on that Day inspect the said Streets, Squares, and other public Passages and Places, to see if the Work is properly performed, and shall make an Entry thereof on the same Books; 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 and other Places where any 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 offend in the said Cases, or shall neglect or refuse to take away the Dust, Cinders, or Ashes of the Inhabitants aforesaid, he shall forfeit and pay for every Offence, Neglect, or Refusal any Sum not exceeding Forty Shillings, One Moiety of which shall be paid to the Person complaining.

XXXV. And

Regulations for repairing Water Pipes.

XXXV. And be it further enacted, That when and so often as any Pipe belonging or to belong to any of the Water Companies which supply any of the Inhabitants within the Limits of this Act with Water shall happen to burst or be out of Repair in any Streets, Squares, or other public Passages or Places within the Limits of this Act, the Surveyor or Inspector to the said Commissioners, or any 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 or Inspector to the said Commissioners, or such other Person or Persons appointed as aforesaid, shall give Notice to the Pavior or Clerk of such 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 or Inspector to the said Commissioners for the Time being shall direct, within Twenty-four Hours next after such Notice shall be given as last aforesaid; and in case the Pavior or Clerk 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 or Inspector shall direct as aforesaid, for the Space of Twenty-four Hours next after such Notice shall be given or left as aforesaid, then and in every such Case the Pavior or 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, or other public 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 Purposes, and also shall forthwith give Notice to the Surveyor or Inspector of the said Commissioners, or such other Person or Persons so appointed by them as aforesaid, to relay the Pavement so broken 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, for the Purpose of making, repairing, or altering any Sewer or Drain, the Surveyor or Inspector for the Time being to such Commissioners of Sewers shall immediately upon breaking or taking up the said Pavement give Notice thereof to the Surveyor or Inspector, or Paving Contractor or Contractors, appointed or employed by the said Commissioners for putting this Act in execution, and also Notice when and immediately after the said Sewer or Drain shall be made, repaired, or altered, in order to relay or repair the said 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 or Inspector to or for 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 for putting this Act into execution with such Notice, or if such Contractor or Contractors shall not within Twenty-four Hours next after such Notice from such Surveyor or Inspector, or other Person or Persons respectively, to 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 Forty Shillings

Shillings for every Day such Pavement shall continue without being relaid or repaved after the Expiration of the said Twenty-four Hours.

Pavements taken up for repairing Water Pipes to be relaid.

XXXVI. And be it further enacted, That wherever the Pavement of any of the said Streets, Squares, or other public Passages or Places shall be taken up for the Purpose of making, repairing, or altering any Drain or Sewer, or laying or altering or repairing any Water Pipe or Plug, the said Pavement shall with all convenient Speed be relaid 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 Commissioners of Sewers, 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, Gulleyholes, or Grates, within the Limits of this Act, with the Permission of the Commissioners of Sewers, 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 Expence thereof shall be defrayed by the said Commissioners out of the Monies arising by virtue of this Act.

Artificers to be employed.

XXXVII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to order, direct, and appoint such and so many Paviors, Artificers, Workmen, Labourers, Carters, and others, in the respective Works mentioned in this Act, as they shall judge necessary for the due Execution of such Works; and no Person or Persons shall, for any Act done in consequence of his, her, or their being so employed by Order of such Commissioners, be subject or liable to any Action, Indictment, or Information upon the Statute made in the Fifth Year of the Reign of Queen *Elizabeth*, intituled *An Act containing Orders for Artificers, Labourers, Servants of Husbandry, and Apprentices.*

Penalty on obstructing Officers in their Duty.

XXXVIII. And be it further enacted, That if any Person or Persons shall, at any Time or Times from and after the passing of this Act, obstruct, hinder, or molest any Surveyor or Surveyors, Inspector or Inspectors, or other Officer or Officers, Person or Persons whomsoever, who shall or may be employed by the said Commissioners for the Purposes of putting this Act into execution, in the Performance of their Duty, every Person or Persons so offending shall for every Offence forfeit and pay any Sum not exceeding Forty Shillings.

Paviors and Turncocks to give Notice of their Abode to the Surveyor, &c.

