ANNO PRIMO & SECUNDO

GEORGII IV. REGIS.

****

Cap. lxxii.

An Act to light and otherwise improve the Streets and other public Passages and Places within the Hamlet of *Mile End Old Town*, in the Parish of *Saint Dunstan Stepney* otherwise *Stebonheath*, in the County of *Middlesex*. [28th *May* 1821.]

WHEREAS the Hamlet of *Mile End Old Town*, in the Parish of *Saint Dunstan Stepney* otherwise *Stebonheath*, in the County of *Middlesex*, is very extensive, and the Population thereof hath greatly increased, and a considerable Number of Houses and Buildings have of late Years been erected and built within the said Hamlet, and many new Streets and Squares have been made and formed therein, and the said Hamlet is still increasing in Houses and Buildings: And whereas the several Streets, Squares, and other public Passages and Places in the said Hamlet are not properly and sufficiently lighted, and the Highways, Streets, Squares, and other public Passages and Places of and in the said Hamlet are not properly cleansed and repaired, and are subject to Nuisances, Obstructions, and Encroachments; and it would tend to the Protection and Preservation of the Lives and Property of the Inhabitants of the said Hamlet, and be of great Advantage to all Persons resorting to and travelling through the same, if the said Streets,

Squares, and other public Passages and Places were lighted in the Night-time, and the said Highways, Streets, Squares, and other public Passages and Places were properly cleansed and repaired, and all Nuisances, Obstructions, and Encroachments therein were removed and prevented in future: But inasmuch as the said several Purposes cannot be effected without the Aid and Authority of Parliament, May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *Nicholas Charrington*, *Nicholas Charrington* the younger, *Richard Carpenter*, *John Boyce*, *Thomas Windle*, *Daniel Austin*, *William Overton*, *Benjamin Nettlefold*, *George Turney*, *Thomas Daplyn*, *Jonas Brown*, *John Knight*, *Thomas Mills*, *John Curtis*, *James Brown*, *William Nathaniel Curtis*, *Richard Packer*, *Diederick Helmers*, *James Boote*, *William Drisdale*, *William Maltby*, *Peter Bacon*, *James Peppercorne*, *Henry Dowsland*, *Patrick Dingwall*, *George Dowers*, *Richard Waldgrave Packer*, *George Boyce*, *John Edward Nettlefold*, *Peter Christie*, *Aristides Franklin Mornay*, *Andrew Duncan*, *Gilbert Liddiard*, *William Wade*, *Isaac Bird*, *John Swaine*, *Henry Caulier*, *John Cannon*, *Thomas Bore*, *Joseph Wild*, *Samuel Akroyd*, *William Anderson*, *Nicholas Temperley*, *John Hayward*, and *George Pritchard*, being Inhabitant Householders within the said Hamlet, and their Successors, to be elected and chosen in manner herein-after mentioned, shall be and they are hereby appointed Trustees for carrying into execution the several Powers of this Act, and shall be called "The Trustees for lighting and improving the Hamlet of *Mile End Old Town* in the County of *Middlesex*."

Appointment of Trustees.

II. Provided always, and be it further enacted, That the Rector for the Time being of the said Parish of *Saint Dunstan Stepney* otherwise *Stebonheath*, and the Churchwardens and Overseers of the Poor for the Time being of the said Hamlet of *Mile End Old Town*, and each and every of them, shall be and they are hereby declared to be Trustees for the Purposes of this Act, within the true Intent and Meaning hereof, and shall have full Power and Authority, together with the several Trustees hereby appointed, and their Successors (to be from Time to Time elected and chosen as herein-after mentioned), to act as such Trustees to all Intents and Purposes as if they had been named and appointed in and by this Act, or elected and chosen in manner and form herein prescribed, but only during the Period they shall continue to occupy such Offices respectively.

Rector, Churchwardens and Overseers to be Trustees.

III. And be it further enacted, That no Person (except the Rector for the Time being of the said Parish, and the Churchwardens and Overseers of the Poor for the Time being of the said Hamlet, and the Persons named and appointed in and by this Act,) shall be elected or chosen to act as a Trustee in the Execution of this Act unless he shall be resident in the said Hamlet, and shall occupy and be in possession of One entire Messuage or Tenement within the said Hamlet of the Rent or Value of Twenty Pounds *per Annum* at the least, and shall be charged to and pay the Rates to be made from

Qualification of Trustees.

Time to Time for the Relief of the Poor of the said Hamlet, in respect of such Messuage or Tenement, on that Sum or upwards.

No Victualler to be a Trustee.

IV. And be it further enacted, That no Victualler, or any Person who shall sell Ale, Wine, or any spirituous or other strong Liquors by Retail, shall be elected a Trustee in the Execution of this Act.

Persons incapacitated from being Trustees.

V. Provided always, and be it further enacted, That if any Person herein named and appointed a Trustee, or elected and chosen a Trustee under this Act, shall have any Share or Interest in any Contract, or be appointed to or enjoy any beneficial Employment, under or by virtue of this Act, or shall become bankrupt or insolvent, or shall sell any Goods or Articles to the said Trustees, or shall perform any Work or Labour under this Act for the said Trustees, unless by public Contract, or shall cease to be an Inhabitant Householder within the said Hamlet, or shall refuse or decline to act as such Trustee, or shall neglect to attend the Meetings of the said Trustees once in any one Year, every such Person, except the Rector for the Time being of the said Parish, shall be thereupon disabled and disqualified from acting as a Trustee under this Act.

Election of future Trustees.

VI. And be it further enacted, That when and as often as any Trustee named in or to be elected and chosen by virtue of this Act shall die, or shall become disabled and disqualified in manner herein-before mentioned from acting as a Trustee under this Act, the same being declared at a Meeting of the Trustees for the Time being to be held in pursuance of this Act, it shall be lawful for the Inhabitant Householders within the said Hamlet, rated and assessed to and paying the Rates and Assessments to be from Time to Time made by virtue of this Act at and upon the Sum of Ten Pounds or upwards, assembled at the Town House or at any other Place within the said Hamlet on the First *Wednesday* in the Month of *April* in every Year, to elect and choose some other fit Person or Persons, qualified as herein-before mentioned, to be a Trustee or Trustees in the Place of every Trustee so dying, or becoming and being disabled and disqualified in manner herein-before mentioned; but Notice in Writing of the Time and Place for such Election shall be given by the Clerk or Clerks for the Time being to the said Trustees, under the Hand or Hands of the said Clerk or Clerks, and shall be affixed on the Doors of the Church of the said Parish of *Saint Dunstan Stepney* otherwise *Stebonheath* Six Days at least before the Day appointed by this Act for such Election; and every Person who shall be so elected and chosen is hereby vested with the same Powers for putting this Act into execution as if he had been originally named a Trustee in and by this Act.

Penalty on Persons not qualified acting as Trustees.

VII. And be it further enacted, That if any Person, not being qualified in manner herein-before mentioned to act as a Trustee, or becoming and being disabled and disqualified as herein-before mentioned, shall presume to act as a Trustee in the Execution of the Powers hereby given, or any of them, every such Person shall for every such Act forfeit and pay the Sum of Fifty Pounds, to be recovered on the Information or Prosecution of any Person or Persons whom-

whomsoever, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, Privilege, or Wager of Law, or more than One Imparlance, shall be allowed; and every Person so sued or prosecuted shall prove that he was qualified as aforesaid at the Time of acting, and that he had not become disabled and disqualified by virtue of the Provisions of this Act, or otherwise he shall pay the said Penalty, with full Costs of Suit, without any other Proof or Evidence being given on the Part of the Plaintiff or Prosecutor than that such Person had acted as a Trustee in the Execution of this Act; and the Money so to be recovered shall be paid as follows; (that is to say,) one Moiety thereof to the Informer or Prosecutor, and the other Moiety thereof to the Treasurer for the Time being to the said Trustees, to be by him applied to the Purposes of this Act: Provided always, that all Acts and Proceedings done by such Trustee in the Execution of this Act, previous to such Prosecution, shall be as valid and effectual as if such Trustee had been duly qualified according to the Directions of this Act.

Meetings of Trustees.

VIII. And be it further enacted, That the said Trustees herein named and appointed shall and they are hereby required to meet together at the Town House within the said Hamlet, or at such other Place within the said Hamlet as they shall think fit, on the *Thursday* next after the passing of this Act, at the Hour of Six in the Afternoon, and shall then and there proceed to the Execution of this Act, and shall then and from Time to Time afterwards adjourn the Meeting, and meet on such Day and at such Time at the Town House aforesaid, or at such other Place or Places within the said Hamlet as the said Trustees shall think proper:

Chairman to be appointed.

IX. And be it further enacted, That at each and every Meeting of the said Trustees any One Trustee then present who shall be then nominated, and who shall be appointed by the Majority of the Trustees then present, shall preside at the Meeting, and shall be Chairman; and the said Trustees shall vote by Ballot, in case a Ballot shall be demanded by any One or more of the said Trustees then present; and in case of an equal Number of Votes upon any Question, including the Vote of the Chairman, such Chairman shall have or be entitled to another and the casting Vote.

Notice to be given of Meetings.

X. And be it further enacted, That the Clerk or Clerks for the Time being to the said Trustees shall, Three clear Days at least previous to each and every Meeting of the said Trustees, leave or cause to be left at the last or usual Place of Abode of every Trustee a written or printed Notice of each and every Meeting of the said Trustees, and of the Time and Place when and where the Meeting shall be intended to be held.

No Act valid unless at a Meeting.

XI. And be it further enacted, That no Business transacted or any Orders made or Directions given by the said Trustees shall be or be deemed to be good, valid, or effectual, unless transacted, made, or given at a Meeting of the said Trustees held by virtue of this Act; and all the Powers and Authorities by this Act granted to or vested in

in the said Trustees shall and may be exercised from Time to Time by the major Part of the said Trustees present at any Meeting, the Number present at the Meeting not being less than Five, or less than Eleven in the Cases where that Number is required to be present as herein-after mentioned; and all the Business, Directions, Orders, and Proceedings of the major Part of the said Trustees present at every such Meeting shall be good, valid, and effectual, and shall have the same Force and Effect as if the same were transacted, had, made, or given at any Meeting by all the said Trustees for the Time being.

In case of Non-attendance, Clerk may adjourn the Meeting.

XII. And be it further enacted, That in case Five or Eleven Trustees, as the Case may require, shall not attend any Meeting of the said Trustees within One Hour after the Time appointed for the Meeting, it shall and may be lawful to and for the Clerk or Clerks for the Time being to the said Trustees to adjourn such Meeting to any Day within Fourteen Days after such Meeting was appointed to be or ought to have been held, such Clerk or Clerks giving at least Three clear Days Notice of such Adjournment to every Trustee.

Trustees may call Special General Meetings.

XIII. And be it further enacted, That in case any Five or more of the said Trustees shall on any Occasion think it necessary or expedient to convene a Special General Meeting of the said Trustees, it shall and may be lawful for any Five or more of the said Trustees to require the Clerk or Clerks for the Time being to the said Trustees (by Notice in Writing signed by them, specifying the particular Occasion of such Special General Meeting,) to summon a Special General Meeting of the said Trustees within Six Days after the Receipt of such Notice; and of such Special General Meeting a written or printed Notice shall be given, specifying the particular Occasion of such Special General Meeting to every Trustee.

Proceedings to be entered.

XIV. And be it further enacted, That fair and regular Entries shall be made in a Book or Books to be provided for that Purpose of all the Resolutions, Acts, Orders, Directions, and Proceedings of the said Trustees, and of the Names of the Trustees who shall be present at the respective Meetings of the said Trustees; and all such Entries, being signed by the Chairman for the Time being, shall be deemed Originals, and shall be allowed to be read in Evidence in all Causes, Appeals, Prosecutions, Suits, and Actions touching any thing done or to be done in pursuance of this Act, or in anywise relating thereto; and that such Book or Books shall at every Meeting of the said Trustees, and at all other seasonable Times, be open to the Inspection of the said Trustees, and of every Creditor or Annuitant, and of all Persons rated to and paying the Rates and Assessments to be made by virtue of this Act.

Lamps to be set up.

XV. And be it further enacted, That it shall and may be lawful to and for the said Trustees, and they are hereby authorized and empowered, from Time to Time and at any Time after the passing of this Act, to purchase and provide such and so many Glass Lamps, of such Sorts and Sizes, and such and so many Lamp Irons and Lamp

Posts, and all such other Materials and Things for lighting such Lamps as they shall judge necessary, and to direct the same to be affixed and set up on or against the Walls, Rails, or Palisadoes of any of the Houses, Tenements, or Buildings in the said Hamlet, or against any other Walls or Places within the said Hamlet, or in such other Manner as they the said Trustees shall think proper and convenient; and to cause the same and every of them to be from Time to Time taken down, altered, amended, or renewed when and as often as they the said Trustees shall think fit; and to cause such Lamps, or any of them, to be lighted at such Season of the Year, on such Evenings, and at such Hour of the Evening, and to be kept burning for so many Hours, as to them the said Trustees shall seem necessary or proper.

Penalty on wilfully breaking Lamps.

