ANNO NONO & DECIMO

VICTORIÆ REGINÆ.

****

Cap. cccl.

An Act to repeal an Act of the Fifty-second Year of the Reign of King *George* the Third, for lighting and watching the Road leading from *Newington Butts* to the *Nag's Head* on the *Wandsworth Road*, and other Places communicating therewith, in *Lambeth*, *Clapham*, and *Battersea*, in *Surrey*; and for making other Provisions for lighting and improving the said Road, and other Places adjacent or near thereto. [3d *August* 1846.]

WHEREAS since the passing of the said Act of Parliament of the Fifty-second Year of the Reign of King *George* the Third numerous Roads, Streets, and Places have been formed and constructed, and a great Number of Houses and Buildings have been erected and built, in or near to the District or Limits comprised in the said Act of Parliament, but to which the Provisions of the said Act of Parliament do not sufficiently apply: And whereas also the watching of the District or Limits mentioned in the said

Act of Parliament, and to which its Provisions apply, has for some Years past been discontinued in consequence of the Provisions of the Act passed in the Tenth Year of the Reign of King *George* the
10 G. 4. c. 44. Fourth, intituled *An Act for improving the Police in and near the Metropolis:* And whereas at the Time when the said Act of the Fifty-second Year of the Reign of King *George* the Third was passed, and for some Time subsequent thereto, Parts of the various Roads commonly known or described as the *Surrey* New Roads, and which pass through a Portion of the District or Limits included in the Provisions of this Act, were lighted under the Provisions of an
52 G. 3. c. 112. Act, intituled *An Act for more effectually amending certain Roads in the several Parishes of* Lambeth, Newington, Saint George's Southwark, Bermondsey, *and* Christchurch, *in the County of* Surrey; *and for watching, lighting, and otherwise improving the said Roads;* but which Act hath some Time since expired, and there is now no Provision for lighting the same: And whereas there are many Provisions, Powers, and Authorities contained in the said Act of the Fifty-second Year of the Reign of King *George* the Third which in the Execution thereof have been found defective, and insufficient for carrying into effect the Purposes for which they were enacted, and it is expedient that the same should be altered and amended, and that further Powers and Authorities should be given: And whereas the said District is large and populous, and considerable Traffic is carried on therein, and it would conduce to the Advantage and Comfort of the Inhabitants thereof and of the Public at large if the Streets, Thoroughfares, and Places in the said District as herein-after defined and limited, were properly lighted and otherwise improved and regulated, and if Nuisances, Annoyances, and Obstructions therein were removed and prevented: And whereas the several Purposes aforesaid might be more efficiently and conveniently effected if the said Act of the Fifty-second Year of the Reign of *George* the Third were to be repealed, and other Powers and Provisions granted in lieu thereof: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, and by the Authority of the same, That this Act shall commence and take effect on the Third *Friday* next after the passing thereof, and thereupon the said Act passed in the Fifty-second Year of the Reign of King *George* the Third shall be and the same is hereby repealed.

Commencement of this Act, and Repeal of 52 G. 3. c. 112.

Acts done under the recited Act to be valid.

II. Provided always, and be it enacted, That nothing herein contained shall extend or be deemed or construed to interfere with any Rates made, Acts done, or Contracts or Agreements heretofore made or entered into, or hereafter to be made or entered into, under the Authority of the said Act, previous to the Repeal of the said Act, or to prevent or defeat any Action, Suit, or Proceeding commenced under the Provisions of the said Act, or any Prosecution commenced or to be brought for any Offence against the said Act, but all Rates made and Penalties and Forfeitures incurred may be raised, levied, sued for, and recovered, and all Contracts and Agreements may be enforced, and all Nuisances and other Offences made or committed previously to the Repeal of the said recited

recited Act, against the Provisions thereof, may be prosecuted or discontinued by the Trustees appointed under the said recited Act, or by the Commissioners appointed under this Act, in the same Manner to all Intents and Purposes as if this Act had not been passed.

Appointment of Commissioners.

III. And be it enacted, That *James Bidden*, *Richard Boyman Boyman*, *Henry Beaufoy*, *Richard Cannon*, *Samuel Linford*, *Richard Chandler*, *Alfred Chandler*, *Charles Francis*, *Charles Larkin Francis*, *Robert Forest*, *Joseph Harris*, *John Hodgson*, *Joseph Holl*, *James Eland Hobson*, *Edward Haward*, *James Humphrey*, *John William Jones*, *Solomon Knight*, *John Kempster*, *William Michael Papineau*, *James Phillips*, *James Marmaduke Rossiter*, *William Woods*, *Daniel Towers Shears*, *John James Short*, *David Sangster*, *Charles Brooks Teague*, *John Thornton*, *Samuel Truman*, *James Forbes Young*, and their Successors, to be elected in manner herein-after mentioned, shall be and they are hereby appointed Commissioners for putting this Act into execution; and that all and every the Powers, Authorities, Directions, Matters, and Things by this Act given to and directed to be done and executed by or before the said Commissioners shall and may be exercised, had, and done by or before any Five of them (except only where some other Number is expressly appointed by this Act); and all such Acts, Matters, and Things shall be of as full Force and Effect as if done and executed by or before all the said Commissioners.

Manner in which Commissioners shall go out of Office and Commissioners be elected.

IV. And be it enacted, That on the Thirty-first Day of *March* One thousand eight hundred and forty-seven One Third Part of the whole Number of the Commissioners herein-before appointed shall go out of Office, and Ten new Commissioners shall be elected in their Place and Stead in manner herein-after mentioned; and on the Thirty-first Day of *March* in every Year subsequent to the said Year One thousand eight hundred and forty-seven, unless the same shall be *Sunday* or *Good Friday*, and then on the following Day, One Third Part of the whole Number of the Commissioners for the then pending Year shall in like Manner go out of Office, and Ten new Commissioners shall be elected in their Place and Stead as herein-after mentioned; and the Commissioners who shall so from Time to Time go out of Office as aforesaid shall be those who have been longest in Office; and in each Instance the Places of retiring Commissioners shall be supplied by the Election of a similar Number of Commissioners as herein provided: Provided always, that such of the Commissioners hereby appointed who shall have died, refused to act, or ceased to be qualified or to be a Commissioner in the course of the Year ending on the Thirty-first Day of *March* One thousand eight hundred and forty-seven, and such of the Commissioners in any Year subsequent to the said Year One thousand eight hundred and forty-seven who shall have refused to act, or ceased to be qualified, or to be a Commissioner in the course of the Year ending on the Thirty-first Day of *March* in any Year subsequent to the said Year One thousand eight hundred and forty-seven, whose Vacancies shall not have been supplied by other Commissioners appointed under the Powers herein contained, shall be taken and reckoned as Part of the Commissioners

Proviso as to Commissioners not acting.

going

going out of Office at the Close of the Year ending on the Thirty-first Day of March One thousand eight hundred and forty-seven, or on the Thirty-first Day of *March* in any subsequent Year, as the Case may be.

Commissioners may be re-elected.

V. And be it enacted, That every Commissioner going out of Office may be re-elected, and after such Re-election he shall, with reference to going out by Rotation, be considered as a new Commissioner.

Rotation; List to be prepared.

VI. And in order to determine the Rotation by which the Commissioners herein-before named and appointed are required to go out of Office, be it enacted, That within Three Calendar Months after the passing of this Act the Commissioners herein-before named and appointed shall meet at the National School, *Kennington Oval*, in the said County of *Surrey*, or some other convenient Place in the Parish of *Saint Mary Lambeth*, and within the District or Limits aforesaid, for the Purpose of forming a Rotation List of the Commissioners so appointed by this Act; and at such Meeting the Clerk to the Commissioners shall write the Names of all the then Commissioners on separate Slips of Paper, all as nearly as may be of equal Size, and having folded them up separately in the same Form, as nearly as may be, he shall put them in a Box, and the said Clerk, or some other Person to be previously appointed by the Commissioners for that Purpose, shall draw out such Slips in succession, and the Names upon the Slips so drawn shall be inserted by such Clerk, in the Order in which they shall be so drawn, in a List; and such List shall be kept by such Clerk for the Purposes of this Act; and the Names in such List shall be numbered consecutively, and the Commissioners shall retire from Office in the Order in which their Names appear on such List, according to the Proportion herein-before mentioned.