XXXIX. 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 Pavior or Turncock belonging to the said respective Water Companies, shall and they are hereby required, within the Space of Forty Days next 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 to 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 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 every Person neglecting or refusing to give such Notice as aforesaid, within the Times before respectively specified, shall forfeit any Sum not exceeding Forty Shillings for every such Offence.

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

XL. And be it further enacted, That when and so often as any Sewer, Gulley-hole, or Drain which shall or may be under the Direction of the Commissioners of Sewers, in any of the said Streets, Squares, and other public 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, Gulley-hole, or Drain, shall be necessary to be made, or any Sewer, Gulley-hole, or Drain, in any of the said Streets, Squares, or other public Passages or Places, or any old Grate over the same, shall require to be repaired, removed, or altered, then and in every such Case the said Commissioners of Sewers shall within Five Days next after Notice in Writing at their Office, signed by the Surveyor or Inspector to the Commissioners for putting this Act into Execution, cause such Sewer, Gulley-hole, or Drain to be made, 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; and in default thereof it shall be lawful for the said Commissioners for putting this Act into execution, or their Surveyor or Inspector, to cause such Sewer, Gulley-hole, or Drain to be made, 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 Work to be completed as shall remain unfinished: Provided always, that the Charges and Expences of relaying and 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 for putting this Act into execution, or to such Person or Persons as they or any Five or more of them 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 to such Person or Persons as they shall at any Meeting to be held in pursuance of this Act 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 Purpose 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 Four Weeks next after Notice thereof in Writing signed by the Clerk to the Commissioners for putting this Act in execution, and left at their respective Dwelling Houses or last or usual Place 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 the said Treasurer or Clerk of the said Commissioners of Sewers, 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.

Watchmen to be appointed.

XLI. And be it further enacted, That the said Commissioners for putting this Act into execution may and they are hereby authorized and empowered from Time to Time to appoint such Number of Watchmen and Patrole, to be employed within the Limits of this Act, for so long Time or Number of Hours under such Regulations and for such Wages as they shall think proper, and to provide them with proper Arms, Ammunition, 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 Twenty Shillings for every such Offence.

Duty of Watchmen.

XLII. 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, or 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 authorized and required, while on Duty, to stop and prevent all and every Person and Persons from removing Goods from any of the Houses or Premises, and 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 Design, and to secure and keep in safe Custody every such Person, in order that he or she may be conveyed, as soon as conveniently may be, before some Justice of the Peace for the County of *Middlesex*, to be examined and dealt with according to Law; and if any Person or Persons shall assault or resist or shall promote or encourage the assaulting or resisting any of the Watchmen in the Execution of their Duty, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and if any Victualler or Keeper of any Public House shall knowingly harbour or entertain any Watchmen 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 and pay any Sum not exceeding Twenty Shillings.

Justices may issue their Warrant to apprehend Offenders.

XLIII. And be it further enacted, That it shall be lawful for any Justice or Justices of the Peace for the County or Place wherein any Offender or Offenders under this Act shall reside, upon the Information or Complaint of any credible Witness upon Oath, to issue his or their Warrant for apprehending and bringing before him or them the said Offender or Offenders to answer the said Complaint, or for the said Justice or Justices to issue his or their Summons to the Offender or Offenders to appear before him or them to answer the said Complaint, and

in which Case such Summons being left at the Dwelling House of such Offender or Offenders shall be deemed good Service of every such Summons.

Commissioners may appoint Watch-house Keepers, &c. and give Rewards, for Security of Inhabitants.

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

Rates how made.