XVI. And be it further enacted, That if any Person or Persons shall wilfully break, take away, throw down, or otherwise destroy or damage any Lamp or Lamps already erected, or which shall be erected by or by the Order of the said Trustees, or by any Person or Persons at his or their own Expence, for the Purpose of lighting any of the said Squares, Streets, Lanes, and other public Passages and Places within the said Hamlet, or any Post, Iron, Cover, or other Furniture thereof respectively, or shall wilfully extinguish the Light or Lights of or in any such Lamp or Lamps, it shall and may be lawful to and for any Justice of the Peace for the County of *Middlesex*, and he is hereby authorized, empowered, and required, upon Complaint to him made by any One or more credible Witness or Witnesses of any such Offence having been committed, to issue a Warrant for apprehending the Party or Parties accused; or it shall and may be lawful to and for any Person or Persons who shall see such Offence committed to apprehend, and also for any Person or Persons to assist in apprehending, the Offender or Offenders, and by the Authority of this Act, without any other Warrant or Authority, to deliver him, her, or them into the Custody of a Peace Officer, in order to be secured and conveyed before some Justice of the Peace for the said County; and on the Party or Parties accused being brought before such Justice such Justice shall and is hereby required to proceed to examine upon Oath any Witness or Witnesses who shall appear or be produced to give Evidence touching such Offence; and if the Party or Parties accused shall be convicted of such Offence, either on his, her, or their Confession, or upon such Evidence as aforesaid, then and in every such Case he, she, or they shall for each and every such Offence respectively, and if more than One shall severally, forfeit and pay any Sum not exceeding Five Pounds, and shall besides make full Satisfaction (to be ascertained by such Justice) to the said Trustees or other Party injured for the Damage so done; and in case such Offender or Offenders shall not upon Conviction forthwith pay such Penalty by him, her, or them incurred, and also make such Satisfaction as aforesaid, such Justice is hereby authorized, empowered, and required to commit such Offender or Offenders to the Common Gaol or House of Correction for the said County, there to be kept to hard Labour for any Time not exceeding Three Calendar Months; and such Offender or Offenders shall not be discharged before the Expiration of the Time for which he, she, or they

they shall be so committed, unless such Penalty and Satisfaction shall be sooner paid and made as aforesaid.

Persons accidentally breaking Lamps to make Satisfaction.

XVII. And be it further enacted, That if any Person or Persons shall carelessly, negligently, or accidentally break, thrown down, or otherwise destroy or damage any such Lamp or Lamps, or any Post, Iron, Cover, or Furniture thereof respectively, and shall not upon Demand made by the Surveyor or Surveyors, or other Person or Persons for the Time being appointed by the said Trustees, make Satisfaction for the Damage so done, then and in every such Case it shall be lawful for any Justice of the Peace for the said County, and he is hereby authorized, empowered, and required, upon Complaint made by any One or more credible Witness or Witnesses, by Warrant under his Hand, to summon before him the Party or Parties accused, and upon his, her, or their appearing, or making default to appear (Oath being made that the Party complained against had been served with such Summons, or that the same had been left at his, her, or their usual Dwelling or Place of Abode, if known, or that he, she, or they could not be found), such Justice shall proceed to examine the Cause of such Complaint, and upon Proof thereof, either upon Confession of the Party, or the Oath of One or more credible Witness or Witnesses, shall award and order such Satisfaction to be made by the Party or Parties complained against, for the Damage so done, to the said Trustees, or other Owner or Owners of such Lamp or Lamps, as to such Justice shall appear just and reasonable; and in case the Sum so awarded shall not be paid forthwith it shall and may be lawful to and for such Justice and he is hereby required to cause the same to be recovered and applied in the same Manner as Penalties and Forfeitures are directed to be recovered and applied by virtue of this Act.

Directions for the lighting of particular Streets, and as to the Manner of lighting others.

XVIII. And be it further enacted, That the said Trustees shall be and are hereby authorized and empowered to light the following Streets and public Passages and Places within the said Hamlet; (that is to say,) *Stepney Green* from *Mile End Road* to and adjoining the Hamlet of *Ratcliffe*, *White Horse Lane* from the said Road to the Rectory House, *Trafalgar Square*, *Red Cow Lane* otherwise called *Cleveland Street* from the said Road to and adjoining the Parish of *Saint Matthew Bethnal Green*, *Cannon Street Road* and *Gloucester Terrace*, *Turner Street*, *Nelson Street* near the *Commercial Road*, *Norfolk Street*, *Suffolk Street*, *Rutland Street*, *New Street*, *Greenfield Street*, *York Street*, *Gloucester Street*, *Nottingham Place*, and *Heath Street*, and such other Streets, Squares, Lanes, and other public Passages and Places within the said Hamlet as the said Trustees at a Meeting held under this Act, of which Three clear Days Notice at the least, expressing the particular Object of the Meeting, shall be given to every Trustee, and at which Meeting Eleven Trustees at the least shall be present, shall from Time to Time think proper and shall order and direct; but the Resolutions, Orders, or Directions of the said Trustees relating to the lighting from Time to Time of such other Streets, Squares, Lanes, or other public Passages and Places shall not be conclusive or be put into execution until such Resolutions, Orders, or Directions shall be read and confirmed at a subsequent

subsequent Meeting of the said Trustees, where the like Number of Eleven of the said Trustees at the least shall be present, of which subsequent Meeting a like Notice, expressing the particular Object of the Meeting, shall be given to every Trustee in the Manner hereinbefore directed.

Trustees empowered to cause Streets, &c. to be lighted with Oil or Gas.

XIX. Provided always, and be it further enacted, That it shall and may be lawful for the said Trustees to cause the Streets, Squares, Lanes, and other public Passages and Places within the said Hamlet, or such of them as they shall think proper, to be lighted, either with Oil Lamps or by means of Gas or inflammable Air, as the said Trustees shall think fit, and to direct what Part or Parts of the said Hamlet shall be lighted with Oil, and what Part or Parts by means of Gas or inflammable Air; and in case it shall be determined by the said Trustees to cause any Part of the said Hamlet to be lighted by means of Gas or inflammable Air, then it shall be lawful for the said Trustees, or any Five or more of them, from Time to Time to contract and agree with any Body or Bodies Corporate, Company or Companies of Proprietors, or other Person or Persons, to light the same by means of Gas or inflammable Air, in such Manner, and upon or under such Terms and Conditions, Stipulations and Agreements, as the said Trustees shall think proper, and to authorize to be broken up the Soil and Pavement of any of the Footways or Carriageways of any such Squares, Streets, Lanes, and other public Passages and Places, and to permit to be dug, sunk, and constructed Trenches, and Pipes, and Stop Cocks, Plugs, or Branches, and all other Works and Machinery, to be laid down and made by such Body or Bodies Corporate, Company or Companies of Proprietors, or other Person or Persons, for the Conveyance of the said Gas or inflammable Air, for the Purpose of lighting the said Hamlet or any Part or Parts thereof, and from Time to Time to permit and suffer such Pipes, Stop Cocks, Plugs or Branches, Works and Machinery, to be altered, varied, and repaired; but nothing herein contained shall authorize or empower the said Trustees to carry, lay, or fix, or continue any Pipe or Pipes or other Thing for the Conveyance of the said Gas or inflammable Air through or against any Dwelling House or Houses, Manufactory, or public or private Buildings, Hereditaments, and Premises, without the previous Consent in Writing of the Owner and Occupier of every such Dwelling House or Houses, Manufactory, public and private Buildings, Hereditaments, and Premises respectively.

Surveyor of the Highways under 13 G. 3. c. 78. to account to Trustees under this Act.

XX. And be it further enacted, That the Surveyor or Surveyors of the Highways for the said Hamlet, appointed under and by virtue of a certain Act of Parliament passed in the Thirteenth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to explain, amend, and reduce into one Act of Parliament the Statutes now in being for the Amendment and Preservation of the public Highways within that Part of* Great Britain *called* England; *and for other Purposes*, when thereunto required by Notice in Writing, signed by any Three or more of the said Trustees assembled at a Meeting held under and by virtue of this Act, given to the said Surveyor or Surveyors, or left for him or them at his or their then or last or usual Place or Places of Abode, shall within Fourteen Days after the Service

vice of such Notice make up and render to the said Trustees, or to their Clerk or Clerks for the Time being, or to any other Person or Persons appointed by the said Trustees for that Purpose, at the Time and Place to be mentioned in such Notice, a just, true, and fair Account in Writing of all such Monies as shall have been received by or come to the Hands of the said Surveyor or Surveyors in respect of the said Hamlet, and disbursed by him or them by virtue of and for the Purposes of the said Act or any other Act or Acts of Parliament relating to the Amendment and Preservation of the public Highways within that Part of *Great Britain* called *England*, and of the Persons to whom and on what Occasion he or they shall have disbursed, paid, or applied the same, together with all and singular the proper and legal Receipts and Vouchers relating thereto, and of all such Sums of Money as shall then remain due and owing from any Person or Persons in respect of the Payments, Compositions, Assessments, Penalties, or Forfeitures to be collected, received, or taken by the said Surveyor or Surveyors for and in respect of the said Highways within the said Hamlet, and of all Tools, Materials, Implements, and other Things provided at the public Expence of the said Hamlet; and the said Surveyor or Surveyors shall also within the said Fourteen Days deliver to the said Trustees, or to their Clerk or Clerks, or to such other Person or Persons as they shall appoint, all Accounts, Assessments, Books, Papers, Writings, Tools, Materials, Implements, and other Things relating to the Execution of the said Act or other Act or Acts as aforesaid; and if such Surveyor or Surveyors shall not make and render such Account, if thereunto required as aforesaid, or to produce and deliver up the Receipts and Vouchers relating thereto, or shall not deliver to the said Trustees, or to their Clerk or Clerks, or to such other Person or Persons as they shall appoint, within Fourteen Days after being thereunto required as aforesaid, all such Accounts, Assessments, Books, Papers, Writings, Tools, Materials, Implements, and other Things as aforesaid, or to give Satisfaction to the said Trustees in respect of the same, then and in every such Case the said Surveyor or Surveyors shall be liable to such Proceedings, and upon Conviction shall be liable to such Punishment as is by this Act directed to be imposed on Collectors neglecting or refusing to account in manner herein-after mentioned: Provided always, that it shall be lawful to and for all Persons rated to and paying the Rates and Assessments from Time to Time made for the Relief of the Poor of the said Hamlet to inspect the said Books and every of them at all seasonable Times, on every such Person paying for every such Inspection to the Clerk to the said Trustees the Sum of Sixpence.

Property in Lamps, &c. vested in Trustees.

XXI. And be it further enacted, That all Lamps, Lamp Irons, Lamp Posts, and other Furniture and Materials thereunto belonging, and all the present and future Stones, Gravel, Posts, and other Things in the several Streets, Squares, Lanes, and other public Passages and Places within the said Hamlet, and all other Matters and Things which shall hereafter be used, erected, or fixed up by the said Trustees by virtue of this Act, and all Materials, Implements, and other Things which shall be purchased or provided by the said Trustees for the Purposes of this Act, shall belong to and be the

Property of the Trustees for lighting and improving the Hamlet of *Mile End Old Town* in the County of *Middlesex*; and the said Trustees shall and may cause to be brought any Action or Actions, or direct the preferring of any Bill or Bills of Indictment, (as the Case may require,) against any Person or Persons who shall steal, take or carry away, detain, spoil, injure, or destroy, the several Articles and Things hereby vested in them the said Trustees as aforesaid, or any of them, or any Part or Parts thereof; and in all such Actions and Bills of Indictment respectively it shall be deemed and taken to be sufficient to state generally that the Article or Articles, Thing or Things, for or on account of which such Action or Actions shall be brought or Bill or Bills of Indictment preferred is or are the Property of the Trustees for lighting and improving the Hamlet of *Mile End Old Town* in the County of *Middlesex*, without particularly stating or specifying the Name or Names of all or any of the said Trustees.

Penalty on obstructing Workmen.

XXII. And be it further enacted, That if any Person or Persons shall obstruct, hinder, or molest any Surveyor, Officer, Workman, or other Person or Persons whomsoever employed by the said Trustees by virtue of this Act in the Performance or Execution of his or their Duty, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, to be recovered and applied in the same Manner as Penalties and Forfeitures are herein-after directed to be recovered and applied.

Posts may be erected for the Preservation of Foot Pavements.

XXIII. And be it further enacted, That the said Trustees may cause Posts of Wood, Stone, or Iron to be set up near or adjoining the Foot Pavements in such Parts of the Squares, Streets, Lanes, and other public Passages and Places within the said Hamlet as they shall judge necessary; and if any Person or Persons shall wilfully or carelessly knock down, break, damage, or injure such Posts or any of them, or any Posts or Rails already set up in any of the said Squares, Streets, Lanes, and other public Passages and Places, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, to be recovered and applied in the same Manner as Penalties and Forfeitures are herein-after directed to be recovered and applied.

Stand Cocks placed during Frosts regulated.

XXIV. And be it further enacted, That no Water Company whose Mains or Pipes shall be laid beneath the Surface of any Street, Square, Lane, or public Place in the said Hamlet, or any Person or Persons whomsoever, shall place or set up, or cause to be placed or set up, any Stand Cock or Pump, or other Instrument, Machine, or Thing for the Supply of Water in Times of Frost or otherwise, in any Street, Square, Lane, or public Place within the said Hamlet, which shall be furnished with any other than a Metal Cock and Spout, to the Satisfaction of the said Trustees or of their Surveyor or Surveyors; and that any Water Company, or any other Person or Persons, who shall set up or cause to be set up any other Stand Cock, Pump, or other Instrument, Machine, or Thing furnished with any other than a Metal Cock and Spout, in any Street, Square, Lane, or public Place, and which shall not be to the Satisfaction of the said Trustees, or of their Surveyor or Surveyors for the Time being,

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shall forfeit and pay for every such Offence the Sum of Forty Shillings, to be recovered and applied in the same Manner as Penalties and Forfeitures are herein-after directed to be recovered and applied.

New Streets, &c. to be ballasted, &c. by Owners.

XXV. And be it further enacted, That all new Streets, Squares, Lanes, and other public Passages and Places within the said Hamlet, which are already laid out, but not properly made, drained, ballasted, or gravelled, and which shall hereafter be laid out in any Part of the said Hamlet, shall be made, drained, ballasted, and otherwise put into good Order and Repair, and shall be completed, to the Satisfaction of the said Surveyor or Surveyors, by the Owner or Owners, Lessee or Lessees, Proprietor or Proprietors of the several Houses or Buildings now erected or hereafter to be erected, and now abutting or hereafter to abut on any new Streets, Squares, Lanes, and other public Passages and Places within the said Hamlet; and all such new Streets, Squares, Lanes, and other public Passages and Places shall thereafter, as to the future Care and Repair thereof, be under the Management of the said Surveyor or Surveyors, in the same Manner as the other Streets, Squares, Lanes, and other public Passages and Places within the said Hamlet.

In case of Neglect Surveyor may repair and ballast at the Owners Expence.