Inhabitants to meet and elect Commissioners.

VII. And be it enacted, That it shall be lawful for the Inhabitants of the District or Limits aforesaid rated and to be rated by virtue of this Act, and they are hereby empowered and required, on the Thirty-first Day of *March* One thousand eight hundred and forty-seven, and on the same Day in every succeeding Year, unless such Day shall be *Sunday* or *Good Friday*, and then on the following Day, to assemble at the said National School, *Kennington Oval*, aforesaid, in the said Parish of *Saint Mary Lambeth*, or in some other convenient Place within the said District or Limits to be appointed by the Commissioners, between the Hours of Nine o'Clock in the Forenoon and Four o'Clock in the Afternoon, and then and there to elect in manner herein-after mentioned Ten Persons, being Householders, and resident in or within the said District or Limits, and duly qualified to act as Commissioners in the Execution of this Act, as herein-after mentioned, to be Commissioners for the like Purposes, in the Place and Stead of Ten of the Commissioners herein-before named and appointed, or who on or after the said Thirty-first Day of *March* One thousand eight hundred and forty-seven shall have been elected as herein-after mentioned, or who shall go out of Office by Rotation, as is herein-before mentioned and provided; and from and after every

such Election the Commissioners who shall so go out of Office by Rotation (unless re-elected as herein-after mentioned and provided) shall cease to be Commissioners under this Act, and the Persons so elected in the Place of the Commissioners so going out of Office by Rotation as aforesaid are hereby invested with the same Powers and Authorities as if they had been originally named and appointed Commissioners in and by this Act.

Notice of Election to be given.

VIII. And be it enacted, That Ten Days previous Notice at the least of every Meeting of the Inhabitants of the District or Limits aforesaid rated and to be rated by virtue of this Act, for the Purpose of electing Commissioners to act in the Execution of this Act, shall be given by a Notice in Writing to be signed by the Clerk of the Commissioners, and in case there be no Clerk, by the Treasurer of the Commissioners for the Time being, which Notice shall be affixed on the several Churches and Chapels within the District or Limits comprised in this Act, and such other Places as the Commissioners shall from Time to Time direct, and shall distinctly specify the Hour and Place and Purpose of every such Meeting.

Qualification and Votes of Electors.

IX. And be it enacted, That at any Meeting for the Election of Commissioners under this Act every Person present at such Meeting who shall by the last Rate which shall have been made by virtue of this Act have been assessed and charged upon or in respect of any annual Rent, Profit, or Value arising within the District or Limits aforesaid shall have and be entitled to One Vote and no more: Provided always, that when any Person shall have become liable to be rated since the making of the last Rate in respect of Property within the aforesaid District or Limits he shall be entitled to vote for and in respect of the Property for which he shall have become liable to be rated, and shall consent to be rated, in like Manner as if he had been actually rated for the same: Provided also, that no Person who shall have refused or neglected for the Space of Six Calendar Months or upwards to pay any Rate made by virtue of this Act in respect of Property within the District or Limits aforesaid which shall be due, and shall have been demanded of him by Notice left at his Dwelling House, shall be entitled to vote or be present at any such public Meeting as aforesaid until he shall have paid the same.

At every Meeting for Election of Commissioners One of the Inhabitants to be appointed Chairman.

X. And be it enacted, That at every Meeting of the Inhabitants within the aforesaid District or Limits for the Election of Commissioners to act in the Execution of this Act, in pursuance of the Powers herein contained, the Persons assembled at such Meeting shall nominate and appoint One of the said Inhabitants, being a Commissioner under this Act, to preside as Chairman at such Meeting; and if any Controversy shall arise at any such Meeting as to the Qualification or Right of Voting or Eligibility of any Person claiming to vote, or as to the Qualification or Eligibility of any Candidate, such Controversy shall be determined by the Chairman presiding at such Meeting; and in case no Commissioner shall be present at such Meeting, then One of the Inhabitants present shall be chosen Chairman.

Manner in which Commissioners shall be elected.

XI. And be it enacted, That the Commissioners to be elected under this Act on the Thirty-first Day of *March* One thousand eight hundred and forty-seven, and the Thirty-first Day of *March* in every subsequent Year, as herein-before mentioned, shall be elected in manner following; (that is to say,) each Candidate shall be proposed at any Meeting for the Election of Commissioners by some Person duly qualified present thereat, and shall be seconded by some other Person in like Manner qualified and present at such Meeting; and if more Candidates than the Number of Commissioners hereby authorized to be elected shall be proposed, and a Poll shall be demanded on behalf of any such Candidates, then the Chairman shall open and proceed with such Poll, and in a Book prepared for that Purpose by the Commissioners, which Book the Commissioners are hereby required to cause to be prepared, and shall enter or cause to be entered the Names of all such Candidates, and the Name of every Person duly qualified to be present and vote who shall desire to vote, together with his Description and Abode, and shall register the Vote of every such Person for every or any such Candidate as every such Person may respectively require; and if the Votes of all the Persons duly qualified and desirous to vote cannot be conveniently collected and registered by Four of the Clock of the same Day upon which the Poll shall have been commenced, then the Chairman shall at that Hour adjourn such Poll to the Hour of Nine of the Clock in the Morning of the Day next succeeding, unless such Day shall be a *Sunday* or *Good Friday*, and in that Case to the Day following, and then proceed to collect and register the Votes of all Persons duly qualified and applying to vote; provided nevertheless, that the Poll shall finally close at Four o'Clock on the Day to which it shall have been adjourned, or sooner, provided all Persons duly qualified and desirous to vote shall have voted; and after the Lapse of an Hour without any Person offering to vote, and as soon after the Close of the Poll as may be possible the Result thereof shall be declared at the Place where the Election may have been holden, and certified by the Chairman; and the Charges and Expences incurred in and about the giving of any such Notice of any such Election, and otherwise in the Performance of the Duties aforesaid, shall be paid by the Treasurer to the Commissioners out of the Monies arising from the Rates hereby authorized to be levied.

If no Election takes place Commissioners to remain in Office.

XII. Provided always, and be it enacted, That in case the said Inhabitants shall omit, neglect, or refuse to nominate, elect, and appoint such new Commissioners as herein-before mentioned, then and in every such Case of Omission, Neglect, or Refusal the Commissioners who shall have been Commissioners for the Year preceding the Day or respective Days appointed for such new Election and Elections as aforesaid shall remain and continue Commissioners, and proceed in the Execution of the Powers hereby granted to the said Commissioners, until such Time as a sufficient Number of Commissioners duly qualified as aforesaid shall be duly nominated, elected, and chosen, as fully and effectually as if such new Election of all the said Commissioners had actually taken place.

Qualification of Commissioners.

XIII. And be it enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act unless at the Time of his

his acting therein he shall be of the Age of Twenty-one Years or upwards, and shall be a Householder, and resident in or within the District or Limits comprised in this Act, and rated by virtue of this Act at not less than the clear yearly Rent or Value of Thirty-five Pounds at the least, or be seised or possessed or be in the Enjoyment of the Rents and Profits of Lands and Hereditaments within the aforesaid District or Limits of the annual Value of Thirty-five Pounds; and that no such Person shall be capable of acting as a Commissioner, except in administering the Declaration herein-after mentioned, until he shall have made, and also subscribe in a Book or on a Roll to be kept for that Purpose by the Treasurer or Clerk to the said Commissioners, before any One of the said Commissioners, who is hereby authorized and empowered to administer the same, a Declaration to the Effect following; (that is to say,)

Declaration of Qualification.