XLV. And, in order to raise a sufficient Sum of Money for carrying the several Purposes of this Act into execution, be it further enacted, That from and after the passing of this Act One or more Rate or Rates, Assessment or Assessments, shall, for the Purpose of repairing, cleansing, lighting, watering, and watching the several Streets, Squares, and other public Passages and Places within the Limits of this Act, be made, laid, and assessed by the said Commissioners for putting this Act in execution, or any Five or more of them, once or oftener, if they shall judge necessary, upon all and every Person and Persons who shall inhabit, hold, use, occupy, possess, and enjoy any Land, Ground, House, Shop, Warehouse, Coach-house, Stable, Cellar, Vault, Building, Tenement, or Hereditament, in any of the said Streets, Squares, and other public Passages and Places, according to the yearly Value thereof respectively, as the said Commissioners shall think proper, in such Sums of Money as the said Commissioners shall order and direct; and the said several Person and Persons, being so rated and assessed, shall not be assessed, charged, or compelled to pay to any Person or Persons whomsoever any other Rate or Rates, Assessment or Assessments, for repairing, cleansing, lighting, watering, and watching, for and in respect of their said several Premises, and also One or more Rate or Rates, Assessment or Assessments, for the Purpose of paying the Interest of the Monies to be borrowed and the Annuities to be granted by the said Commissioners, in pursuance of and for carrying this Act in execution, upon all and every Person or Persons who shall inhabit, hold, occupy, and enjoy any Land, Ground, House, Shop, Warehouse, Coach-house, Stable, Cellar, Vault, Building, Tenement, or Hereditament, in the said several Streets, Squares, and other Passages and Places within the Limits of this Act, as are now or hereafter shall be paved, such competent Sum and Sums of Money as the said Commissioners shall order and direct, but so nevertheless that such Rate or Rates do not exceed in the whole in any One Year the several Sums of Money next hereafter mentioned; that is to say, for repairing, cleansing, lighting, watering, and watching, the Sum of

of Four Shillings in the Pound, according to the yearly Rent or Value of such Lands, Grounds, Houses, Shops, Warehouses, Coach-houses, Stables, Cellars, Vaults, Buildings, Tenements, or Hereditaments, situate as aforesaid; and for and towards paying the Interest of the Monies borrowed and Annuities granted by the said Commissioners in pursuance of and for putting this Act in execution, the Sum of One Shilling in the Pound, according to the said yearly Value of the said respective Premises as last aforesaid; and that separate and distinct Accounts shall be kept of the Produce of such respective Rate and Rates, and the Application of the same respectively; and the first of the said Rates or Assessments shall commence from the Day of passing this Act, and every future Rate or Assessment shall commence from the Time the last preceding Rate or Assessment ended, and not otherwise; and the Monies therein and thereby charged and assessed shall be payable and recoverable, quarterly or otherwise, in manner herein-after directed; that when any of the said Houses or other Buildings shall, at the Time of making 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, or any Five or more of them, 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 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 the Time being entitled to such Premises; and that where any House, Building, or Tenement, in respect whereof any Rate or Assessment shall be made as aforesaid, shall be let out by the Lessee, Tenant, or Landlord thereof to more than One Lodger, any One or more of such Lodgers shall be deemed the Occupier or Occupiers thereof for the Purposes of this Act, but no such Lodger or Lodgers shall be liable to pay a greater Rate or Assessment than the Rent actually due and payable by him, her, or them in respect of the Premises or Apartments he, she, or they may respectively occupy; and that all and every such respective Lodger or Lodgers, who shall pay any such Rate or Assessment, or any Part thereof, or from whom the same or any Part thereof 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, Tenant, or Landlord, and the Receipt for such Payment shall be a sufficient Discharge for such Lodger or Lodgers, to his, her, or their Landlord, for so much Money as he, she, or they shall pay, or shall be levied on him, her, or them, by virtue of this Act; and that the Landlord or Proprietor of any House and Premises let to Ambassadors, resident Agent, or other public Minister, or any other Person not liable by Law to pay such Rate or Rates, shall be deemed the Occupier thereof, and the said Rate or Rates chargeable on the same shall be paid by the said Landlord or Proprietor: Provided also, in all Cases where any Persons 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

Empty Houses to be charged with Half Rate.

Proportion of Rates to be paid by Persons removing.

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 Proportion, 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.

XLVI. 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, or other public Building, Wall, or void Space of Ground, to the Middle of the Street or Place on which the same shall respectively abut, and the same shall never exceed in any One Year the Sum of Two Shillings for every such 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 Chapelwardens, Trustees, 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, Garden, Yard, 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.

Lessees subject to Rates for Houses let to Lodgers.

XLVII. 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 or compellable to the Payment of the said Rates or Assessments beyond the Rent actually due and payable by him or her in respect of the said Premises; and that every such respective Occupier or Occupiers who shall pay any such Rate or Assessments, 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 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: Provided always, that nothing in this Act contained shall extend to prejudice or vacate any Agreement between Landlord and Tenant.

Houses within Two Districts how rated.

XLVIII. 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

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 as shall be within the Limits of this Act.