XXVI. Provided always, and be it further enacted, That in case the Owner or Owners of any House or Houses or Buildings in any such new Streets, Squares, Lanes, and other public Passages and Places within the said Hamlet, shall not properly make, complete, drain, ballast, and otherwise put into good Order and Repair the said new Streets, Squares, Lanes, and other public Passages and Places within the said Hamlet, in manner aforesaid, within Three Calendar Months next after Notice in Writing given so to do to the said Owner or Owners by the said Surveyor, it shall and may be lawful to and for the said Surveyor to order such new Streets, Squares, Lanes, and other public Passages and Places to be completed, drained, ballasted, and otherwise repaired, and the Costs and Charges thereof shall be paid and reimbursed to the said Surveyor by the Owner or Owners of such Houses or Buildings, and in default of Payment thereof on Demand the same shall and may be recovered and applied in the like Manner as Penalties and Forfeitures are by this Act authorized to be recovered and applied; and in case the Owner or Owners of any such Houses or Buildings shall not reside within the said Hamlet, then the Occupier and Occupiers of such Houses or Buildings shall be liable to and shall pay the Share or Shares of such Owner or Owners, and shall and may and are hereby authorized to deduct the same out of the Rent payable by him, her, or them to such Owner or Owners, and the said Owner or Owners are hereby required to accept and take the Receipt or Receipts of the Surveyor or Surveyors for such Share or Shares so paid as aforesaid in discharge of Rent to the Amount of the Sum or Sums of Money which shall in such Receipt or Receipts be acknowledged or expressed to be received.

Streets, &c. to be named.

XXVII. And be it further enacted, That it shall and may be lawful to and for the said Trustees and they are hereby empowered, from Time to Time, as they shall see Occasion, to describe and determine

mine the Limits and Extent of the Streets, Squares, Lanes, and other public Passages and Places within the said Hamlet, in such Manner as they shall think proper, and shall and may paint, engrave, or describe, or cause to be painted, engraved, or described, on a conspicuous Part of some House or other Building at or near the Corner of every such Street, Square, Lane, public Passage and Place, the Name by which such Street, Square, Lane, public Passage and Place now is or shall be called; and if any Person shall wilfully destroy, obliterate, or deface any of such Names, or any Part of them, or cause or procure the same to be done, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, to be recovered and applied in the same Manner as Penalties and Forfeitures are herein-after directed to be recovered and applied.

Private Sewers to be repaired by Owners, &c.

XXVIII. And be it further enacted, That when and as often as any private Sewer, Cesspool, Sink, Gutter, Drain, or Watercourse, in any of the Streets, Squares, Lanes, and other public Passages and Places within the said Hamlet, shall require to be made new, repaired or altered, cleansed or emptied, the Owner or Owners, Occupier or Occupiers of the Houses and Premises connected with such Sewer, Cesspool, Sink, Gutter, Drain, or Watercourse, and from whence the Water and Soil shall run into the same, shall from Time to Time make new, effectually repair, cleanse, or empty such Sewer, Cesspool, Sink, Gutter, Drain, or Watercourse (as the Case may require); and in default thereof within Six Days after Notice signed by the Surveyor or Surveyors shall be given to or left with the Owner or Owners, Occupier or Occupiers of such Houses and Premises respectively, it shall and may be lawful to and for the said Surveyor to cause such private Sewer, Cesspool, Sink, Gutter, Drain, or Watercourse to be made new, repaired or altered, cleansed or emptied, (as the Case may require,) and the Charges and Expences thereof shall be paid by the said Surveyor, who shall be reimbursed the same by the Owner or Owners of the Houses and Premises connected with such Sewers, Cesspools, Sinks, Gutters, Drains, or Watercourses as aforesaid, in proportion to the Rent of such Houses and Premises respectively; and in case the said Charges and Expences shall not be repaid and reimbursed to the said Surveyor by the Owner or Owners of such Houses and Premises respectively within Three Days next after Notice thereof shall be given to or left at his, her, or their last or usual Place of Abode, which Notice shall be in Writing, and signed by the Surveyor for the Time being, and annexed to the Bill, containing an Account of such Charges and Expences, and the Proportion thereof to be paid by such Owner or Owners respectively, and which Proportions the said Surveyor is hereby authorized and empowered to adjust and settle, it shall and may be lawful to and for the said Surveyor, and he is hereby authorized and empowered, to bring or cause to be brought any Action or Actions in any of His Majesty's Courts of Record at *Westminster* against every such Owner who shall refuse or neglect to pay his or her Proportion of the said Charges and Expences for the Recovery of the same, in which Action or Actions no Essoign, Protection, Privilege, or Wager of Law, or more than One Imparlance, shall be allowed.

XXIX. And

Clerk to inspect other Assessments.

XXIX. And be it further enacted, That it shall be lawful for the Clerk or Clerks to the said Trustees, or any other Person or Persons appointed by the said Trustees for that Purpose, from Time to Time and at all convenient Times to inspect the Book or Books of Assessment from Time to Time made for the Relief of the Poor of the said Hamlet, and all Rates and Assessments made by virtue of any Turnpike Act or Acts on or for any Part or Parts of the said Hamlet, for the better ascertaining the Rates and Assessments to be raised and levied by virtue of this Act, or whether any Persons are included therein, and to take Copies thereof, if necessary, at the Expence of the said Trustees; and the Churchwardens and Overseers of the Poor of the said Hamlet for the Time being, and the Trustees or Commissioners or other Persons acting under any Turnpike Act or Acts relating to any Part of the said Hamlet, shall and are hereby directed and required to permit such Clerk or Clerks, Person or Persons so appointed, at all seasonable Times to inspect the said Books, and to take Extracts from them, or to make Copies of the same.

Rates to be made.

XXX. And be it further enacted, That for all and every the Purposes of this Act the said Trustees shall and they are hereby authorized and required to raise from Time to Time, by Rates or Assessments, such Sum and Sums of Money as they the said Trustees or any Five or more of them shall from Time to Time judge necessary; all which Rates and Assessments shall be signed by any Five or more of the said Trustees, and shall be laid upon all and every Person and Persons who do or shall inhabit, hold, use, occupy, be in possession of, or enjoy any Messuages, Tenements, Coach-houses, Stables, Cellars, Vaults, Houses, Shops, Warehouses, or other Buildings, Tenements, or Hereditaments situate or being in any of the Streets, Squares, Lanes, and other public Passages and Places within the said Hamlet, according to the yearly Value of the same respectively; and the first Year for which such Rates or Assessments shall be made shall commence and be computed from the Twenty-fourth Day of *June* One thousand eight hundred and twenty-one; and such Rates or Assessments shall and may be made and collected half-yearly or quarterly, as the said Trustees shall at any of their Meetings think proper, and shall from Time to Time direct, so as such Rates or Assessments do not exceed in the whole for any one Year (for the several Purposes of this Act) the Sum of One Shilling in the Pound, and so as all such Rates and Assessments, from and after the making of the first Rate and Assessment hereby directed to be made for lighting the said Hamlet, shall be laid upon all and every Person and Persons who do or shall inhabit, hold, use, occupy, be in possession of, or enjoy any Messuages, Tenements, Coach-houses, Stables, Cellars, Vaults, Houses, Shops, Warehouses, or other Buildings, Tenements, or Hereditaments situate and being in such of the Streets, Squares, Lanes, and other public Passages and Places only within the said Hamlet as shall from Time to Time be lighted by virtue of this Act.

Rates to be allowed by Justices.

XXXI. And be it further enacted, That no Rates or Assessments so to be made as aforesaid under and by virtue of this Act shall be valid

valid unless allowed and confirmed by Two of His Majesty's Justices of the Peace acting in and for the said County of *Middlesex*, and Notice thereof given in the Parish Church of the said Parish of *Saint Dunstan Stepney* otherwise *Stebonheath* on the *Sunday* next after the same shall be from Time to Time allowed and confirmed, or in the Church of any adjoining Parish in case the said Parish Church of *Saint Dunstan Stepney* otherwise *Stebonheath* shall be shut up for the Purpose of Repair, or some other unavoidable Cause; all which said Rates or Assessments any Two of His Majesty's Justices of the Peace for the County of *Middlesex* to whom Application shall be made by the said Trustees or by their Clerk or Clerks are hereby authorized and required to allow and confirm; and every Notice of such Allowance and Confirmation the Parish Clerk or other Person acting for the Time being as Clerk of the said Churches respectively as aforesaid are hereby required to read or cause to be read, under the Penalty of Forty Shillings for every Neglect therein, to be recovered and applied in the same Manner as Penalties and Forfeitures are herein-after directed to be recovered and applied.

Rates being allowed to be deemed valid.

XXXII. And be it further enacted, That the said Rates and Assessments so made and allowed after such Notice as aforesaid shall be and be deemed and taken to be good, valid, and effectual, and shall and may be received, collected, and levied in manner herein provided.

Rates may be levied.

XXXIII. And be it further enacted, That in case any Landlord or Occupier, or any Owner or Owners, Proprietor or Proprietors, Lessee or Lessees, of any Messuages or Tenements, Coach-houses, Stables, Cellars, Vaults, Houses, Shops, Warehouses, or other Buildings, Tenements, or Hereditaments within the said Hamlet, shall refuse or neglect to pay the Money rated and assessed from Time to Time upon him, her, or them respectively, or which he, she, or they may be liable to pay by virtue of this Act, and all Arrears due thereon, it shall be lawful for any One or more of His Majesty's Justices of the Peace for the County of *Middlesex*, and he and they is and are hereby authorized and directed, by Writing under his or their Hand or Hands, on Complaint being made by the said Trustees, or any One or more of them, or by any Collector or Collectors of such Rates or Assessments, to summon all and every the Person and Persons who shall have refused or neglected as aforesaid (upon Oath being made before such Justice or Justices by the said Collector or Collectors, or by any other Person appointed by the said Trustees to collect and receive such Rates and Assessments, of his or their having attended upon or at the Dwelling House or last usual Place of Abode of all and every Person or Persons thereby intended to be summoned, or who are or shall be liable to the Payment of the said Rate or Rates, and of having there demanded the said Rate or Rates, Assessment or Assessments, and of the Neglect or Refusal of such Person or Persons to pay the said Rate or Rates,) to appear before such Justice or Justices, or before any other Justice or Justices for the said County who shall be present at the Time and Place to be mentioned in such Summons; and it shall be lawful for the said Collector or Collectors, or other Person or Persons appointed by the said

Trustees, to collect such Rates or Assessments as aforesaid, or any Constables or Headboroughs of the said Hamlet, and every of them, to serve all and every such Summons and Summonses upon all and every Person and Persons so neglecting or refusing to pay as aforesaid, either by delivering the same to the Person or Persons thereby intended to be summoned, or leaving the same at his, her, or their last or usual Place or Places of Abode, or at or on the Premises for which the Rate or Rates, Assessment or Assessments, mentioned in such Summons, shall remain due and owing; and if any Person or Persons so summoned shall refuse or neglect to attend at the Time and Place mentioned in such Summons, or if he, she, or they shall attend and shall not show good and sufficient Cause to the Justice or Justices who may then and there attend that he, she, or they is or are not chargeable with such Rate or Rates, Assessment or Assessments, then and in every such Case every such Person or Persons shall pay the Rate or Rates in respect of which such Summons was issued, and the reasonable Costs and Charges of such Summons; and in all Cases where such Rate or Rates, Assessment or Assessments, or any of them, shall not be paid upon the Return of such Summons, it shall be lawful for the Justice or Justices who shall have directed such Summons or Summonses to be issued as aforesaid, and he and they is and are hereby authorized and required, or any other Justice or Justices for the said County shall and may, upon Oath made before him or them of the due Service of such Summons or Summonses by the Person who shall have served the same, to grant a Warrant or Warrants under his or their Hand and Seal or Hands and Seals, authorizing and directing the said Trustees, or the Person or Persons appointed to collect as aforesaid, or any Constable or Headborough of the said Hamlet, to collect or levy such Rate or Rates, Assessment or Assessments, and all Arrears thereof, and all the Costs and Charges of the Summons (if the same shall not have been before paid), and the Costs, Charges, and Expences of the said Warrant, and of executing the same, by Distress of the Goods and Chattels of the Party or Parties so neglecting or refusing, which shall be found either within the said Hamlet or elsewhere within the Jurisdiction of the Justice or Justices so granting such Warrant or Warrants; and if within Five Days next after any Distress shall be made the said Rate or Rates, Assessment or Assessments, with all Arrears due thereon, shall not be paid, together with all the reasonable Charges of the said Summons or Summonses, Warrant or Warrants, and of making such Distress, and keeping such Goods and Chattels, the said Trustees, or Person or Persons appointed to collect as aforesaid, Constable or Constables, Headborough or Headboroughs, shall cause the said Goods to be appraised by One or more Appraiser or Appraisers, and to be sold, or such Part or Parts thereof as shall be sufficient to pay the said Rate or Rates, Assessment or Assessments, together with all Arrears due thereon, and the Costs, Charges, and Expences of the said Summons, Warrant, Distress, Removal, or keeping Possession of such Goods and Chattels so distrained, and the reasonable Costs, Charges, and Expences of appraising and selling the same, returning the Overplus (if any) to the Owner or Owners of such Goods and Chattels respectively, upon Demand thereof made by him, her, or them.

XXXIV. And

Form of Warrant of Distress.

XXXIV. And be it further enacted, That every Warrant of Distress for Nonpayment of any Rate or Assessment to be made by virtue of this Act shall be in the Words or to the Effect following:

'*Middlesex* to wit.' To the Collectors of the Rates for lighting, and for cleansing, repairing, and improving the Highways, Streets, and other public Passages and Places of and within the Hamlet of *Mile End Old Town* in the County of *Middlesex*, and to each of them, and to all Constables, Headboroughs, and Peace Officers of the said Hamlet.