'I *A. B.* do solemnly declare, That I am duly qualified to act as a Commissioner in the Execution of an Act passed in the Year of the Reign of Her Majesty Queen Victoria, intituled [*here insert the Title of this Act*], and that I will truly, faithfully, honestly, and impartially, according to the best of my Skill and Judgment, execute and perform all and every the Powers and Provisions reposed in me by virtue of the said Act.'

And any Person who shall falsely or corruptly make and subscribe a Declaration under this Act, knowing the same to be untrue in any Respect or Particular, shall be deemed guilty of a Misdemeanor, and be liable to be punished accordingly.

Penalty for acting not being qualified.

XIV. And be it enacted, That in case any Person shall presume to act as a Commissioner in the Execution of this Act without being duly qualified, and making and subscribing such Declaration as aforesaid, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds, together with full Costs of Suit, to any Person or Persons who shall sue for the same, to be recovered in any of Her Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case; and every Person so sued or prosecuted shall prove that he was at the Time of so acting qualified as aforesaid, or otherwise shall pay the Penalty or respective Penalties, upon Proof given of his having acted as a Commissioner in the Execution of this Act; provided nevertheless, that all Acts and Proceedings which shall have been done by any such Person touching the Execution of this Act, previous to his being convicted of the Offence before mentioned, shall, notwithstanding such Conviction, be as valid and effectual as if such Person had been duly qualified according to the Directions of this Act.

Declaration to be taken at the first Meeting.

XV. And be it enacted, That at the Meeting of the Commissioners at which any Person shall first attend as One of such Commissioners such Person shall make and subscribe the Declaration herein required; and it shall be lawful for any Person attending as One of such Commissioners, whether he shall himself have made such Declaration or not, to administer such Declaration.

XVI. And

As to Commissioners neglecting to act.

XVI. And be it enacted, That if any Commissioner shall omit or neglect to attend the Meetings of the Commissioners for the Execution of this Act for Six Months in immediate Succession, such Commissioner shall be deemed to have refused to act, and thereupon shall cease to be a Commissioner until he shall be re-elected.

Shareholders in Companies established under Act of Parliament not disqualified by reason of Contracts.

XVII. Provided always, and be it enacted, That no Person, being a Shareholder or Member of any Joint Stock Company established by Act of Parliament, shall be prevented from acting as a Commissioner by reason of any Contract entered into between such Company and the Commissioners; but no such Commissioner, being a Shareholder or Member of such Company, shall vote on any Question relating to the Execution of this Act in which such Company may be interested.

Proviso as to Qualification of Commissioners appointed by this Act.

XVIII. Provided also, and be it enacted, That until the first Rate or Assessment shall be made by virtue of this Act every Commissioner herein-before named or appointed, being a Householder and resident within the District or Limits mentioned in this Act, who shall be assessed under the said Act passed in the Fifty-second Year of the Reign of King *George* the Third at or upon a Rental or yearly Value of Thirty-five Pounds at the least, shall be deemed and be qualified to act as a Commissioner in the Execution of this Act, as fully and effectually as if he had been rated by virtue of this Act at not less than the clear yearly Rent or Value of Thirty-five Pounds, any thing herein contained to the contrary notwithstanding.

No Person holding Office or beneficially interested in any Contract to act as Commissioner.

XIX. Provided also, and be it enacted, That no Person shall be qualified to act as a Commissioner in the Execution of this Act during the Time he shall hold any Office or Place of Profit under the Commissioners appointed for executing this Act, or in any Case where he shall be personally or beneficially interested, directly or indirectly, (except as a Creditor on the Rates or Assessments to be levied or raised by virtue of this Act,) or who shall be concerned or interested, either directly or indirectly, in any Contract or Bargain for furnishing, supplying, or selling any Article, Matter, or Thing to be employed or made use of for the several Purposes of this Act, or who shall sell Ale, Wine, Cider, or any Spirituous Liquors by retail, or who shall be a Victualler, or who shall cease to be the Owner or Occupier of any Messuage or Dwelling House, Warehouse, Manufactory, Shop, Office, or other Building or Buildings or other Property rateable under this Act of the yearly Rent or Value of Thirty-five Pounds as aforesaid.

Meetings of Commissioners.

XX. And be it enacted, That the said Commissioners, or any Five or more of them, shall meet together at the said National School Room in *Kennington Oval* aforesaid, in the said Parish of *Saint Mary Lambeth*, on the Third *Friday* next after the passing of this Act, between the Hours of Ten of the Clock in the Forenoon and Eight of the Clock in the Evening of the same Day, and proceed to put this Act in execution, and shall then, and from Time to Time afterwards, adjourn themselves to and meet at the same Place, or at any

any other convenient Time or Place within the District or Limits mentioned in this Act, as they, or the major Part of them present at such Meeting, shall appoint, provided that no such Adjournment shall be for a longer Period than Four Calendar Months.

Commissioners who are Magistrates may act as such.

XXI. And be it enacted, That all such Commissioners as are or shall be Justices of the Peace may act as Justices in the Execution of this Act within their respective Jurisdictions, notwithstanding their being Commissioners (except only in such Cases where they shall be immediately and personally interested); and in all Cases where any Justice or Justices of the Peace is or are authorized to examine any Person or Persons on Oath or Affirmation it shall be lawful for such Justices and they are hereby required to administer such Oath or to take such Affirmation.

Commissioners may hold Special Meetings.

XXII. And be it enacted, That it shall be lawful for the Commissioners to hold Special Meetings; and any Three or more of the Commissioners, or their Clerk, on the Application in Writing of any Three or more of the Commissioners, (and which he is hereby required to do on such Application,) may call a Special Meeting; but no such Special Meeting shall be held unless Seven Days Notice thereof at least shall be given by Notice in Writing given to or sent by the Post, to be delivered at the usual Place of Abode of each of the Commissioners, which Notice shall state the Time and Place of Meeting and the Object thereof; and no Business shall be transacted at any Special Meeting except such as is stated in the Notice thereof.

Quorum of Commissioners.

XXIII. And be it enacted, That all the Powers of this Act may be exercised by any Five or more of the Commissioners present at any Meeting holden in pursuance of this Act; but no Business shall be transacted at any Meeting of the Commissioners unless Five or more Commissioners shall be present at such Meeting.

No Resolution of Commissioners to be revoked at a subsequent Meeting, unless under certain Circumstances.

XXIV. And be it enacted, That no Resolution or other Act at any Meeting of the Commissioners shall be revoked, suspended, or altered at any subsequent Meeting, unless such subsequent Meeting be called expressly for such Revocation, Suspension, or Alteration by Notice given Seven clear Days at least previous to the holding thereof, nor unless such Revocation, Suspension, or Alteration be determined upon by a Majority consisting of Two Thirds of the Commissioners present at such subsequent Meeting, if the Number of the Commissioners present at such subsequent Meeting shall be less or not exceed the Number present when such Resolution was made or such Act was done, or, if the Number of Commissioners present at such subsequent Meeting be greater than the Number present at such former Meeting, then in such Case by a simple Majority.

General or Special Meetings may appoint Committee.

XXV. And be it enacted, That it shall be lawful for the Commissioners at any General or Special Meeting to appoint a Committee, consisting of not less than Five of the Commissioners, for carrying into effect any of the Provisions of this Act, and at any General or Special Meetings to continue, alter, or discontinue such Committee; but no

such Committee shall be appointed to act for a longer Term than until the annual General Meeting of the Commissioners next following its Appointment.

Quorum of Committee.

XXVI. And be it enacted, That no Business shall be transacted at any Meeting of the Committee unless Three Members of the Committee shall be present.

At every Meeting of Commissioners or Committee Chairman to be appointed.