Omissions in the Rates to be rectified.

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

Rates how to be recovered.

L. And for the better enforcing the Payment of the Rates or Assessments to be made by virtue of this Act, be it further enacted, That if any Person or Persons liable to pay any of the said Rates or Assessments shall at any Time begin to remove his, her, or their Goods or Furniture from the House or Premises in his, her, or their Occupation, within the Limits of this Act, or to sell or dispose of such Goods or Furniture therein by public Auction, or 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 Assessments for such Quarter wherein such Removal or Sale shall begin to be made as aforesaid, 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 Charge 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.

Actions may be brought for Rates.

LI. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners, if they shall think it more expedient, to bring or cause to be brought, in the Name of their Treasurer or Clerk, or of any One or more of them the said Commissioners, any Action or Actions of Debt, or Special Action on the Case, in any of His Majesty's

Courts of Record at *Westminster*, for all or any of the Rates or Assessments to be made by virtue of this Act, 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.

Commissioners may raise Money.

LII. 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, or any Seven or more of them, and they are hereby empowered, from Time to Time to borrow and to take up at Interest any Sum or Sums of Money upon the Credit of the Rates or Assessments hereinbefore 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 and lend such Money, 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 Fifty-fourth Year of the Reign of King *George* the Third, intituled [*here insert the Title of the Act*], we being of the Commissioners appointed by virtue of the said Act, in consideration of the Sum of advanced and lent by *A. B.* to *C. D.*, the Treasurer or Banker appointed in pursuance of the said Act, do grant and assign unto the said *A. B.*, his Executors, Administrators, and Assigns, such Proportion of the Rates or Assessments arising by virtue of the said Act as the said Sum of doth or shall bear to the whole Sum which is or shall be borrowed upon the Credit of the said Act, to be had and holden from this Day until the said Sum of with Interest at *per Centum per Annum* for the same, to be paid half-yearly, shall be repaid and satisfied. In witness whereof we have hereunto set our Hands and Seals, the Day of .'

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

Money may be raised by Annuities.

LIII. Provided always, and be it further enacted, That in case the said Commissioners shall think it advisable to raise all or any Part of the Money necessary for the Purposes of this Act by granting of Annuities for the Life or Lives of any Person or Persons, or for any limited Number of Years not exceeding Thirty Years, 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 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 their Contribution or Purchase Money, or for any limited Number of Years not exceeding Thirty Years, so as that no separate Annuity do exceed the Rate of Ten Pounds for every One hundred Pounds for a Year; and the Grant of every such Annuity shall be in Words or to the Effect following;

'We

'WE, the Commissioners appointed in pursuance of the Act made in the Fifty-fourth Year of the Reign of King *George* the Third, in consideration of the Sum of paid by to the Treasurer appointed in pursuance of this Act, do hereby grant unto the said an Annuity or yearly Sum of out of the Rates or Assessments granted or arising by virtue of the said Act, which Annuity or yearly Sum of shall be paid to the said or his Assigns during the Term of his natural Life, or to his Executors, Administrators, or Assigns, during the natural Life of as the Case may be, upon the Day of and the Day of in every Year during the natural Life of him the said at , the first Payment thereof to be made on the Day of next ensuing the Date hereof. In witness whereof we have hereunto set our Hands and Seals the Day of .'

Securities to be assigned by Indorsement.

And which said Writing or Writings, Deed or Deeds, Security or Securities, shall be assignable by Indorsement; and the said several Annuities so to be purchased shall be and are hereby charged upon, and shall be paid out of the Rates or Assessments herein-before mentioned, and shall be made payable and be 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 proportionate Part of each Annuity shall be paid from the last Quarter Day of Payment to the Day of the Death of the Annuitant or his Cestuique Vie: 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 said Annuities so to be purchased in pursuance of this Act, by reason of their giving or executing such Securities as aforesaid: Provided nevertheless, that no greater Sum in the whole than Thirty 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.

Commissioners exempt from personal Liability.

Money borrowed not to exceed 30,000*l.*

Securities how transferred.

LIV. And be it further enacted, That it shall be lawful for the Persons entitled to any of such 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:

'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 .'