'WHEREAS the under-mentioned Persons, now or late Inhabitant Householders, Landlords, Tenants, Occupiers, or Enjoyers of Messuages, Tenements, Coach-houses, Stables, Cellars, Vaults, Houses, Shops, Warehouses, or other Buildings, Tenements, or Hereditaments, or Part of some Buildings, Tenements, or Hereditaments, within the said Hamlet of *Mile End Old Town*, were and are rated and assessed or liable to the Rate or Rates duly made under and by virtue of a certain Act passed in the Second Year of the Reign of His Majesty King *George* the Fourth, intituled [*set forth the Title of this Act*]: And whereas the said Persons have refused or neglected to pay the several Sums of Money at and against their Names herein-after respectively set down for Money due from them for or towards the Purposes in the said Act mentioned; and the said several Sum and Sums are still remaining due, in arrear, and unpaid, as appeareth upon Oath to me, One of His Majesty's said Justices of the Peace for the said County; and the said several Persons having been summoned to appear before me to answer the Premises, as also appeareth to the said Justice upon Oath, and no sufficient Cause having been shown by them or either of them why such Sum or Sums of Money should not be paid; These are therefore in His Majesty's Name to will and require you or either of you forthwith to levy the said several Sums due from the said several Persons hereunder joined to or set against their Names respectively by Distress and Sale of their respective Goods and Chattels, such Goods and Chattels being kept for the Space of Five Days before the same are sold, rendering to them respectively the Overplus (if any), the reasonable Charges of such Summons, and of this Warrant, and the Distress, Removal, Keeping, and Sale, being first deducted; and if no sufficient Distress can be had or taken that then you certify the same to me, to the end that such further Proceedings may be had therein as to the Law doth appertain: And I do hereby strictly charge and command all and singular the Constables, Headboroughs, and other His Majesty's Peace Officers for the said County to be accordingly aiding and assisting in all things relating to the Premises. Given under my Hand and Seal, this Day of in the Year of our Lord .

	£	s.	d.
'A. B. - - - - - -			
'C. D. - - - - - -			
'E. F., the Landlord for divided or small Premises			

XXXV. Pro-

Trustees may reduce Rates, and remit them if they think fit.

XXXV. Provided always, and be it further enacted, That it shall be lawful for the said Trustees, and they are hereby required, upon the Complaint or Request of any Person or Persons subject to the Payment of any Rate or Rates, Assessment or Assessments to be made by virtue of this Act, who shall think himself, herself, or themselves aggrieved thereby, or who shall be incompetent to pay the same, to mitigate, reduce, or lessen the same, as they in their Discretion shall think just and reasonable, and also to remit or excuse the Payment thereof on account of the Poverty or Indigence of any Person or Persons liable to pay the same, so complaining or requesting the Remission or Reduction of such Rates or Assessments.

For Recovery of Rates on small Houses.

XXXVI. And be it further enacted, That where the yearly Value of any Messuages, Tenements, Houses, Shops, Warehouses, or other Buildings shall not exceed Sixteen Pounds, or where the Messuages, Tenements, Houses, Shops, Warehouses, or other Buildings shall be let to weekly or monthly Tenants, or at Rents which shall become payable and be collected at any shorter Periods than quarterly, or let out in Lodgings or separate Apartments, or let ready furnished, it shall be lawful for the said Trustees, if they shall think proper, to compound with the Landlord or Landlords, Owner or Owners of all and every or any such Messuages, Tenements, Houses, Shops, Warehouses, or other Buildings in the said Hamlet, for the Payment of the Rate or Rates, Assessment or Assessments, to be made by virtue of this Act, at such reduced yearly Rental as the said Trustees shall think reasonable, so that such Messuages, Tenements, Houses, Shops, Warehouses, or other Buildings be not rated at less than One Third nor more than Two Thirds of the Rack Rent at which the same shall then be let, or of the annual Value of the said Premises respectively; and the Landlord or Landlords, Owner or Owners of such Premises respectively as shall not exceed the yearly Rent of Sixteen Pounds, and of such as shall be let to weekly or monthly Tenants, or from whence the Rents shall become due and be collected at any shorter Periods than quarterly, or which shall be let out in Lodgings or in separate Apartments, or shall be let ready furnished, is and are hereby enabled to enter into such Composition with the said Trustees; and in case such Landlord or Landlords, Owner or Owners, shall refuse or object to enter into such Composition, such Landlord or Landlords, Owner or Owners, shall from thenceforth be deemed and taken to be the Occupier or Occupiers of such Premises respectively, and shall thereupon be rated and assessed to, and from Time to Time shall pay or cause to be paid, the several Rates or Assessments charged upon their respective Premises by virtue of this Act, unto the Collector or Collectors for the Time being to the said Trustees, or to such other Person or Persons as they the said Trustees shall from Time to Time appoint to receive the same, who is and are hereby authorized and empowered to receive and collect the same, and upon Nonpayment thereof to levy the same by Distress and Sale of the Goods and Chattels of the Landlord or Landlords, Owner or Owners of the respective Premises aforesaid, wheresoever they shall be found, or of the Tenant or Tenants or other Person or Persons inhabiting the same respectively, in like Manner as any Rate or Assessment may be raised, levied, and collected by virtue of this Act: Provided always,

always, that no such Tenant or Tenants or other Person or Persons so inhabiting the said Premises respectively shall at any Time be required to pay or be subject or liable to pay any greater Sum for or towards the Discharge of the said Rates or Assessments, or any of them, or of any Arrears thereof, than the Amount of the Rent actually due or payable by such Tenant or Tenants, or other Person or Persons, for and on account of the Premises so occupied by him, her, or them; and it shall and may be lawful to and for any such Tenant or other Person paying any such Sum or Sums of Money to deduct the same from his, her, or their Rent or Rents; and where any Messuages, Tenements, Houses, Shops, Warehouses, or other Buildings shall be let out in Lodgings or in separate Apartments, or ready furnished, the Landlord or Landlords, Owner or Owners of all such Premises shall be deemed and taken to be the Occupiers thereof, and shall be rated to and pay the Rates or Assessments made by virtue of this Act in respect of all such Premises respectively.

Rates to be recovered of Tenants, and to be repaid by Landlords.

XXXVII. And be it further enacted, That the Goods and Chattels of each and every Tenant or other Person renting and occupying any separate Part or Apartment of or in any House or Building, and the Goods and Chattels in every House and Building let ready furnished, (though not assessed under and by virtue of this Act,) shall, after such Summons as is herein-before directed to be given, be liable to be distrained and sold, by virtue of a Warrant under the Hand and Seal of One of His Majesty's Justices of the Peace for the County of *Middlesex*, for Payment of the said Rates or Assessments which accrued and became due during the Term of his, her, or their Occupancy only, and all reasonable Costs, Charges, and Expences attending thereupon; and that each and every Tenant or other Person who shall pay such Rates or Assessments as ought to have been paid by his, her, or their Landlord or Landlords, or upon whose Goods and Chattels the same shall be levied, in pursuance of this Act, shall and may deduct the same from and out of the Rent due and payable to his, her, or their Landlord or Landlords so letting out the same, unless there shall be some Agreement to the contrary between the Landlord and Tenant; and the Receipt and Receipts for such Payment shall be a sufficient Discharge to every such Tenant or other Person for so much Money as he, she, or they shall have so paid, or which shall have been so levied on his, her, or their Goods and Chattels, in pursuance of this Act, and shall be allowed by such Landlord or Landlords of such Houses or Buildings in part or full Payment, as the Case may be, for the Rent due or to become due to him or them from such Person or Persons as aforesaid: Provided always, that no such Tenant or other Person shall be liable to pay by virtue of this Act any more Money or any larger Sum than shall from Time to Time be due and owing from him for the Rent of the said Premises respectively.

Trustees to rectify Omissions in Rates.

XXXVIII. And be it further enacted, That if it shall appear to the said Trustees at any Time after any Rate or Assessment shall be made, or after the same shall be allowed, under this Act, that the Names of any Persons liable to be included in any such Rate or Assessment have been omitted therein, it shall be lawful for the said

Trustees at any of their Meetings to add or cause to be added to any such Rate or Assessment the Names of the Persons so omitted, together with the Sums for which they ought to be so rated, and the Amount of such Rate or Assessment in respect thereof, and otherwise to alter and amend the said Rates; and every such Addition and Alteration made to or in any of the said Rates shall be as valid and effectual in the Law, to all Intents and Purposes, as if the same had been so inserted in the Rate at the Time when the same was first made, signed, or allowed.

Persons receiving Rents to be deemed Owners.

XXXIX. And in order to prevent Disputes touching the Designation of Owner or Landlord, Lessee or Proprietor of Messuages, Tenements, or Hereditaments within the said Hamlet, be it further enacted, That the Person or Persons legally authorized and empowered to receive and collect, or receiving and collecting, or claiming to be entitled to receive and collect, the Rents of any Messuages, Tenements, or Hereditaments, from the Tenants or actual Occupiers thereof or any of them, shall be deemed and taken, for the several Purposes of this Act and every of them, to be the Owner or Owners, Landlord or Landlords, Proprietor or Proprietors of such Messuages, Tenements, or Hereditaments; and in all Cases in which either Owners or Landlords, Lessees or Proprietors, are made liable by this Act, such Person or Persons respectively so authorized and empowered to receive and collect, or receiving and collecting, or claiming to be entitled to receive and collect, the Rents of any such Messuages, Tenements, or Hereditaments, from the Tenants or actual Occupiers thereof or any of them, shall be liable as Owner or Owners, Landlord or Landlords, Lessee or Lessees, Proprietor or Proprietors thereof, unless the real Owner or Owners, Landlord or Landlords, Lessee or Lessees, Proprietor or Proprietors, shall be declared by himself, herself, or themselves, or unless the real Owner or Owners, Landlord or Landlords, Proprietor or Proprietors, shall be distinctly and certainly known to be such to the Satisfaction of the said Trustees.

Houses partly within and partly without the Hamlet how to be rated.

XL. And be it further enacted, That if any House or Premises shall be partly within and partly without the said Hamlet such House or Premises shall be assessed to the Rates to be made by virtue of this Act for a proportionable Part only of the Rent or Value thereof, and it shall be lawful for the said Trustees, or any Person or Persons appointed by them, at any of their Meetings to be holden in pursuance of this Act, and they or he are or is hereby respectively authorized and required, to apportion and settle at how much and what Part of the Value of such Houses and Premises the same shall be assessed.

For appointing a Treasurer.

XLI. And be it further enacted, That the said Trustees, at any Meeting to be holden under this Act, shall and may from Time to Time appoint One or more Treasurer or Treasurers for receiving all the Monies to be raised and collected in pursuance and for the several Purposes of this Act, and from Time to Time, as they shall think necessary, shall and may remove such Treasurer or Treasurers, and appoint such other Person or Persons in his or their Stead, as they the said Trustees at any Meeting under this Act shall think proper; and such

such Treasurer or Treasurers is and are hereby directed and required to keep distinct Accounts of the Monies by him or them received and paid for the different Purposes of this Act, and from Time to Time to pay and discharge all such Sums of Money as the said Trustees, or any Five or more of them, by the Direction of the said Trustees at any Meeting held by virtue of this Act, shall draw upon him for or order him to pay; and the said Treasurer or Treasurers shall and is and are hereby required to account, once or oftener in each and every Year, and at every other Time and Times, when thereunto required by the said Trustees or any Five or more of them, for all the Monies by him or them received and paid pursuant to the Directions of this Act; and the said Treasurer or Treasurers shall pay all such Monies as upon the Balance of the said Accounts respectively shall appear to be remaining in his or their Hands to such Person or Persons as the said Trustees or any Five or more of them shall by any Writing under their Hands authorize to receive the same, to be applied to and for the several Uses and Purposes for which the same were collected, raised, recovered, or levied; and in default of rendering or making such Accounts or Payments as aforesaid such Treasurer or Treasurers shall be liable to such Proceedings, and upon Conviction be liable to such Penalties and Punishments, as are by this Act imposed or directed to be imposed on Collectors neglecting or refusing to account at the Times and in the Manner directed by this Act.

Treasurer to give Security.

XLII. And be it further enacted, That the said Trustees shall and are hereby required to take such good and sufficient Security from such Treasurer or Treasurers as they the said Trustees present at any Meeting held under this Act shall approve.

Collectors may be appointed.

XLIII. And be it further enacted, That it shall be lawful for the said Trustees at some of their Meetings under this Act to nominate and appoint One or more proper Person or Persons, being an Inhabitant or Inhabitants of the said Hamlet, to be Collector or Collectors of the Rates and Assessments to be made in pursuance of this Act; and the said Trustees may from Time to Time remove such Collector or Collectors, or any of them, whenever the said Trustees at any of their Meetings shall think proper, and to appoint another or others in the Room of such as shall be so removed, or as shall die, and shall make such Allowance by way of Poundage to the said Collector or Collectors, not exceeding Nine-pence in the Pound on the Monies actually collected, for his or their Trouble in the Collection of the said Rates, as to the said Trustees shall seem reasonable, and shall take such Security from every such Collector, either annually or otherwise, for the due and faithful Execution of his Office, as to the said Trustees shall appear proper and sufficient; and it shall be lawful for the Collector or Collectors who shall be so appointed to demand, collect, receive, and take all or any Part or Parts of the said Rates or Assessments, and such Demands shall be deemed and considered as legal Demands for the same; and that the Collector or Collectors so appointed as aforesaid shall make up and render unto the said Trustees, at their Meetings, full, true, perfect, and distinct Accounts in Writing of all Monies from Month to Month and from Time to Time so collected and received by them and each of them respectively, by virtue

virtue of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the proper and legal Receipts and Vouchers for such Payments; and that the said Collector or Collectors of the said Rates and Assessments shall weekly and every Week pay to the Treasurer or Treasurers of the said Trustees for the Time being, or to such other Person or Persons as the said Trustees shall appoint, all Sum and Sums of Money by him or them respectively collected and received during the preceding Week, or oftener, if the said Trustees shall so direct and require; and if any Collector or Collectors shall not make and render such Accounts to the said Trustees whenever thereunto required, 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 shall not deliver to the said Trustees, or to such Person or Persons as they shall appoint, within Three Days after being thereunto required by the said Trustees, by Notice in Writing given to or left at the last or usual Place of Abode of any such Collector or Collectors, all Books, Papers, and Writings in his or their Custody or Power relating to the Execution of this Act, or shall refuse or neglect to pay such Monies as upon the Balance of any Account or Accounts shall appear to be in his or their Hands to the Treasurer or Treasurers of the said Trustees for the Time being, then and in either or any of the Cases aforesaid the said Trustees may and they are hereby authorized and empowered to bring or cause to be brought any Action or Actions in any of His Majesty's Courts of Record at *Westminster* against the Collector or Collectors so neglecting or refusing as aforesaid, for the Recovery of the Monies which shall be in the Hands of such Collector or Collectors respectively, with Costs of Suit, and no such Action shall abate or be discontinued by the Death or Removal of such Clerk or Clerks; or if Complaint should be made by the said Trustees, or by any Person or Persons whom they shall appoint for that Purpose, of any such Refusal or Neglect as aforesaid, to any Justice of the Peace for the County of *Middlesex*, such Justice may and he is hereby authorized and required, by a Warrant or Warrants under his Hand and Seal, to cause the Collector or Collectors so refusing or neglecting to be brought before him, or before any other Justice of the Peace for the said County as shall be then and there present at such Time and Place as shall be in such Summons specified, and upon his or their appearing, or not being found, (Oath being made thereof,) to hear and determine the Matter in a summary Way; and if upon the Confession of the Party or Parties, or by the Testimony of any credible Witness or Witnesses upon Oath (which Oath such Justice or Justices is or are hereby empowered to administer), it shall appear to such Justice that any of the Money that shall have been collected and raised by virtue of this Act shall be in the Hands of such Collector or Collectors against whom such Complaint shall so have been made, such Justice may and is hereby authorized, on Non-payment thereof, by Warrant under his Hand and Seal to cause such Money to be raised by Distress and Sale of the Goods and Chattels of such Collector or Collectors offending in the Premises respectively; and if no Goods or Chattels of such Collector or Collectors can be found sufficient to answer and satisfy the said Money, and Charges of distraining and selling the same, or in case it shall appear to such