XXVII. And be it enacted, That at every Meeting of the Commissioners or Committee One of the Commissioners present shall be elected Chairman by the Majority of the Votes of the Commissioners present at such Meeting; and all Questions considered at any such Meeting shall be decided by the Votes of the Majority present; and if there be an equal Division of Votes, the Chairman, in addition to his own Vote as a Commissioner or as a Member of the Committee, shall have a casting Vote: Provided always, that if at any such Meeting there shall be an Equality of Votes in the Election of the Chairman, such One of the Commissioners present having equal Numbers of Votes whose Name would stand first if the Surnames of the Commissioners present were alphabetically arranged shall be Chairman of such Meeting.

Commissioners to appoint Officers;

XXVIII. And be it enacted, That the said Commissioners shall and they are hereby empowered, at any Meeting at which not less than Five Commissioners shall be present, by Writing under their Hands to appoint a Treasurer, Clerk, and a Collector or Collectors of the Rates herein-after mentioned, and also an Assessor, Surveyor, Street Keeper or Street Keepers, and such other Officers and Persons for the Execution of this Act, as they the said Commissioners shall think proper, and from Time to Time to remove such Officers and Persons respectively as they the said Commissioners shall see Occasion, and out of the Monies to be received by virtue of this Act to allow and pay such Salaries, Wages, and Allowances to the said Officers and other Persons as the said Commissioners shall think reasonable: Provided always, that no Salary or Allowance whatsoever shall be made to any Treasurer or Treasurers upon any Account or Pretence whatsoever; and that no Victualler or Retailer of Ale, Beer, or Spirituous Liquors shall be capable of holding the Place of Clerk or any Office under this Act.

Commissioners may discontinue Treasurer and appoint Banker.

XXIX. Provided always, and be it enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and empowered, from Time to Time and when and so often and during such Time or Period as they from Time to Time shall think fit, to discontinue the Appointment of a Treasurer, and in lieu and instead thereof to appoint a Bank or Banker to the said Commissioners; and in such Case all and every Sum and Sums of Money which under and by virtue of this Act would become receivable by or payable to the Treasurer for the Time being of the said Commissioners, in case there were any such Treasurer, shall be paid by the Person or Persons liable to pay the same unto such Bank or Bankers, in the Name and to the Credit of the Commissioners for the Time being acting in the Execution of this Act, to whose Account the same shall

shall be placed accordingly by such Bank or Bankers; and all Monies which shall be so paid into the said Bank or Bankers shall from Time to Time be drawn out by the said Commissioners, as Necessity or Occasion shall require, by Cheques or Drafts drawn on the said Bank or Bankers, and signed by any Five of the Commissioners for the Time being, and countersigned by the Clerk for the Time being of the said Commissioners.

Security to be taken from Officers intrusted with Money.

XXX. And be it enacted, That before any Person intrusted with the Custody or Control of Monies, whether Treasurer, Collector, or other Officer of the Commissioners, shall enter upon his Office, the Commissioners shall take sufficient Security from him for the faithful Execution of his Office.

Officers to account on demand.

XXXI. And be it enacted, That every Officer employed by the Commissioners shall, from Time to Time when required by the Commissioners, make out and deliver to them, or to any Person appointed by them for that Purpose, a true and perfect Account in Writing under his Hand of all Monies received by him on behalf of the Commissioners; and such Account shall state how, and to whom, and for what Purpose such Monies shall have been disposed of; and, together with such Account, such Officer shall deliver the Vouchers and Receipts for such Payments; and every such Officer shall pay to the Commissioners, or to any Person appointed by them to receive the same, all Monies which shall appear to be owing from him upon the Balance of such Accounts.

Summary Remedy against Parties failing to account.

XXXII. And be it enacted, That if any such Officer fail to render such Account, or to produce and deliver up all the Vouchers and Receipts relating to the same in his Possession or Power, or to pay the Balance thereof, when thereunto required, or if for Three Days after being thereunto required he fail to deliver up to the Commissioners, or to any Person appointed by them to receive the same, all Papers and Writings, Property, Effects, Matters, and Things, in his Possession or Power, relating to the Execution of this Act, or belonging to the Commissioners, then, on Complaint thereof being made to a Justice, such Justice shall summon such Officer to appear before Two or more Justices, at a Time and Place to be set forth in such Summons, to answer such Charge; and upon the Appearance of such Officer, or in his Absence upon Proof that such Summons was personally served upon him or left at his last known Place of Abode, such Justices may hear and determine the Matter in a summary Way, and may adjust and declare the Balance owing by such Officer; and if it appear, either upon Confession of such Officer, or upon Evidence, or upon Inspection of the Account, that any Monies of the Commissioners are in the Hands of such Officer, or owing by him to the Commissioners, such Justices may order such Officer to pay the same, and if he fail to pay the Amount it shall be lawful for such Justices to grant a Warrant to levy the same by Distress, or in default thereof to commit the Offender to Gaol, there to remain without Bail for a Period not exceeding Three Months, unless the same be sooner paid.

XXXIII. And

Penalty on Officer refusing to deliver up Documents, &c.

XXXIII. And be it enacted, That if any such Officer refuse to make out such Account in Writing, or to produce and deliver to the Justices the several Vouchers and Receipts relating thereto, or to deliver up any Monies, Books, Papers, or Writings, Property, Effects, Matters, or Things, in his Possession or Power, belonging to the Commissioners, such Justices may lawfully commit such Offender to Gaol, there to remain until he shall have delivered up all the Monies, Vouchers, and Receipts, if any, in his Possession or Power, relating to such Accounts, and have delivered up all Monies, Books, Papers, Writings, Property, Effects, Matters, and Things, if any, in his Possession or Power, belonging to the Commissioners.

Where Officer about to abscond, a Warrant may be issued in the first instance.

XXXIV. Provided always, and be it enacted, That if any Commissioner, or other Person acting on behalf of the Commissioners, shall make Oath that he has good Reason to believe, upon Grounds to be stated in his Deposition, and does believe, that it is the Intention of any such Officer as aforesaid to abscond, it shall be lawful for the Justice before whom the Complaint is made, instead of issuing his Summons, to issue his Warrant for the bringing such Officer before such Two Justices as aforesaid, but no Person executing such Warrant shall keep such Officer in Custody longer than Twenty-four Hours without bringing him before some Justice; and it shall be lawful for the Justice before whom such Officer may be brought either to discharge such Officer if he think there is no sufficient Ground for his Detention, or to order such Officer to be detained in Custody, so as to be brought before Two Justices, at a Time and Place to be named in such Order, unless such Officer give Bail, to the Satisfaction of such Justice, for his Appearance before such Justices, to answer the Complaint of the Commissioners.

Proceedings not to discharge Sureties.

XXXV. And be it enacted, That no such Proceeding against or Dealing with any such Officer as aforesaid shall deprive the Commissioners of any Remedy which they might otherwise have against such Officer, or any Surety of such Officer.

J. B. Clark appointed first Clerk of the Commissioners.

XXXVI. And be it enacted, That *John Benjamin Clark*, of *Kennington Lane*, Gentleman, who has for Thirty Years past and upwards been and acted as Clerk to the Trustees acting in the Execution of the said Act of the Fifty-second Year of the Reign of King *George* the Third, hereby repealed, as aforesaid, in consideration of such his aforesaid Services, shall at the first Meeting of the said Commissioners for the Appointment of Officers be appointed by the said Commissioners (who are hereby required to appoint him accordingly) Clerk to the said Commissioners; and the said *John Benjamin Clark* shall continue to be and act as such Clerk until he shall die, or resign the said Office, or shall be removed therefrom by the Commissioners for the Time being acting in the Execution of this Act, in pursuance of the Provisions herein contained.

Commissioners may make Bye Laws to

XXXVII. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to make such Bye Laws, for regulating the carrying on of their Business, and the Business of their Committees,

and for the Government of the Officers, Servants, or other Persons in their Employ, as they shall think fit, and to repeal or alter any such Bye Laws as they shall think fit, so as no such Bye Law be contrary to the Laws of *England* or the Provisions of this Act, and so as the same be reduced into Writing, and signed by Nine or more of the Commissioners. Commissioners may govern themselves and their Servants.