Mortgages and Securities 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 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

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, upon paying to the Clerk the Fee of One Shilling, and for the Entry of every such Transfer or Assignment the Clerk shall be paid Five Shillings, and no more; and every such Transfer or Assignment, after such Entry 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 of the Priority of advancing such Monies on the Dates of any such Mortgages, Assignments, Grant, or Orders respectively.

Application of the Money.

LV. 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, and other public Passages and Places, and in defraying the Expences of paving, repairing, cleansing, lighting, watching, and watering the said Streets, Squares, and other public Passages and Places, and all other the Purposes for carrying this Act into execution, and in paying off the said Principal Money, in such Manner as the said Commissioners shall think proper.

Surplus Monies on Rates how to be applied.

LVI. 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 made for the Purpose of paying the Interest of the Monies, and the Annuities to be granted by the said Commissioners, shall amount to the Sum of Two hundred Pounds (over and above what shall be necessary to pay the growing Interest upon the 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 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 for every One hundred Pounds intended to be paid off shall be drawn out of the Box or Glass by the Clerk of 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 Number being so drawn.

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

LVII. 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 Monies shall be intended to be paid off, which Notice shall express the Sum or Sums 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; the Interest of the Principal Money so to be paid off shall from and after the End of Six Calendar Months cease and be no longer paid or payable, unless such Principal Money shall be demanded pursuant to such Notice 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 to discharge Securities at higher.

LVIII. And be it further enacted, That in case the said Commissioners can at any Time borrow and take up any Sum or Sums of Money at a lower Rate of Interest than the Mortgages, Bonds, 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 and Securities bearing a higher Rate of Interest.

Penalties how recovered.

LIX. 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 Confession of the Party, or upon the Information of any credible Witness upon Oath, and such Penalties or Forfeitures shall (if not otherwise directed to be 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 and 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.

LX. And be it further enacted, That all Commissioners as are or shall be Justices of the Peace may act as Justices in all Matters under the Authority of this Act, notwithstanding their being Commissioners; and that 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 or Justices, and he and they is and are hereby required, to administer such Oath, and to take such Affirmation.

LXI. And

Inhabitants may give Evidence.

LXI. And be it further enacted, That in all Actions, Prosecutions, Informations, Causes, and Proceedings whatsoever relating to or concerning the Execution of this Act, no Person residing within the Limits of this Act shall be disqualified from giving Evidence by reason of such Person 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 Action, as the Case shall be.

Appeal.

LXII. 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 thereon, 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 Matters 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 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.

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

LXIII. And be it further enacted, That no Rate or Assessment, or any Proceedings 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 to 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.

Plaintiff shall not recover after Tender of sufficient Amends.

LXIV. Provided always, and be it further enacted, That no Person shall recover in any Action for any Irregularity, Trespass, or wrongful Proceedings made or committed in execution of this Act, if sufficient Tender of Amends shall be made to or 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; in case no such Tender shall have been made, it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum

Sum of Money as he or they shall see fit, whereupon such Proceeding or Order and Judgment shall be had, made, or given by such Court in like Manner as in other Cases where the Defendant is allowed to pay Money into Court.

Distress not unlawful for Want of Form.

LXV. 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 on the Case.

Saving to Commissioners of Sewers.

LXVI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to prejudice, diminish, alter, or take away any of the Rights, Powers, or Authorities vested in the Commissioners of Sewers for the Limits of *Holborn* and *Finsbury* Divisions, the Parish of *Saint Leonard Shoreditch*, and the Liberty of *Norton Falgate* in the County of *Middlesex*, and the Borders and Confines of the same; but all the Rights, Powers, and Authorities vested in them shall be as good, valid, and effectual as if this Act had not been made.

Limitation of Actions.

LXVII. And be it further enacted, That no Suit or Action shall be commenced against any Person 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 aggrieved, or after Three Calendar Months next after the Fact committed; and every such Action and Suit shall be brought and tried in the County of *Middlesex*, and not elsewhere; and the Defendant 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 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; and upon such Verdict, or if the Plaintiff shall become nonsuit, or discontinue his or her Action or Suit after the Defendant shall appear, or if upon Demurrer Judgment shall be given against the Plaintiff, then the Defendant shall recover Treble Costs, and have such Remedy for the same as any Defendant hath for Costs of Suit in other Cases of Law.

Public Act.

LXVIII. 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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