Justice, by the Confession of the Offender or Offenders, or by the Testimony of any credible Witness or Witnesses upon Oath, that any Books, Papers, or Writings relating to the Execution of this Act shall be in the Custody or Power of any such Collector or Collectors, and he or they shall refuse or decline to deliver up the same as aforesaid, then and in either or any of the said Cases such Justice shall commit every such Offender or Offenders to the Common Gaol or House of Correction for the County of *Middlesex*, there to remain without Bail or Mainprize until he or they shall give and make a true and perfect Account and Payment as aforesaid, or until he or they shall compound with the said Trustees (which Composition they the said Trustees are hereby empowered to accept), and until he or they shall deliver up such Books, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof to the said Trustees: Provided always, that no Person committed under this Act on account of his having no Goods or Chattels shall be detained in Prison longer than Three Calendar Months, unless it shall appear by sufficient Evidence to the Justice so committing that the Person committed had at the Time of the Commitment any Book or Books, Paper, Writings or Writing, Articles, Implements, and Things belonging to the said Trustees, or relating to the Execution of this Act, in which Case the Person so committed shall remain in Prison until he or they shall deliver up upon Oath all and every such Books, Papers, Writings, Articles, Implements, and Things, unless it shall satisfactorily appear that such Books, Papers, Writings, Articles, Implements, and Things have been since destroyed by accidental Fire or other inevitable Accident.

No Person to remain in Prison more than Three Calendar Months.

Prosecution not to discharge Sureties.

XLIV. Provided always, and be it further enacted, That no Prosecution or Commitment of any Treasurer, Collector, or other Officer as aforesaid shall acquit or discharge any Surety or Security that shall or may have been taken by or given to the said Trustees or any of them, for the due and faithful Execution of the Office of Treasurer, Collector, or other Officer, and for the due and punctual Payment and Application of the Monies to be received by him or them as aforesaid, and for the due Discharge of the Duties of the Office to which such Treasurer, Collector, or other Officer shall have been appointed by virtue of this Act.

Collectors not to retain Monies in their Hands.

XLV. And be it further enacted, That in case any Collector or Collectors appointed under and by virtue of this Act shall at any Time retain and have in his or their Hand or Hands any Sum or Sums of Money above the Sum of Twenty Pounds collected by virtue of this Act for the Space of Fourteen Days, without paying over the same to the said Trustees, or to such Person or Persons as they shall have directed or appointed to receive the same, every such Collector or Collectors shall for every such Retention or Offence forfeit the Sum of Five Pounds, to be recovered and applied in such Manner as Penalties and Forfeitures are herein-after directed to be recovered and applied.

Trustees to appoint Officers.

XLVI. And be it further enacted, That the said Trustees shall at any Meeting to be held in pursuance of this Act appoint a Clerk or

or Clerks, and such other Officer or Officers as they shall find necessary, for the Execution of this Act, and from Time to Time remove them or any of them, and appoint such others as they shall find necessary or convenient, and by and out of the Monies to be raised by virtue of this Act may and are hereby empowered to appoint and pay such Salaries, Gratuities, and Allowances to such Clerk or Clerks, and to all other Persons by them the said Trustees employed in or about the Execution of this Act, as they shall judge reasonable, Three clear Days Notice of the Intention of the said Trustees to appoint or pay such Salaries, Gratuities, and Allowances, or to make from Time to Time any Increase or Diminution of or in the same or any of them, being first given to every Trustee in manner herein-before directed; and all and every such Person and Persons from Time to Time appointed, and each and every of them, shall, as often as ordered so to do by the said Trustees or any Five or more of them, make up and render unto the said Trustees full, true, perfect, and distinct Accounts in Writing of all Monies, Articles, Implements, Matters, and Things committed to their or any or either of their Charge by the said Trustees, or by virtue of this Act, and, if thereunto required by the said Trustees or any Five or more of them, shall verify the Truth of all Accounts and Statements so delivered, rendered, and made by them or any or either of them, from Time to Time respectively, upon Oath (which Oath any Justice of the Peace for the said County is hereby authorized to administer); and that if any Clerk, Officer, or Person appointed as aforesaid shall not make and render, or shall refuse to verify upon Oath, if thereunto required, as aforesaid, all and every such Statements and Accounts, and to produce and deliver up the Receipts or Vouchers relating to the same, or shall not deliver to the said Trustees, or to such Person or Persons as they shall appoint, within Three Days after being thereunto required by the said Trustees, all Books, Papers, Writings, Articles, Implements, and Things in his or their Custody or Power relating to the Execution of this Act, or shall refuse or neglect to pay such Monies as upon the Balance of any Account or Accounts shall appear to be in their respective Hands to the said Trustees, or as they shall direct and appoint, then and in either of the Cases aforesaid all and every such Clerk, Officer, or other Person appointed as aforesaid shall be liable to such Proceedings, and upon Conviction shall be liable to such Penalties and Punishments, as are by this Act imposed or directed to be imposed on Collectors neglecting or refusing to account at the Time and in the Manner directed by this Act.

Accounts to be kept of Receipts and Disbursements, and to be open to Inspection.

XLVII. And be it further enacted, That the said Trustees shall and they are hereby required to order and direct a Book or Books to be provided and kept by their Clerk or Clerks for the Time being, in which Book or Books such Clerk or Clerks shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on account of this Act, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed, laid out, and paid; which Book or Books shall at all seasonable Times be open to the Inspection of the said Trustees, and of every Creditor or Annuitant, and of all Persons

Persons rated to and paying the Rates or Assessments hereby directed to be made, without Fee or Reward; and they or any of them shall or may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and in case the said Clerk or Clerks shall refuse to permit or shall not permit them or any or either of them to inspect the same or to take such Copies or Extracts as aforesaid, such Clerk or Clerks shall forfeit and pay any Sum of Money not exceeding Five Pounds, to be recovered in manner herein-after mentioned.

Offices of Clerk and Treasurer not to be held by the same Person.

XLVIII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to appoint the Person who may be appointed to act as their Clerk, or the Partner of any such Clerk, to be the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, to be the Clerk to the said Trustees for executing this Act; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes aforesaid, or if any Person being the Partner of any such Clerk shall act as Treasurer, or being the Partner of any such Treasurer shall act as Clerk in the Execution of this Act, every Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed.

Nuisances and Annoyances prohibited.

XLIX. And be it further enacted, That if any Person or Persons shall at any Time or Times hereafter run, roll, drive, draw, or place, or cause, permit, or suffer to be run, rolled, driven, drawn, or placed, upon any of the Footways or Foot Pavements of any Street, Square, Lane, or public Passage within the said Hamlet, any Waggon, Cart, Dray, Sledge, or other Carriage, or any Wheelbarrow, Handbarrow, or Truck, or any Hogshead, Cask, Barrel, or Tub, or shall ride, lead, or drive any Horse, Ass, Mule, or other Beast upon any of the Footways or Foot Pavements aforesaid, or shall beat or dust any Carpet or Carpets, or shall throw, cast, or lay, or shall cause, permit, or suffer to be thrown, cast, or laid, or to remain, any Ashes, Dust, Dirt, Water, Oyster Shells, Rubbish, Offal, Dung, Soil, or other Filth or Annoyance, or any Matter or Thing, in or upon the Carriageway or Footway or Foot Pavement of any Street, Square, Lane, or other public Place within the said Hamlet (except in Times of Frost for the Purpose of preventing Accidents), or if any Person or Persons shall make or assist in making any Bonfire, or shall wantonly let off or fire any Gun, Pistol, Blunderbuss, or any other Fire-arms, or shall let off any Serpent or Rocket, or throw any Cracker, Squib, or other Fireworks, or shall kill or slaughter, or shall scald, singe, dress, or cut up any Animal, either wholly or in part, in any of the Highways, Streets, Squares, Lanes, or other public Places within the said Hamlet, then and in every such Case it shall and may be lawful to and for any Justice of the Peace for the County of *Middlesex*, and he is hereby required, upon Complaint to him made upon

Oath or Affirmation of One or more credible Witness or Witnesses, to issue a Summons requiring such Offender or Offenders to appear before him, at such Time and Place as shall be in such Summons specified, or it shall and may be lawful to and for any Person or Persons whomsoever, who shall see any such Offence committed, if he or they shall think proper, to seize, and also for any other Person or Persons to assist in seizing, such Offender or Offenders by the Authority of this Act, and by such Authority, and without any other Authority or Warrant whatsoever, to convey such Offender or Offenders before some Justice of the Peace for the said County; and upon the Party or Parties appearing in pursuance of such Summons, or not appearing after having been so summoned, or being brought before such Justice when so seized, or otherwise, he the said Justice shall proceed to examine upon Oath any Witness or Witnesses who shall appear or be produced to give Evidence touching such Offence; and if the Party or Parties accused shall be convicted of any or either of the Offences aforesaid, upon his, her, or their own Confession, or upon the Oath or Affirmation of One or more credible Witness or Witnesses as aforesaid, then and in every such Case the Person or Persons so convicted shall forfeit and pay a Sum not exceeding Five Pounds for each and every Offence, to be recovered in the same Manner as Penalties and Forfeitures are herein-after directed to be recovered; and that one Moiety of every such Penalty shall be paid to the Informer or Informers, or to the Person or Persons who shall apprehend such Offender or Offenders, and the other Moiety thereof shall be paid to the Treasurer for the Time being to the said Trustees, and be applied to the Purposes of this Act.

Annoyances prohibited, and punishable on Renewal after Notice.

L. And be it further enacted, That if any Person or Persons at any Time or Times hereafter shall set or place, or cause or permit or suffer to be set or placed, by any Servant or other Person employed by him, her, or them, or otherwise, any Stall-board, Show-board, Booth, Basket, Bucket, Wares, Merchandizes, Bench, Stool, or Goods of any Kind whatsoever, or shall hoop, place, wash, or cleanse, or cause to be hooped, placed, washed, or cleansed, any Pipe, Barrel, Cask or Vessel in or upon or over any Part of the Carriage or Footways in any Streets, Squares, Lanes, or other public Places within the said Hamlet, or shall set out, lay, or place, or cause or procure, permit or suffer to be set out, laid, or placed, any Coach, Cart, Wain, Waggon, Dray, Wheelbarrow, Handbarrow, Sledge, Truck, or other Carriage upon any of the said Carriage or Footways, (except Coaches and Chariots licensed by the Commissioners for regulating and licensing Hackney Coaches, and which stand for Hire according to the Statutes and Bye Laws made for those Purposes, and also except for the necessary Time of loading or unloading any Cart, Wain, Waggon, Dray, Sledge, Truck or other Carriage, or taking up and setting down any Fare, or waiting for Passengers when actually hired, or harnessing or unharnessing the Horses from any Coach, Cart, Wain, Waggon, Dray, Sledge, Truck, or other Carriage,) or shall set or place or caused to be set or placed in or upon or over any of the said Carriage or Footways any Timber, Stones, Bricks, Lime, or other Materials or Things whatsoever (unless the same shall be inclosed to the Satisfaction of the said Trustees),

tees), or any other Matters or Things whatsoever, or shall set, place, or put out, or cause or permit or suffer to be set, placed, or put out, any Garden or other Pots (except the same shall be perfectly secured from falling to the Satisfaction of the said Trustees), or any other Matter or Thing, from and on the Outside of the Front or any other Part of any House or Houses or other Buildings or Premises over or next unto any such Street, Square, Lane, or other public Place, and shall not immediately remove all or any such Matters or Things, being thereunto required by the Surveyor, or any other Person or Persons employed or appointed by the said Trustees, and whether the same shall have been so set or placed, exposed or put out by himself, herself, or themselves personally, or by any of his, her, or their Servants, or by any Person or Persons employed by him, her, or them, and shall not continue and keep the same so removed; or if any Person or Persons having, in pursuance of any such Requisition or Requisitions as aforesaid, removed or caused to be removed any such Articles, Matters, or Things aforesaid, shall at any Time thereafter again set or lay, or place, expose, or put out, or cause, procure, permit, or suffer to be again set, laid, placed, exposed, or put out, the same or any of them, or any other Stall-board, Show-board, Booth, Basket, Bucket, Wares, Merchandize, Bench, Stool, Goods, Pipe, Barrel, Cask, or Vessel, Coach, Cart, Wain, Waggon, Dray, Wheelbarrow, Handbarrow, Sledge, Truck, or other Carriage, Timber, Stones, Bricks, Lime, Garden Pots, or other Matters or Things whatsoever (save and except as aforesaid), in or upon or over any of the Carriage or Footways within the said Hamlet, or from, over, or next any House, Building, or Premises in any such Street, Square, Lane, or public Place within the said Hamlet, then and in every such Case it shall and may be lawful to and for any Justice of the Peace for the said County of *Middlesex*, and he is hereby required, upon Complaint to him made by any One or more credible Witness or Witnesses upon Oath, to issue a Summons requiring the Person or Persons accused of such Offence, or the Owner or Owners of the Articles and Things aforesaid which shall be so set or placed, exposed or put out, or the Master or Masters of the Person or Persons by whose Servants, or by the Person or Persons employed by whom such Offence shall have been committed, to appear before him, or before any other Justice of the Peace for the same County as shall be then or there present, at such Time and Place as shall be in such Summons specified, and then and there to proceed to examine upon Oath or Affirmation any Witness or Witnesses who shall appear or be produced to give Evidence touching such Offence; and if the Person or Persons so offending shall be convicted of any or either of the Offences aforesaid, upon his, her, or their own Confession, or upon the Oath or Affirmation of One or more credible Witness or Witnesses as aforesaid, he, she, or they who shall be so convicted shall forfeit and pay for the First Offence any Sum not exceeding Forty Shillings, and for the Second and any subsequent Offence any Sum not exceeding Five Pounds, to be recovered in the same Manner as Penalties and Forfeitures are herein-after directed to be recovered; and that one Moiety of every such Penalty shall be paid to the Informer or Informers, or to the Person or Persons who shall apprehend such Offender or Offenders, and the

other Moiety thereof shall be paid to the Treasurer for the Time being to the said Trustees, to be applied to the Purposes of this Act.