XXXVIII. And be it enacted, That it shall be lawful for the Commissioners by such Bye Laws to impose such reasonable Forfeitures and Fines upon their Officers and Servants, or other Persons in their Employ, offending against the same, as they shall think fit, not exceeding Five Pounds for each Offence: Provided always, that such Bye Laws shall be so framed as to allow the Magistrate before whom any Penalty imposed thereby may be sought to be recovered to order the whole or a Part only of such Penalty to be paid. Fines for Breach of such Bye Laws.

XXXIX. And be it enacted, That every Summons, Demand, or Notice, or other such Document under this Act, may be in Writing or printed, or partly in Writing and partly printed; and if the same require Authentication by the Commissioners, the signing thereof by One Commissioner, or by the Clerk of the Commissioners, shall be a sufficient Authentication. Authentication of Notices.

XL. And be it enacted, That neither the Person who shall hold the Office of Clerk nor the Partner of such Clerk, nor any Person in the Service or Employment of such Clerk or of his Partner, shall be eligible to be Treasurer or Collector for the Purposes of this Act; and that neither the Person who shall be the Treasurer, nor any Person in the Service or Employment of such Treasurer or of his Partner, shall be eligible to be the Clerk or Collector for the Purposes of this Act; and if any Person shall offend in any of the following Cases he shall forfeit One hundred Pounds; (that is to say,) No Two Offices to be held by Treasurer, Clerk, or Collector.

If any Person shall accept both the Offices of Clerk and Treasurer, or Clerk and Collector, or Treasurer and Collector:

If any Person, being the Partner of such Clerk, or in the Service or Employment of such Clerk or of his Partner, shall accept the Office of Treasurer or Collector, or act as Deputy of the Treasurer or Collector, or in any Manner officiate for the Treasurer or Collector:

If any Person, being the Treasurer, or the Partner of such Treasurer, or in the Service or Employ of such Treasurer or of his Partner, shall accept the Office of Clerk or Collector, or act as Deputy to such Clerk or Collector, or in any Manner officiate for such Clerk or Collector:

If any such Clerk, Treasurer, or Collector shall hold any Place of Profit or Trust under the Commissioners other than that of Clerk, Treasurer, or Collector, as the Case may be:

And any Person may sue for such Penalty either by Action of Debt or on the Case in any of Her Majesty's Superior Courts, and shall on Recovery thereof be entitled to full Costs of Suit.

XLI. And be it enacted, That if any Person who shall be employed as Treasurer, Clerk, Collector, Receiver, Surveyor, Street Keeper, or Officers prohibited from taking any

Fees, &c. besides Salary, or from being concerned in Contracts.

or any other Officer or Servant who shall be in any way employed by the said Commissioners in putting this Act or any of the Powers thereof into execution, shall exact, take, or accept any Fee or Reward whatsoever, other than such Salaries, Allowances, or Rewards as shall be appointed, allowed, and approved of by the said Commissioners, for or on account of any thing done or to be done by virtue of this Act, or on any Account whatsoever relative to putting this Act into execution (except the Fees herein-after authorized to be taken by the Clerk of the Commissioners, and except as herein-after provided), or shall in any way be concerned or interested in any Bargain or Contract made or to be made by the said Commissioners, every such Person so offending shall be incapable of ever serving or being employed under this Act, and shall forfeit the Sum of One hundred Pounds to any Person or Persons who shall sue for the same as aforesaid; and all Charges for Licences granted under this Act, and all other Fees whatsoever which may become due or payable under this Act, unless otherwise provided for by this Act, shall be accounted for and paid over to the Treasurer of the Commissioners, to be applied in the same Manner as the Monies raised under and by virtue of this Act.

Commissioners to sue and be sued in the Name of Treasurer or Clerk.

XLII. And be it enacted, That the said Commissioners shall and may sue and be sued, for or concerning any thing which shall be done by virtue or in pursuance of this Act, in the Name of the Treasurer or Clerk for the Time being; and no Action or Suit to be brought or commenced by or against the said Commissioners, or any of them, by virtue of or on account of this Act, in the Name of their Treasurer or Clerk, shall abate or be discontinued by the Death, Suspension, or Removal of such Treasurer or Clerk, or by the Act of such Treasurer or Clerk without the Consent of the said Commissioners, but shall be continued and carried on in the Name of the Treasurer or Clerk for the Time being, who shall always be deemed Plaintiff or Defendant in such Action or Suit, as the Case may be: Provided always, that every such Treasurer or Clerk in whose Name any Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act shall always be reimbursed and paid, out of the Monies to arise by virtue of this Act, all such Damages, Costs, and Charges as by the Event of any such Proceedings he shall be put to or become chargeable with by reason of his being so made Plaintiff or Defendant therein: Provided always, that the said Treasurer or Clerk shall not on that Account be deemed an inadmissible or incompetent Witness or Witnesses in any such Action or Suit.

Power to compound Actions.

XLIII. And be it enacted, That as often as any Action or Proceeding shall be brought by or against the Commissioners for any thing done by virtue of this Act it shall be lawful, as well for the Commissioners as for any Person by or against whom such Action or Proceeding shall be brought, to compound such Action or Proceeding, without bringing the same to Trial or Hearing, and also that it shall be lawful for the Commissioners from Time to Time to compound with any Person who shall have entered into any Contract with the Commissioners under the Authority of this Act for any Penalty contained in such Contract, or in any Bond or other Security, for such Sum of Money or other Recompence as the Commissioners shall think proper.

XLIV. And

XLIV. And be it enacted, That nothing in any Deed or Contract by this Act authorized to be made by or on behalf of the Commissioners for any of the Purposes of this Act shall extend to charge or affect the Persons of any of the Commissioners, or their Heirs, Executors, or Administrators, or their or any of their own proper Lands or Goods, with or for the Performance of any thing contained in any such Deed or Contract, but the Amount of all Damages, Costs, and Charges recovered in any Action or Suit in consequence of any such Deed or Contract, or which any such Commissioners shall otherwise be put to by virtue of this Act, shall respectively be discharged out of the Monies to arise by virtue of this Act, or the Goods and Chattels vested in the Commissioners by virtue of their Office, unless such Action or Suit, or any such Damages or Charges, shall have arisen in consequence of wilful Neglect or Default on the Part of the Commissioners incurring the same, or unless such Action or Suit shall have been brought or defended without the Order or Direction of the Commissioners.

Commissioners not to be personally bound for any Act done in pursuance of this Act.

XLV. And be it enacted, That Executions upon every Judgment or Decree against the Commissioners in any such Action or Suit shall be executed against the Goods and Chattels belonging to the Commissioners by virtue of their Office, and not against any Goods and Chattels belonging to the Commissioners in their personal and individual Characters.

Executions not to be levied against Commissioners personally.

XLVI. And be it enacted, That the Commissioners shall cause Notes, Minutes, or Copies, as the Case may require, of all Appointments made or Contracts entered into by them, and of the Orders and Proceedings of all Meetings, as well ordinary as special, of the Commissioners and of the Committees, to be duly entered in Books to be from Time to Time provided for the Purpose, which shall be kept by their Clerk under the Superintendence of the Commissioners or their Committee; and all Entries shall be signed by the Chairman of the Meeting at which the Matter in respect of which such Entry is made was moved or discussed; and such Entry, so signed, shall be received as Evidence in all Courts, and before all Judges, Justices, and others, without Proof of such respective Meetings having been duly convened, or of the Persons making or entering such Orders or Proceedings being Commissioners or Members of Committee respectively, or of the Signature of the Chairman, all of which last-mentioned Matters shall be presumed; and all such Books shall at all reasonable Times be open to the Inspection of the Commissioners and any of the Creditors or Rate-payers, any of whom shall also be furnished by the said Clerk with Copies of any of the Entries in such Books, paying for such Copies after the Rate of One Shilling for every One hundred Words, which Payment shall be received by the Clerk to the said Commissioners, and retained by him as his Fee for the same; and if the said Clerk shall refuse or neglect to allow such Inspection or to furnish such Copies as aforesaid he shall forfeit the Sum of Five Pounds for every such Refusal or Neglect.