Other Nuisances and Encroachments to be removed.

LI. And be it further enacted, That all Erections or other Projections whatsoever, over and beyond the Areas, or into the Footways of any Street or other public Passage or Place within the said Hamlet, and any Hogstye, Necessary House, Flesh offensive or stinking, Bone, Dung, Carrion, Blood, Offal, Soil, or Rubbish whatsoever, in any of the said Streets or other public Passages and Places, or in any Yards, Gardens, or Premises within the said Hamlet, or any other Matter or Thing which do or shall cause or occasion any Nuisance, Annoyance, Encroachment, or Obstruction to any of the Inhabitants, or other Person or Persons, shall be from Time to Time removed, fixed, placed, or altered in such Manner and Form as shall be approved of by the said Surveyor or Surveyors for the Time being; and in case the Person or Persons who ought to remove the said Erections or other Projections beyond the Areas, or into the Footways, and any Hogstye, Necessary House, Flesh offensive or stinking, Bones, Dung, Carrion, Blood, Offal, Soil, or Rubbish, shall not remove the same respectively within Six Days after Notice in Writing, under the Hand or Hands of the Surveyor or Surveyors for the Time being, given to or left for such Person or Persons at his, her, or their last or usual Place of Abode, such Person or Persons shall forfeit and pay any Sum not exceeding Twenty Shillings for every Day after the said Six Days the same shall continue unremoved, to be recovered and applied in the same Manner as Penalties and Forfeitures are herein-after directed to be recovered and applied.

Regulations for emptying Necessary Houses, &c.

LII. And be it further enacted, That if any Person or Persons shall empty any Privy or Necessary House, or empty or pump out any noisome or offensive Water or Soil from any Cellar or Cesspool, or carry any Night Soil along any of the Streets, Squares, Lanes, or other public Places within the said Hamlet, before the Hour of Eleven at Night, or after Six in the Morning, or shall at any Time negligently spill or put or cast or lay any Night Soil in or over any of the Streets, Squares, Lanes, or other public Places within the said Hamlet, or in any respect improperly, carelessly, or negligently remove the same, every Person or Persons so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds: Provided always, that in case the Person or Persons who shall so remove or cart, spill or put, or cast or lay any Night Soil shall not be seized and apprehended, then and in every such Case the Owner or Owners of the Waggon, Cart, or other Carriage, Horse, or Beast (if any) employed or used for the Purpose of taking and carrying away the same shall forfeit and pay any Sum not exceeding Five Pounds.

Hoards how to be erected.

LIII. And be it further enacted, That no Person or Persons whomsoever shall erect or build any Hoard, or erect any Posts, Bars, Rails, or other Thing by way of Inclosure for the Purpose of making Mortar and depositing or sifting, screening, or slacking any Bricks, Stone, Lime, Sand, or any other Materials for building or repairing any

any House, Shop, Coach-house, Stable, or Tenement, or other Works, or for any other Purpose, without Leave or Licence first had and obtained under the Hand or Hands of the Surveyor or Surveyors for the Time being, who is and are hereby required to grant the same forthwith.

Punishment for erecting Hoards without Leave.

LIV. And be it further enacted, That if any such Hoard or Inclosure shall be erected or built without the Leave or Licence of the said Surveyor or Surveyors so had and obtained, and signed as aforesaid, or shall be set up in any other Manner, or continued for any longer Time, than shall be allowed or expressed in such Licence, then and in either of the said Cases it shall and may be lawful for the said Trustees to cause the same to be pulled down and removed, and to be kept and detained until the Owner or Owners, or his, her, or their known Servant or Servants, shall and do pay to the Person or Persons in whose Custody the same shall be a Sum not exceeding Forty Shillings, together with the Charges of removing the same; and in case the same shall not be claimed, and the said Penalty and Charges paid, within the Space of Five Days next after the Seizure thereof, then it shall and may be lawful to and for the said Trustees to order the same to be appraised and sold, and the Money arising therefrom shall be applied to the Purposes of this Act.

No Lime to be slacked in the Streets.

LV. And be it further enacted, That if any Person or Persons shall sift, screen, or slack any Lime in the Highways, or in any Street, Square, Lane, or other public Passage or Place within the said Hamlet, or cause the same to be so done, without first erecting an Hoard or Inclosure, with the Leave of the Surveyor or Surveyors for the Time being to the said Trustees first obtained, he, she, or they shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings, to be recovered and applied in the same Manner as Penalties and Forfeitures are herein-after directed to be recovered and applied.

Power for the Trustees to borrow Money.

LVI. And be it further enacted, That it shall and may be lawful to and for the said Trustees, or any Five or more of them, to borrow and take up for the Purposes of this Act, at Interest, on the Credit of the Rates and Assessments to be made by virtue of this Act, any Sum or Sums of Money not exceeding in the whole the Sum of Six thousand Pounds, to be applied for the Purpose of this Act; and the said Trustees are hereby empowered to assign over the Rates and Assessments arising by virtue of this Act, or any Part thereof, as a Security for any such Sum or Sums of Money to be borrowed, with Interest, to the Person or Persons who shall from Time to Time advance the same, by a Writing on Parchment under the Hands of any Five or more of the said Trustees for the Time being, and by the following Words of Assignment, or by any other Words to the same Effect; (that is to say,)

Form of Assignment.

‘ BY virtue of an Act made in the Second Year of the Reign of
‘ His Majesty King *George* the Fourth, intituled *An Act* [*set*
‘ *forth the Title of this Act*], we the undersigned of the
‘ Trustees for lighting and improving the Hamlet of *Mile End Old*
‘ *Town*,

‘ *Town* in the County of *Middlesex*, appointed under or by virtue
‘ of the said Act, in consideration of the Sum of of
‘ lawful Money of *Great Britain* to us in hand paid by
‘ do assign unto the said
‘ his, her, or their Executors, Administrators,
‘ and Assigns, or Successors and Assigns, [*as the Case may be*,] all
‘ and singular the Rates and Assessments arising by virtue of the said
‘ Act, and all the Estate, Right, Title, and Interest of the said Trus-
‘ tees, of, in, and to the same, to hold unto the said
‘ his Executors, Administrators, and Assigns,
‘ or Successors and Assigns, [*as the Case may be*,] until the said Sum
‘ of together with Interest for the same at
‘ and after the Rate of *per Centum per Annum*,
‘ shall be repaid. Witness our Hands this Day of
‘ in the Year of our Lord .’

And all and every Person and Persons, Body or Bodies Politic, Corporate, or Collegiate, Aggregate or Sole, to whom such Assignment or Assignments shall be made, shall be equally entitled to their Proportion of the said Rates and Assessments, according to the respective Sums in such Assignment or Assignments mentioned to be advanced to secure the Repayment thereof, with Interest as aforesaid, without any Preference by reason of Priority of Assignment, or on any other Account whatsoever; and the Money so borrowed as aforesaid shall be applied in and about the several Purposes of this Act, and in carrying the same, and the several Provisions, Powers, and Authorities herein contained, into full Execution.

Assignments transferrable by Indorsement.

LVII. And be it further enacted, That all and every Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, Aggregate or Sole, to whom such Assignment or Assignments shall be made as aforesaid, or who shall be entitled to the Money thereby secured, may from Time to Time, personally, or by Attorney thereunto lawfully authorized, assign or transfer his or their Right, Title, Interest, or Benefit to the said Principal and Interest Money thereby secured, to any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, Aggregate or Sole, whatsoever, by indorsing on the Back of such Security, before One credible Witness, who shall subscribe his Name thereto, the following Words, or Words to the like Effect; (that is to say,)

Form of Indorsement.

‘ I Do transfer this Assignment, with all my Right and Title to the
‘ Principal Money thereby secured, and to all the Interest Money
‘ now or hereafter to be due thereon, unto his,
‘ her, or their Executors, Administrators, and Assigns, or Successors
‘ and Assigns [*as the Case may be*]. Dated this Day
‘ of in the Year of our Lord .’
‘ Witness,

Which Transfer shall within Six Days from the Date thereof be produced and notified to the Clerk or Clerks for the Time being to the said Trustees, who shall enter the same in a Book to be kept for that Purpose, as herein-after mentioned; and after such Entry made, but not till then, every such Assignment shall entitle any such As-

signee or Assignees, his, her, and their Executors, Administrators, Successors, and Assigns, to the Benefit thereof and Payment thereon; and such Assignee or Assignees may assign the same again, and so *toties quoties;* but in case any Sum so assigned shall not exceed the Sum of One hundred Pounds, it shall be lawful for the Person or Persons entitled to such Assignment or Assignments respectively, by an Indorsement of his, her, or their proper Names, to transfer his, her, or their Property in such Assignment to any other Person or Persons, without Notice thereof to the said Clerk or Clerks, or any Entry being made thereof in the said Book or Books; and all such last-mentioned Transfers or Assignments shall entitle such Assignee or Assignees, his, her, or their Executors, Administrators, Successors, or Assigns, to the Benefit thereof and Payment thereon; and such Assignee or Assignees may in like Manner assign or transfer the same again, and so *toties quoties;* and it shall not be in the Power of any such Person or Persons who shall have made any such Assignment to make void, release, or discharge the same, or any Monies thereby due, or any Part thereof: Provided nevertheless, that the said Trustees may at all Times pay off and discharge all such Assignments, or any Part or Parts thereof, when and as they may think proper, upon giving Notice to such Person or Persons entitled to the same, or his or their Assignee or Assignees, and upon giving Three Calendar Months public Notice thereof in the *London Gazette*, and in One or more public Newspaper; and at the Expiration of the said Three Calendar Months after such Notice all Interest shall cease to be paid on the said Principal Monies to be secured by such Assignment under this Act.

Interest on Monies borrowed to be paid half-yearly.

LVIII. And be it further enacted, That the Interest of the Money which shall be borrowed on the Mortgage or Assignment of the Rates and Assessments as aforesaid shall, from the Time the said Money or any Part thereof shall be advanced, be paid half-yearly by the Treasurer to the said Trustees to the several Parties entitled thereto.

Money may be borrowed on Annuity.

LIX. And whereas many Persons may prefer to advance such Money as may be necessary for the Purposes of this Act, not exceeding the said Sum of Six thousand Pounds in the whole, as aforesaid, for the Purchase of Annuities to be secured upon and payable out of the Rates and Assessments to be made by virtue of this Act; be it therefore further enacted, That it shall and may be lawful to and for any Person or Persons to contribute, advance, and pay into the Hands of the said Trustees, or to their Treasurer for the Time being, any Sum or Sums of Money for the Purposes of this Act, for the absolute Purchase of One or more Annuity or Annuities, to be paid and payable during the full Term of the natural Life of such Person or Persons, being of the Age of Thirty-five Years or upwards, as shall be nominated by or on the Behalf of such respective Contributors at the Time of Payment of their respective Purchase Monies, all which Annuities so to be purchased shall be payable and paid by the said Treasurer for the Time being to the said Trustees, out of the Monies to arise by or from the said Rates and Assessments, by half-yearly Payments, the first Payments to be made to the respective Purchasers

or their Assigns at the Expiration of Six Calendar Months after Payment of their respective Purchase Monies, the Rate whereof shall be settled and adjusted by a public Sale of the said Annuities by the said Trustees to the best Bidder for the same, or shall be such as the said Trustees shall think reasonable, and at any General or other Meeting shall approve.

Annuities chargeable on the Rates.

LX. And be it further enacted, That all and every the Annuity or Annuities so to be purchased under or by virtue of this Act shall be and are hereby charged upon and shall be paid and payable from Time to Time out of the Monies arising by the Rates and Assessments to be made by virtue of this Act; and all and every the Purchaser and Purchasers duly paying the Consideration or Purchase Money for any such Annuity or Annuities as aforesaid, or his, her, or their respective Executors, Administrators, or Assigns, shall have, receive, and enjoy, and be entitled by virtue of this Act to have, receive, and enjoy, the respective Annuity or Annuities so to be purchased, out of the said Rates or Assessments by this Act appointed for Payment thereof as aforesaid, during the natural Life of the Person to be nominated by each of such Purchasers, as before mentioned; and that all and every such Purchaser and Purchasers, and their Executors, Administrators, and Assigns, shall have good, sure, absolute, and indefeasible Estates and Interests in the Annuity or Annuities so by him, her, or them respectively to be purchased, according to the Tenor and true Meaning of this Act.

Annuities to be granted.

LXI. And be it further enacted, That all and every the Annuity and Annuities to be granted and secured under and by virtue of this Act shall be so granted by a Writing on Parchment, and shall be signed by Five of the said Trustees for the Time being, and shall be in the Words or to the Effect following; (that is to say,)

Form of Annuity.

'BY virtue of an Act made in the Second Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act* [*set forth the Title of this Act*], we, the undersigned of the Trustees for lighting and improving the Hamlet of *Mile End Old Town* in the County of *Middlesex*, appointed under or by virtue of the said Act, in pursuance of the said Act, and in consideration of the Sum of paid by [*A. B.*] to [*C. D.*] the Treasurer appointed in pursuance of the said Act, do hereby grant unto the said [*A. B.*] an Annuity or yearly Sum of to be paid out of the Rates or Assessments to be raised, levied, and collected by virtue of this Act; which Annuity or yearly Sum of shall be paid to the said [*A. B.*] or his, her, or their Assigns, during the Term of his, her, or their natural Life or Lives [*as the Case may be*], on the Day of and the Day of in every Year, by equal half-yearly Payments, and up to the Day of the Death of the said [*A. B.*] [*or as the Case may be*]. In witness whereof we the said Trustees have hereunto set our Hands, the Day of in the Year of our Lord .'

And

And all and every Person and Persons to whom such Annuity or Annuities shall be so granted and secured as aforesaid, and his, her, and their Executors, Administrators, and Assigns, shall and may by Indorsement assign or transfer his, her, or their Right and Interest to and in the Annuity or Annuities thereby respectively secured, in the Words or to the Effect following; that is to say,

Form of Transfer.

'I DO hereby assign and transfer the within-written Annuity, with all my Right and Title to the Principal Money thereby secured, and to all Interest now due upon the same, and all Arrears now due thereon, unto his, her, or their Executors, Administrators, and Assigns. Dated this Day of in the Year of our Lord .'

Which Transfer shall within Six Days after the Date thereof be produced and notified to the Clerk or Clerks to the said Trustees for the Time being, who shall enter the same in a Book or Books to be kept for that Purpose as herein-after mentioned; and after such Entry made, but not till then, every such Assignment shall entitle any such Assignee or Assignees, his, her, or their Executors, Administrators, Successors, and Assigns, to the Benefit thereof and Payment thereon.

Scale for the Annuities.

LXII. And for preventing any improvident Grants of Annuities under this Act, be it further enacted, That no Annuities shall be granted by virtue of this Act for any single Life at any higher Rate than the following; (that is to say,) where the Age of the Annuitant or Person for whose Life the Annuity shall be granted shall not exceed Thirty-five Years, the Annuity to be granted shall not exceed the Rate of Eight Pounds Three Shillings for each One hundred Pounds of the Consideration Money paid for the Purchase thereof; where the Age of such Person shall not exceed Forty Years, the Annuity to be granted shall not exceed the Rate of Eight Pounds Ten Shillings for each One hundred Pounds of such Consideration Money; where the Age of such Person shall not exceed Forty-five Years, the Annuity shall not exceed the Rate of Nine Pounds for each One hundred Pounds of the Consideration Money; where the Age of such Person shall not exceed Fifty Years, the Annuity shall not exceed the Rate of Nine Pounds Twelve Shillings for each One hundred Pounds of the Consideration Money; where the Age of such Person shall not exceed Fifty-five Years, the Annuity shall not exceed the Rate of Ten Pounds Eight Shillings for each One hundred Pounds of the Consideration Money; where the Age of such Person shall not exceed Sixty Years, the Annuity shall not exceed the Rate of Eleven Pounds Eight Shillings for each One hundred Pounds of the Consideration Money; where the Age of such Person shall not exceed Sixty-five Years, the Annuity shall not exceed the Rate of Twelve Pounds Seventeen Shillings for each One hundred Pounds of the Consideration Money; where the Age of such Person shall not exceed Seventy Years, the Annuity shall not exceed the Rate of Fifteen Pounds One Shilling for each One hundred Pounds of the Consideration Money; and where the Age of such Person shall not exceed Seventy-five Years, the Annuity shall not exceed the Rate of Eighteen

Eighteen Pounds Ten Shillings for each One hundred Pounds of the Consideration Money: Provided always, that no Monies shall be obtained by the Sale of Annuities unless at or until after a General Meeting of the said Trustees to be held for that Purpose, whereof Six Days Notice at the least shall be given in some public Newspaper printed and published within the Cities of *London* or *Westminster*.

No Annuity to be paid or recovered unless a proper Certificate be produced.

LXIII. And be it further enacted, That no Annuity or Annuities to be granted and secured under this Act shall be paid and recovered unless upon the Demand of each half-yearly Payment thereof the Person or Persons for whose Life or Lives the same shall have been so granted and secured shall personally appear before the Clerk or Clerks for the Time being to the said Trustees, to whom the Person or Persons entitled to receive such Annuity or Annuities shall then produce the original Security or Securities for the same, or in case of his, her, or their Non-appearance, the Person or Persons entitled to receive such Annuity, or his, her, or their Agent or Agents, shall produce such Security or Securities, and a Certificate, to the Clerk or Clerks for the Time being to the said Trustees, of the Life of such Cestuique vie, signed by the officiating Minister of the Parish wherein he, she, or they shall be residing upon the Day when such Annuity became due, or such other Evidence as shall be satisfactory to the said Clerk or Clerks, if such Cestuique vie shall be then in the United Kingdom of *Great Britain* and *Ireland*, and in case such Cestuique vie shall not be within the United Kingdom then such other good and sufficient Proof of his or her living upon the Day when each half-yearly Payment of the said Annuity or Annuities shall respectively become due shall be produced to the said Clerk or Clerks as shall be satisfactory to him or them.

On the Death of Annuitants, &c. other Annuities may be granted.

LXIV. Provided always, and be it further enacted, That when and as often as any Annuitant or Annuitants, Nominee or Nominees, to whom or for whose Life or Lives any Annuity or Annuities may be granted under and by virtue of this Act, shall die, it shall and may be lawful for the said Trustees to permit any Person or Persons to purchase of the said Trustees One or more Annuity or Annuities in the Room of such Annuitant or Annuitants, Nominee or Nominees, so dying, upon the Life of such other Person or Persons, upon such Terms and Conditions, and payable in the Manner before mentioned; or in case the said Trustees shall call in and pay off any Assignments or Mortgages of the said Rates or Assessments, it shall and may be lawful for them to borrow, on similar Assignments and Mortgages, other Sum or Sums of Money, so that the Sum or Sums to be contributed for the Purchase of any Annuity or Annuities to be granted by virtue of this Act, together with the Monies borrowed on Mortgages at Interest as aforesaid, shall not at any one Time exceed the Sum of Six thousand Pounds.

Annuities &c. to be deemed Personal Estate.

LXV. Provided always, and be it further enacted, That all Monies advanced and paid, and all Assignments, Mortgages, and Annuities given and granted under and by virtue of this Act, shall be and be deemed Personal Estate and Effects.

Securities to be entered in a Book.

LXVI. And be it further enacted, That the Clerk or Clerks for the Time being to the said Trustees shall enter in a Book or Books to be for that Purpose provided and kept by the said Trustees a Copy or Copies, or an Extract or Extracts of or from all Securities given for Monies borrowed, and of and from the Grants of all Annuities granted by virtue of or in pursuance of this Act, and also of all Assignments or Transfers of the Grants of such Annuities, or of such Securities for Monies borrowed, expressing in Words at Length the Names, Surnames, Additions, Places of Abode, and Descriptions of all such Persons as shall from Time to Time be entitled to such Annuities and Securities, and also the Name, Surname, Addition, Place of Abode, and other Description of every Person for whose Life any Annuity or Annuities shall be granted, and the Days whereon the Interest of the said Securities and the said Annuities shall be payable, to which Book and Books the Person and Persons entitled to and possessed of such Annuities or Securities, and all and every Person and Persons rated to and paying the said Rates and Assessments, shall at all seasonable Times have Access, with free Liberty to inspect the same, or to make or take Extracts or Copies thereof or therefrom, without Fee or Reward.

Trustees may contract.

LXVII. And be it further enacted, That it shall and may be lawful to and for the said Trustees, at any Meeting of the said Trustees at which Eleven Trustees at the least shall be present, to enter into any Contract or Contracts with any Person or Persons, Body or Bodies Politic or Corporate, for lighting, widening, amending, repairing, cleansing, improving, and regulating the Squares, Streets, Highways, Lanes, and other public Passages and Places within the said Hamlet, and for furnishing Materials or any other Matters or necessary Things whatsoever relating thereto; but before any such Contract or Contracts shall be entered into Six Days Notice at the least shall be given in some Newspaper printed or circulated in the said County of *Middlesex*, expressing the Purpose or Purposes of such Contract or Contracts, in order that any Person or Persons, Body or Bodies Politic or Corporate, willing to undertake the same, may make Proposals for that Purpose, to be offered to the said Trustees at a certain Time and Place in such Notice to be mentioned; and the said Trustees shall and they are hereby required to take Security from every such Contractor or Contractors for the due Performance of his or their Contract.

Contracts to be signed by them.

LXVIII. And be it further enacted, That such Contract or Contracts shall specify the several Works to be done and the Prices to be received or paid for the same, and the Time or Times when the said Works are to be completed, and the Penalties to be suffered in case of Non-performance thereof, and shall be signed by the said Trustees or any Five or more of them, and also by the Person or Persons, Body or Bodies Politic or Corporate, contracting to perform the Works respectively; which Contract or Contracts shall be entered in a Book or Books to be kept for that Purpose by the Clerk or Clerks for the Time being to the said Trustees.

LXIX. Pro-

Trustees not to be answerable in their private Capacity.

LXIX. Provided always, and be it further enacted, That no Contract which shall be made by the said Trustees for any of the Purposes of this Act, shall be binding upon the said Trustees as Individuals, or in their private Capacity, nor shall any of the said Trustees personally, or their respective Estates, be answerable for or subject to the Payment of any of the Mortgages or Annuities to be granted in pursuance of this Act; and that all Monies which shall be expended by or recovered against the said Trustees or any of them, or any Person or Persons employed by the said Trustees, by means of any Action, Prosecution, or Appeal to be brought by or against them, or any of them, touching the Execution of this Act, shall be borne and defrayed out of the Money which shall come to the Hands of the Treasurer to the said Trustees, or any other Person or Persons appointed by the said Trustees by virtue of this Act: Provided nevertheless, that nothing herein contained shall extend to exonerate or discharge any of the said Trustees, their Houses, Lands, Tenements, Hereditaments, Goods, Chattels, or Effects, from the Payment of the Rates or Assessments to be made and raised by virtue of this Act.

Trustees may compound for Breach of Contract.

LXX. And be it further enacted, That it shall and may be lawful to and for the said Trustees from Time to Time and at all Times hereafter to compound and agree with any Person or Persons, Body or Bodies Politic or Corporate, for or on account of any Breach or Non-performance of any Contract or Contracts, at and for such Sum or Sums of Money, or upon such Terms and Conditions as they the said Trustees shall think proper.

Trustees to take all Bonds and Securities, and to sue and be sued in the Name of their Clerk.

LXXI. And be it further enacted, That the said Trustees shall and may sue and be sued, and take all Bonds and Securities, in the Name or Names of any one or more of them, or in the Name or Names of their Clerk or Clerks for the Time being; and that no Action or Suit which may be brought by or against the said Trustees or any of them in relation to this Act, in the Name or Names of their Clerk or Clerks, shall abate or be discontinued by the Death or Removal of such Clerk or Clerks, or by the Act of him or them without the Consent of the said Trustees, but the Clerk or Clerks for the Time being shall always be and be deemed Plaintiff or Plaintiffs Defendant or Defendants, (as the Case may be,) in every Action or Suit: Provided always, that such Clerk or Clerks for the Time being shall be paid and reimbursed, by and out of the Monies to be raised by virtue of this Act, all such Costs, Damages, and reasonable Expences, as he or they shall be put unto or become charged or chargeable with, by reason of his or their being so made Plaintiff or Defendant, Plaintiffs or Defendants, as aforesaid.

Notices may be served personally or by leaving the same.

LXXII. And be it further enacted, That all Notices and Summonses which are directed and required to be given by this Act, or which shall or may be necessary for carrying into execution any of the Powers of this Act, of which the Manner of serving the same is not particularly directed by this Act, shall be printed or written, or partly printed and partly written, and shall or may be served either by delivering the same personally to the Person or Persons to whom such Notices

Notices respectively are to be given, or by leaving the same at his, her, or their usual or last known Place or Places of Abode, and being so given or left shall be deemed to be given according to the Meaning of this Act.

Justices may act notwithstanding they are Trustees.

LXXIII. And be it further enacted, That any Justice of the Peace in and for the County of *Middlesex* shall and may do any Act or Deed relative to the Office of a Justice of the Peace hereby directed or otherwise, notwithstanding he shall or may at the same Time be a Trustee for carrying into execution the several Purposes of this Act, and shall and may act in the Execution of this Act notwithstanding he shall be an Inhabitant of the said Hamlet, or shall pay the Rates to be made by virtue of this Act; any Law, Statute, or Usage to the contrary notwithstanding.

Inhabitants not deemed incompetent Witnesses.

LXXIV. And be it further enacted, That no Inhabitant of the said Hamlet shall, in any Action, Prosecution, Information, Cause, Hearing, Examination, Appeal, or Proceeding whatsoever, relating to or concerning the Execution of this Act, be deemed an incompetent Witness on account of his or her being charged with or liable to pay any Rates or Assessments to be made, raised, levied, and collected by virtue of this Act.

Justices may compel the Attendance of Witnesses.