Minutes of Proceedings, &c. to be made and kept.

XLVII. And be it enacted, That the said Commissioners shall and they are hereby required from Time to Time to order and direct a Book

Accounts to be kept.

or

or Books to be provided and kept by their Clerk for the Time being, in which Book or Books such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, and expended for or on account of the Purposes of this Act, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed and paid; and such Book or Books shall at all seasonable Times be open to the Inspection of the said Commissioners, and every Creditor on the Rates hereby authorized to be made, and of every Person paying any Rate or Assessment hereby authorized to be made, or otherwise affected thereby, without Fee or Reward; and the said Commissioners, Creditors, and other Persons aforesaid, or any of them, shall be furnished with Copies of or Extracts from the said Book or Books or any Part thereof, paying for such Copies or Extracts after the Rate of One Shilling for every One hundred Words, which Payment shall be received by the Clerk, and retained by him as his Fee for the same; and in case the said Clerk shall refuse to permit or shall not permit the said Commissioners, Creditors, or Persons aforesaid to inspect the same, or to furnish such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum of Money not exceeding Five Pounds for each Default, to be levied, recovered, and applied in manner herein-after mentioned.

Accounts to be settled, and to be open for Inspection.

XLVIII. And be it enacted, That the Accounts of the Monies received and expended by the Commissioners shall be produced at a Meeting of the Commissioners which shall be held on the Third *Friday* in the Month of *April* in every Year, or on some Adjournment thereof, at which Meeting it shall be lawful for all Persons interested to be present; and such Accounts shall be examined and settled by the Commissioners, and if the same shall be found just and true they shall be allowed by the Commissioners, and certified accordingly, under the Hand of the Chairman of such Meeting; and after such Account shall have been so allowed and signed the same shall be final in regard to all Persons whomsoever, unless an Appeal be prosecuted against such Accounts at the then next General or Quarter Sessions of the Peace for the County of *Surrey*, which Appeal it shall be lawful for any Person interested in such Account to institute and prosecute, Notice in Writing of such Appeal having been given to the Clerk of the Commissioners Fourteen Days at least before the hearing of any such Appeal.

Statements to be printed, and sent to Commissioners.

XLIX. And be it enacted, That when and as soon as the said annual Account and Accounts shall have been so settled by the said Commissioners they shall forthwith cause to be made out an abstract Statement of the Debts, Receipts, and Expenditures received or incurred on account of the Trust during the Period comprised in such annual Account or Accounts; and immediately after such Account or Accounts shall have been so settled the said Commissioners shall cause a sufficient Number of such Statements to be printed, and cause to be transmitted a Copy thereof to each acting Commissioner for putting this Act into execution.

Commissioners to cause

L. And be it enacted, That the said Commissioners or any Five or more of them are hereby authorized and empowered to cause the several

Streets, &c. to be lighted.

several Roads, Streets, Squares, Lanes, Yards, Alleys, and Places, and Parts thereof respectively, as herein-after mentioned and described, to be properly lighted, and to be kept lighted; (that is to say,) the South Side of the Main or High Road leading from the Village of *Newington Butts* in the County of *Surrey*, at the End of *Lower Kennington Lane* in the Parish of *Saint Mary Lambeth* in the said County of *Surrey*, commencing at and including Number 1, *Manifold Place*, in the Occupation of *Ann Page*, and continuing through the said Lane on the South Side thereof, and crossing over at *Kennington Cross* from the *White Hart* Public House to and including the Houses and Premises Numbers 13 and 14, *Park Place*, on the North Side of the said Lane, and continuing through *Upper Kennington Lane*, including the Houses, Tenements, and Premises now or hereafter to be built on both Sides thereof, past *Vauxhall*, through the Turnpike, to *Wix's Lane* in the *Wandsworth Road*; also from *Vauxhall* Turnpike, through the High Road, to and excluding a House Number 1, *Stockwell Villas*, *South Lambeth*, in the Occupation of *William Smith*; also the collateral Road and Places called *Augusta Terrace*, Numbers 12 and 11 in *Augusta Place*, and *Portland Streets*, *North* and *South*, *South Lambeth New Road*, and any other Road or Street branching from *South Lambeth* aforesaid; also the High Road leading from the *Wandsworth Road* aforesaid, commencing at Number 1, *Belmont Row*, late in the Occupation of *John Paddy*, along the *Nine Elms Road*, up to and including a House in the Occupation of *Adolphus Frederick Slade* in *Battersea Fields*; also from *Vauxhall* Turnpike to and including the House at the Corner of *Marble Hall Lane* fronting *Vauxhall High Street*, and now in the Occupation of *Elisha Bloodworth* and from thence crossing over to and including the House fronting *Vauxhall High Street*, now in the Possession of *Sarah Bagnell*, and from thence back, on the Eastern Side of the Street, to the said Turnpike; also the Road between *Vauxhall Gardens* on the North-west Side thereof and the Piece of Ground commonly called the *Coach Field*, up to the Corner of *Spring Garden Walk* aforesaid; also the Road or Street from and including the House in the Occupation of *Robert Drummond* opposite *Vauxhall* Turnpike to the Middle of *Vauxhall Bridge*; also from and including the *Plough and Harrow*, Number 1, *Kennington Road*, in the Occupation of *Charles Collyer*, along the High Road leading therefrom to *Kennington Common*, to and including a House, Number 28, *York Row*, in the Occupation of *William Hull*; also the High Road leading from the *White Hart* Public House at *Kennington Cross* to and including the Assembly Rooms, and Rooms and Shops under, belonging to the *Horns Tavern*, *Kennington*, and up to and including a House opposite, being Number 2, *Octagon Place*, in the Occupation of *Edward Watkins*; also the *Oval*, *Kennington*, and *Harleyford Street*, *Bowling Green Street*, *Clayton Street*, and *William Street*, leading thereto, and through *Harleyford Road* to the Main Road; also the High Road leading from *Lansdowne Road* in *South Lambeth* to and including a House in *Lark Hall Lane* in the Occupation of *Doughall M'Farlane*, being Number 1, *Malcolm Place*, crossing over, and including a House in the Occupation of *Edward Henry Firmin*; and also *Binfield Road*, and any other Road or Street forming or to be formed on either Side of the said Road called *Lansdowne Road*,

Binfield Road, or *Lark Hall Lane*, and several other Roads, Streets, and Places adjacent to either of the above-named Roads, Streets, or Places, or connected therewith or leading thereto; and also all such Roads, Streets, and Places as are now lighted under the Provisions of the said Act of Parliament of the Fifty-second Year of the Reign of King *George* the Third (except the North Side of *Lower Kennington Lane* aforesaid, and the Streets, Roads, and Places East or North-east of *Marble Hall Lane* and *Spring Garden Walk* aforesaid); and all other Roads, Streets, and Places leading out of the *Wandsworth Road* into *South Lambeth*, or near thereunto, and all other collateral Roads, Streets, Squares, Lanes, Alleys, Courts, and all other public Passages and Places branching from any of the aforesaid Places, or being within the Distance of Eight hundred Yards from the Sides of any of the said Roads, Streets, or Places, whereon there now are or hereafter may be any Houses or Buildings erected or built, all such Roads, Streets, and Places, or Parts of Roads, Streets, or Places, being in the several Parishes of *Saint Mary Lambeth*, *Clapham*, and *Battersea*, all in the said County of *Surrey*.

Power to Commissioners to extend their Line of Road on Application, &c.