LXXV. And be it further enacted, That it shall and may be lawful to and for any Justice or Justices of the Peace, who is and are made competent, empowered, or required to hear and determine any Complaint or Matter under or by virtue of this Act, to issue a Summons under his or their Hand and Seal or Hands and Seals, to any Person or Persons whomsoever, to attend as a Witness or Witnesses, and to give Evidence upon Oath or solemn Affirmation before any Justice or Justices of the Peace touching any Matter of Fact contained in any Information or Complaint for any Offence against this Act, whether on the Part of the Prosecutors or Informers or Trustees, or of the Person or Persons complained of, and which Summons such Justice or Justices as aforesaid are hereby empowered to issue, if thereunto required; and if such Person or Persons so summoned as aforesaid, upon being paid or tendered such Sum for his or their Costs and Charges, Trouble and Attendance, as the said Justice or Justices shall think reasonable, shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, without such Excuse for such his, her, or their Refusal or Neglect as shall be approved of by such Justice or Justices, or appearing shall refuse to be examined on Oath or solemn Affirmation, or to give Evidence before such Justice or Justices, then and in every such Case every such Person shall forfeit for every such Offence any Sum not exceeding the Sum of Five Pounds, to be recovered and applied by virtue of this Act in the Manner herein-after directed.

For securing transient Offenders.

LXXVI. And whereas Offences may be committed against this Act by Persons unknown to the Surveyor or Surveyors, or other Officers appointed to put this Act into execution; be it therefore enacted, That it shall be lawful for the said Surveyor or Surveyors or other Officers respectively, and such other Person or Persons as he or

they shall call to his or their Assistance, without any other Warrant or Authority than this Act, to seize and detain any unknown Person or Persons who shall commit any such Offence or Offences, and take him or them before any Justice of the Peace of the County, City, or Place near to the Place where the Offence or Offences shall have been committed, to be dealt with according to Law; and such Justice is hereby empowered and directed to proceed immediately to the hearing and determining of the Complaint.

Justices may proceed on Complaint of One Trustee.

LXXVII. And be it further enacted, That in all Cases where One or more Justice or Justices of the Peace is or are or may be empowered by this Act to proceed on the Complaint of the said Trustees, it shall and may be lawful for such Justice or Justices of the Peace, and he or they is and are hereby required, to proceed on the Complaint of any One of the said Trustees, or of the Clerk or Clerks, Surveyor or Surveyors for the Time being to the said Trustees, or any of them, in such and the like Manner to all Intents and Purposes as if such Complaint had been made by the said Trustees, or any or all of them.

Mode of Recovery of Penalties and Forfeitures.

LXXVIII. And be it further enacted, That all Penalties and Forfeitures by this Act imposed, the Manner of recovering and the Application whereof is not hereby otherwise particularly directed, shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of some Justice of the Peace for the said County of *Middlesex*, or other Justice of the Peace having legal Jurisdiction, which Warrant such Justice is hereby required and empowered to grant upon Confession of the Party or Parties, or upon the Information of One or more credible Witness or Witnesses upon Oath, (which Oath such Justice is hereby required and empowered to administer; and one Moiety of the Penalties and Forfeitures, when recovered, after rendering the Overplus (if any), on Demand, to the Party or Parties whose Goods and Chattels shall be so distrained, (the reasonable Charges of such Distress and Sale being first deducted,) shall be paid to the Informer, or to the Person who shall sue for the same, and the other Moiety thereof shall be paid to the Treasurer for the Time being to the said Trustees, to be by him applied towards such of the Purposes of this Act as the said Trustees shall think fit, and shall order and direct; and in case such Penalties and Forfeitures shall not be forthwith paid upon Conviction, then it shall be lawful for such Justice to order the Offender or Offenders so convicted to be detained and kept in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice, for his or their Appearance before such Justice on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Twenty-one Days from the Time of taking any such Security, and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had thereupon, then it shall be lawful for such Justice, or any other Justice of the Peace for the said County, or other Justice having legal Jurisdiction, and he is hereby

authorized and required, by Warrant under his Hand and Seal, to commit such Offender or Offenders to the Common Gaol or House of Correction for the said County, there to remain for any Time not exceeding Three Calendar Months.

LXXIX. And be it further enacted, That every Justice of the Peace before whom any Person shall be convicted of any Offence against this Act shall and may cause the Conviction to be drawn up according to the Form following; (that is to say,)

Form of Conviction.

'Middlesex to wit.' BE it remembered, That on the Day of in the Year of our Lord [*A.B.*] 'is duly convicted before of His Majesty's Justices of the 'Peace for the County of *Middlesex*, of having [*here specify the 'Offence or Omission, and the Time and Place when and where com-'mitted, as the Case may be*], contrary to the Form of the Statute in 'such Case made and provided; and I *or* we, [*as the Case may be,*] do 'declare and adjudge that the said [*A.B.*] hath forfeited for his, her, 'or their [*as the Case may be*] said Offence the Sum of . 'Given under my Hand, *or* Hand and Seal, [*or* our Hands,] [*or* our 'Hands and Seals,] [*as the Case may be,*] the Day and Year first 'above written.'

Distress not to be deemed unlawful for Want of Form.

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

Plaintiff not to recover after Tender of Amends.

LXXXI. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons for any thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants Fourteen Days before such Action shall be commenced of such intended Action, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in any such Action if Tender of sufficient Amends shall have been made to him, her, or them, or to his, her, or their Attorney, by or on behalf of the Defendant or Defendants, before such Action shall be brought; and in case no such Tender shall be made it shall be lawful for the Defendant or Defendant, in any such Action, by Leave of the Court, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think proper, whereupon such Proceedings, Order, and Judgment shall be made and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

LXXXII. Pro-

Appeal may be made to the Quarter Sessions.

LXXXII. Provided always, and be it further enacted, That any Person or Persons whomsoever, thinking himself, herself, or themselves aggrieved by any Rate or Rates, Assessment or Assessments, or by the Order or Determination of any Justice or Justices of the Peace, in pursuance of this Act, or by any other Matter or Thing done or directed to be done in pursuance of this Act, such Person or Persons may, within Three Calendar Months after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace at their next General Quarter Sessions of the Peace to be holden for the said County, the Person or Persons appealing having first given at least Fourteen Days Notice of such Appeal, and of the Nature and Matter thereof, to the Person or Persons appealed against, and to the Clerk or Clerks for the Time being to the said Trustees, and forthwith 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 and Award of the said Court thereon; and the said Justices, upon due Proof of such Notice and Recognizance having being given and entered into, shall in a summary Way hear and determine such Complaint at such General Quarter Sessions of the Peace, or, if they shall think proper, may adjourn the Hearing thereof to any Adjournment of such General Quarter Sessions, or to the next General Sessions or General Quarter Sessions of the Peace to be held for the said County, and if they see Cause may mitigate any Penalty or Forfeiture, and may order any Money to be returned which shall have been levied in pursuance of such Rate or Rates, Assessment or Assessments, Order, Judgment, or Determination, and shall and may also order and award such further Satisfaction to be made to the Party injured, or such Costs to either of the Parties, as they shall judge reasonable and proper; and such Determination of the said Justices shall be final, binding, and conclusive upon all Parties to all Intents and Purposes whatsoever.

Justices may amend the Rate on Appeal, without quashing the whole.

LXXXIII. Provided also, and be it further enacted, That on any Appeal against the said Rates or Assessments or any of them the said Justices of the Peace at their said General Quarter Sessions of the Peace, or at any Adjournment thereof, shall and may amend the same in such Manner as may be necessary for giving Relief, without quashing or altering the said Rates or Assessments with respect to other Persons mentioned therein; but if upon Appeal for the whole Rates or Assessments or either of them it shall be found necessary to set aside the same, then and in every such Case it shall and may be lawful to and for such Justices to order a new Rate or Assessment or Rates or Assessments to be made in manner herein directed.

Proceedings not to be quashed for Want of Form.

LXXXIV. And be it further enacted, That no Proceedings to be had touching the Conviction of any Offenders against this Act, or other Matter or Thing to be done or transacted in or relating to the Execution of this Act, shall be vacated or quashed for Want of Form only, or removed by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*, any Law, Statute, or Usage to the contrary notwithstanding.

LXXXV. And

Limitation of Actions.

LXXXV. And be it further enacted, That no Action or Suit shall be brought against any Person or Persons for any thing done in pursuance of this Act, or in relation to any Matters herein contained, until after Fourteen Days Notice in Writing shall be thereof given to the Clerk or Clerks to the said Trustees, or after sufficient Satisfaction made or tendered, or after Three Calendar Months next after the Fact committed for which such Action or Actions, Suit or Suits, shall be so brought, and every such Action or Suit shall be laid and tried in the County of *Middlesex* or in the City of *London*, and not in any other County, City, or Place, and that the Defendant or Defendants in every such Action or Suit shall or may, at his or their Election, plead specially or the General Issue, and give this Act and the special Matter in Evidence at any Trial which shall be had thereupon, and that the same was done in pursuance and under the Authority of this Act; and if the Matter or Thing shall appear to have been so done, or if it shall appear that such Action or Suit shall have been brought before the Expiration of the said Fourteen Days Notice as aforesaid, or after sufficient Satisfaction was made or tendered, or if such Action or Suit shall not be commenced within the Time for that Purpose limited for bringing the same, or shall be laid in any other County, City, or Place than as aforesaid, then and in any such Case the Jury shall find a Verdict for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or shall discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon any Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, or the said Action or Suit shall be non-prossed, then and in every such Case the Defendant or Defendants shall recover Treble Costs, and have such Remedy for recovering the same as any other Defendant or Defendants hath or have in other Cases by Law.

This Act not to vary the Powers of Turnpike Road Acts of 42 G. 3. Commercial Road, 27 G. 2. Cannon Street Road, 25 G. 3. Whitechapel Road, or the other Acts relating to the said Roads.

LXXXVI. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed, adjudged, deemed, or taken to extend, to invest the said Trustees, for carrying the several Purposes of this Act into execution, with any Powers or Authorities to encroach upon, alter, or interfere with the several Turnpike Roads within or passing through the said Hamlet or any Part thereof, or the Sewers or Gutters, Cesspools, Sinks, Drains, or Watercourses thereunto belonging, or any of the Watchmen, Servants, Surveyors, Labourers, or other Persons employed by the several Trustees of the several Turnpike Roads, or the Lamps placed by the said several Trustees, or any Rules, Orders, or Regulations of the said Trustees now made, or which they may hereafter make, order, or direct, relating to the repairing, amending, watching, lighting, altering, widening, improving, or otherwise relating to the said several Turnpike Roads, or any of them, and made or repaired under and by virtue of an Act made and passed in the Forty-second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for making and maintaining, and for watching, lighting, and watering, a Road from the* West India Docks *in the* Isle of Dogs *to communicate with a Street called* Church Lane *or* Church Street, Whitechapel, *and for making and maintaining a Branch of Road therefrom*

42G.3.c.101.

to communicate with Queen Street *in the Parish of* Saint Anne, *all in the County of* Middlesex; *for opening, widening, and improving certain Streets and Passages therein mentioned; and for more effectually amending and keeping in repair a Road from* Ratcliffe Highway, *through* Cannon Street, *in the County of* Middlesex, *into the Road leading into the County of* Essex, *and also from the West End of* Brook Street *into* Cable Street, *and from* Upper Shadwell Street *into the* Back Lane, *in the County of* Middlesex; and another Act made and passed in the Twenty-seventh Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for opening, making, widening, and keeping in repair a Road from* Ratcliffe Highway, *through* Cannon Street, *in the County of* Middlesex, *into the Road leading into the County of* Essex; *and also from the West End of* Brook Street *into* Cable Street, *and from* Upper Shadwell Street *into the* Back Lane, *in the said County of* Middlesex; and a certain other Act made and passed in the Twenty-fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for amending and keeping in repair the Road from* Whitechapel Church, *in the County of* Middlesex, *to* Shenfield, *and the furthermost Part of the Parish of* Woodford *towards* Epping, *and from the Causeway in the Parish of* Low Layton *to the End of the said Parish of* Woodford *next* Chigwell, *and through the Parishes of* Chigwell *and* Lambourn, *in the County of* Essex; *and for lighting and watching the said Road from* Whitechapel Church *to the Four Mile Stone in the* Romford *and* Woodford *Roads;* or for rating or taxing, during the Continuance of the said Act passed in the Forty-second Year of the Reign of His late Majesty, in and by the Rates or Assessments herein-before directed to be made for lighting the Streets, Squares, and other public Passages and Places within the said Hamlet, any Messuage, Tenement, Land, Ground, Wash-house, Stable, Cellar, Vault, House, Shop, Warehouse, or other Building or Tenement, situate and being within the Limits prescribed by the said last-mentioned Act, and thereby authorized to be rated and assessed for and towards the Expences of watching, lighting, and watering the said Road and Branch of Road authorized to be made and maintained by the said last-mentioned Act, or to prejudice, prohibit, defeat, alter, or diminish any Power, Authority, or Jurisdiction given to or vested in the Trustees or other Persons acting under and by virtue of the said Acts respectively, or any or either of them, or under and by virtue of any other Act or Acts of Parliament relating to the said several Roads or any of them.

27 G. 2. c. 40.

25 G. 3. c. 124.

LXXXVII. Provided also, and be it further enacted, That no Person or Persons rated to the Rates and Assessments to be made by virtue of this Act shall be liable to any Pains or Forfeitures for not setting or hanging out Candles or Lights in Lanthorns from *Michaelmas* to *Lady Day* in every Year, according to the Directions of an Act of Parliament passed in the Second Year of the Reign of Their late Majesties King *William* and Queen *Mary*, intituled *An Act for paving and cleansing the Streets in the Cities of* London *and* Westminster, *and Suburbs and Liberties thereof, and Out-parishes in the County of* Middlesex, *and in the Borough of* Southwark, *and other Places within*

Persons assessed to be discharged from Penalties under 2 W. & M. Sess. 2. c. 8.

within the Weekly Bills of Mortality in the County of Surrey; *and for regulating the Markets therein mentioned;* but that all such Persons within the said Hamlet shall be entirely exempt from the Operation of the said Act.

How the Expences of this Act shall be paid.

LXXXVIII. And be it further enacted, That all Costs, Charges, and Expences of passing this Act, and all other Charges necessarily incidental to the Application for and attending the obtaining and passing thereof, shall be borne, paid, and defrayed out of the first Monies which shall arise and be received, levied, or collected by virtue of this Act.

Public Act.

LXXXIX. 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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