LI. And be it enacted, That the said Commissioners shall be at liberty and they are hereby empowered to extend their Line of Road, or any of the collateral Branches therefrom, on Application of Two Thirds of the rateable Inhabitants resident in such extended Line or collateral Branch, signified in Writing under their Hands, and expressing their Readiness to bear and pay the Expences thereof; and every such extended Line of Road or collateral Branch shall be subject and liable to and be regulated and affected by the Powers and Provisions contained in this Act in all respects in such and the same Manner as it such extended Line or collateral Branch had been expressly distinguished and described in this Act: Provided always, nevertheless, that the said Commissioners shall not be compelled or compellable to extend the said Line, or light the same, unless it shall be deemed expedient by them so to do; and so also as that no such Line or collateral Branch shall be extended more than Two Miles; and from and after every such extended Line or collateral Branch shall be so lighted the same shall for ever afterwards be kept lighted by the Commissioners acting in the Execution of this Act.

Powers of Act not to extend to District within certain defined Limits.

LII. Provided always, and be it enacted, That none of the Powers and Provisions in this Act contained shall extend, or be deemed, construed, or taken to extend, to the District bounded by and included within the Limits following; *videlicet*, the *Union Road*, and the Frontages on the North Side thereof; that Part of *Lark Hall Lane* which leads from the said Union Road to the *Clapham* Burial Ground, and the Frontages on the North Side thereof; the said Burial Ground; a Line drawn from the said Burial Ground to *Wix's Lane*, at the Distance (from the Centre of the *Wandsworth Road*) of One hundred Yards, South of and parallel with that Part of the said *Wandsworth Road* which lies between *Matrimony Hill* and *Wix's Lane* aforesaid; *Wix's Lane*; the Commons and Wastes usually called *Clapham Common*; and the Turnpike Road leading thence to the South-east Corner of the *Union Road* aforesaid.

LIII. And

Commissioners may place Fences to Footways.

LIII. And be it enacted, That it shall be lawful for the Commissioners, if they shall think fit, but not otherwise, from Time to Time to place any Posts or Fences, either with Lamps or otherwise, in any Carriageway within the District or Limits mentioned in this Act, so as to make the Crossings thereof less dangerous for Foot Passengers, and also from Time to Time to repair and renew the same, or to remove the same, as they shall think fit.

Powers to Commissioners to light the Streets.

LIV. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to cause the several Streets within the Limits of this Act, or such of them as they shall think proper, to be lighted with Gas, Oil, or otherwise, at such Times and in such Manner as they shall think fit, and to provide, lay, and affix such Lamps, Lamp Posts, Lamp Irons, Pipes, and other Works as may be necessary for that Purpose.

Commissioners may contract for lighting the Streets.

LV. And be it enacted, That it shall be lawful for the Commissioners to contract, for any Period not exceeding Three Years at any One Time, with the Owners of any Gas Works, for the Supply of such Gas as the Commissioners may think necessary for lighting such Streets.

Penalty for wilfully destroying or injuring Lamps.

LVI. And be it enacted, That if any Person shall wilfully break, throw down, or damage any Lamp, Lamp Iron, Lamp Post, or the Furniture thereof, or wilfully extinguish the Light of any such Lamp, it shall be lawful for any Person who shall see the Offence committed to apprehend, and also for any other Person to assist in apprehending, the Offender, and by the Authority of this Act, and without any Warrant, and to deliver him to any Constable, who is to keep him in safe Custody, and with all reasonable Despatch to convey him before any Magistrate; and such Magistrate shall examine upon Oath any Witness who shall appear or be produced to give Evidence touching such Offence; and if the Party accused shall be convicted of such Offence, either by his Confession or upon such Evidence as aforesaid, he shall forfeit any Sum not exceeding Forty Shillings for every Light so extinguished, or Lamp, Lamp Iron, or Lamp Post so broken, thrown down, or damaged, and shall also make full Satisfaction for the Damage which shall have been done thereby.

Persons accidentally breaking Lamps to make Satisfaction.

LVII. And be it enacted, That if any Person shall carelessly or accidentally break any of the said Lamps, Lamp Irons, or Lamp Posts, or do any other such Damage or Injury as herein-before is mentioned, and shall not upon demand make Satisfaction for the Damage or Injury so done, it shall be lawful for any Magistrate to summon the Party complained of to appear before him, and such Magistrate shall examine the Matter of Complaint, and award such Sum of Money, by way of Satisfaction for such Damage, as such Magistrate shall think reasonable.

Commissioners may enter into Contracts for any Works.

LVIII. And be it enacted, That it shall also be lawful for the Commissioners to enter into Contracts with any Person for the Execution of any Work, Matter, or Thing directed or authorized by this Act to be done by the Commissioners, and for furnishing or supplying any

any Materials for the same, or which may be required by the Commissioners; and every such Contract shall be in Writing, and shall specify the Works to be done and the Materials to be furnished, and a Copy thereof shall be entered in a Book to be kept by the Clerk of the Commissioners for that Purpose; and the said Commissioners, or any Five or more of them, are hereby authorized and empowered to pay such Sum or Sums of Money for such several and respective Works as herein-before mentioned as they shall so contract and agree for out of any of the Rates or Assessments which shall be made, raised, or collected by virtue of this Act.

Contracts not to last more than Three Years.

LIX. And be it enacted, That no such Contract or Contracts as aforesaid shall be deemed good or valid if the same shall have been made for a longer Space of Time than Three Years from the Time of entering into such Contract or Contracts.

Contracts to be signed.

LX. And be it enacted, That every such Contract shall be signed by any Five of the Commissioners and the other Parties thereto; and such Contracts shall be binding on the Commissioners, and Actions and Suits may be maintained thereon, and Damages and Costs be recovered, by or against the Commissioners, or the other Parties failing in the Execution thereof.

On Breach of Contract Commissioners to sue.

LXI. And be it enacted, That in case any Person who shall enter into such Contract or Contracts with the said Commissioners, or any Five or more of them, for performing any of the Works before or after mentioned, or finding any of such Materials as aforesaid, shall not well and sufficiently perform the same, according to the true Intent and Meaning of the said Contract or Contracts, and within the Time limited thereby, that then it shall and may be lawful to and for the said Commissioners, or any Five or more of them, in the Name of their Clerk or Treasurer, to bring an Action of Debt in any of Her Majesty's Courts of Record at *Westminster*, against any Person so contracting and making default as aforesaid, for the Penalty or Penalties which shall be contained in such Contract or Contracts; and the Commissioners, or any Five or more of them, upon Proof of such Contract or Contracts having been entered into, and not performed, shall be entitled to and recover such Penalty or Penalties, and the same, when recovered, shall be applied towards the Purposes of this Act.

Lamps, &c. to be vested in Commissioners.

LXII. And be it enacted, That the present Lamps, Lamp Irons, Pipes, and Lamp Posts, and the Furniture thereof or belonging thereto, in the several Streets and other Places in or within the District or Limits mentioned in this Act, and which shall or may hereafter be erected or fixed up by virtue of this Act, and all Materials and other Things which shall be purchased or provided for the Purposes of this Act, and all the Dirt, Dust, Soil, Ashes, and Filth to be swept, gathered, or collected in or within the District or Limits mentioned in this Act, under the Provisions herein-after contained, shall belong to and be the Property of the said Commissioners, and the same are hereby vested in the said Commissioners for the Time being, and the said Commissioners shall have full Power and Authority from Time to Time

Time to sell and dispose of or apply all or any of the said Articles, Matters, and Things, or any Part or Parts thereof, to and for any of the Purposes of this Act; and if any Person shall wilfully or maliciously break up, injure, destroy, or otherwise damage or spoil any of the said Articles, Matters, or Things, or any of the Works done in pursuance of this Act, or any Part or Parts thereof, every Person so offending therein, and being thereof convicted upon the Oath of One or more Witness or Witnesses before any Justice of the Peace for the said County of *Surrey* (which Oath such Justice is hereby empowered to administer), shall forfeit and pay any Sum not exceeding Five Pounds; or the said Commissioners shall have Power and Authority, if they think proper, to cause any Action to be brought or Indictment to be preferred (as the Case may require) against any Person who shall steal, take, or carry away, detain, spoil, injure, or destroy, the several Articles, Matters, or Things hereby vested in the said Commissioners or any of them, or any Part or Parts thereof; and in every Action or Indictment it shall be sufficient to state generally that the Article or Thing for or on account of which such Action shall be brought or Indictment preferred is or are the Property of the Commissioners acting in the Execution of this Act, without particularly mentioning or specifying the Name or Names of all or any of such Commissioners.

Indictments how to be preferred.

LXIII. And be it enacted, That it shall be lawful for the Commissioners, by their Clerk, to prefer any Bill of Indictment against any Person who shall steal, take, or carry away, deface or injure, any Property, Article, or Thing belonging to the Commissioners; and in any such Bill of Indictment it shall be sufficient to state generally the Property, Article, or Thing in respect of which such Indictment shall be preferred to be the Property of the Commissioners acting in the Execution of this Act, without particularly specifying or mentioning the Names of any of the said Commissioners.

Penalty on Persons supplying Gas for corrupting Water.

LXIV. And be it enacted, That if any Company or Person making or supplying any Gas or inflammable Air in or within the District or Limits mentioned in this Act shall at any Time cause or suffer to be conveyed or to flow into any Stream, Reservoir, Aqueduct, Pond, or Place for Water within the Limits of this Act, or into any Drain, Sewer, or Ditch communicating therewith, any Washing, Substance, or Thing which shall be produced in making or supplying Gas, or shall do any Act to the Water contained in any such Stream, Reservoir, Aqueduct, Pond, or Place for Water whereby the Water therein shall be fouled or corrupted, then such Company or Person shall forfeit for every such Offence the Sum of Two hundred Pounds.

Penalty to be sued for within 12 Months.

LXV. And be it enacted, That the said Penalty of Two hundred Pounds shall be recovered, with full Costs of Suit, in any of the Superior Courts, by Action of Debt or on the Case, by the Person into whose Water such Washing, Substance, or Thing shall be caused or suffered to be conveyed or shall flow, or whose Water shall be fouled or corrupted by any such Act as aforesaid: Provided always, that the said Penalty shall not be recoverable unless the same be sued

sued for within Twelve Months after the Offence in respect of which such Penalty shall have been incurred shall have ceased.

Additional daily Penalty during the Continuance of the Offence.

LXVI. And be it enacted, That in addition to the said Penalty of Two hundred Pounds, and whether such Penalty shall have been recovered or not, the Company or Person making or supplying Gas as aforesaid shall forfeit the Sum of Twenty Pounds (to be recovered in the like Manner) for each Day such Washing, Substance, or Thing shall be caused or suffered to be conveyed or shall flow as aforesaid, or the Act by which such Water as aforesaid shall be fouled or corrupted shall continue after the Expiration of Twenty-four Hours from the Time at which Notice of the Offence shall have been served on such Person or Company, or their Clerk, (as the Case may be,) or his Servant or Agent, or left at his last known Place of Abode, by the Person into whose Water such Washing, Substance, or Thing shall be conveyed or shall flow, or whose Water shall be fouled or corrupted thereby; and such Penalty shall be paid to such last-mentioned Person.

Daily Penalty during Escape of Gas after Notice.

LXVII. And be it enacted, That whenever any Gas shall escape from any Pipe which is now or shall be hereafter laid down or set up by any Company or any Person making or supplying any Gas within the District or Limits mentioned in this Act, such Company or Person shall, immediately after receiving Notice in Writing of any such Escape of Gas, prevent such Gas from escaping; and in case such Company or Person shall not within Twenty-four Hours next after Service of such Notice effectually prevent the Gas from escaping, and wholly remove the Cause of Complaint, then such Company or Person shall for every such Offence forfeit the Sum of Five Pounds for each Day after the Expiration of Twenty-four Hours from the Service of such Notice during which the Gas shall be suffered to escape.

Daily Penalty during Contamination of Water after Notice.

LXVIII. And be it enacted, That if the Company or Person so making or supplying Gas shall not, within Twenty four Hours next after Notice in Writing of any Water being contaminated or affected served on them or him by the Person whose Water shall be so contaminated or affected, prevent the Gas from contaminating or affecting such Water, such Person shall, over and above the beforementioned Penalty of Twenty Pounds, forfeit for every such Offence, to the Person whose Water shall be contaminated or affected, any Sum not exceeding Ten Pounds for each Day during which the said Water shall remain contaminated or affected after the Expiration of Twenty-four Hours from the Service of such Notice.

Mode of ascertaining whether Water contaminated.

LXIX. And whereas it may become a Question upon any such Complaint as aforesaid whether the said Water be contaminated or affected by the Gas of any Company or Person making or supplying Gas within the District or Limits mentioned in this Act; be it therefore enacted, That it shall be lawful for the Person to whom the Water supposed to be contaminated or affected by Gas may belong to dig and examine the Pipes, Conduits, and Apparatus of the Company or Person making or supplying Gas, for the Purpose of

ascertaining

ascertaining whether the said Water has been contaminated or affected by the Gas of such Company or Person: Provided always, that before proceeding so to dig and examine Twelve Hours Notice shall be given to the Company or Person making or supplying such Gas of the Time at which such Digging and Examination are intended to commence and take place.

Expences of Examination whether Water contaminated to abide the Examinations.

LXX. And be it enacted, That if upon such Examination it shall appear that such Water has been contaminated or affected by any Gas belonging to such Company or Person, the Expences of the Digging, Examination, and Repair of the Street or Place which shall be disturbed in any such Examination shall be paid by the Company or Person making or supplying Gas; but if upon such Examination it shall appear that the Water has not been contaminated or affected by the Gas of such Company or Person, then the Person causing such Examination to be made shall pay all the Expences of Examination and Repair, and also make good to the said Company or Person any Injury which may be occasioned to the Works of the said Company or Person by such Examination.

Expences to be ascertained and recovered as other Damages under the Act.

LXXI. And be it enacted, That the Amount of the Expences of any such Examination and Repair, and of any Injury done to the Company or Person making or supplying Gas, shall, in case of any Dispute about the same, together with the Costs of ascertaining and recovering the same, be ascertained and recovered in the same Manner as any Damages for the ascertaining and recovering of which no special Provision is made by this Act are hereby directed to be ascertained and recovered.

Persons supplying Gas liable to be indicted.

LXXII. Provided always, and be it enacted, That nothing in this Act contained shall protect any Company or Person supplying Gas within the District or Limits mentioned in this Act from any Indictment for any Nuisance or any other legal Proceeding to which they or he may be liable in consequence of the making or supplying such Gas.

Streets to be cleansed, by removing Ashes, &c.

LXXIII. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to cause all the Dirt, Ashes, Cinders, and Rubbish to be removed from any House or Premises within the District or Limits mentioned in this Act, at such Times and in such Manner as they shall appoint, subject nevertheless as herein-after provided for.

For appointing Scavengers to remove the Dust, &c.

LXXIV. And be it enacted, That it shall be lawful for the said Commissioners to employ any Person or to contract with any Person for removing the Dust, Ashes, Cinders, and Rubbish from all the Houses, Tenements, or Premises, and Streets and other Places, within the District or Limits mentioned in this Act; and such Person so employed or so contracted with as aforesaid shall be called the Scavenger, and shall, as often as required by the said Commissioners, or any Five of them, or as often as shall be stipulated and provided by such Contract, bring or cause to be brought convenient Carriages unto all the Parts aforesaid wherein such Carriages can be drawn near or pass into, and shall give Notice to the Inhabitants of their coming, and give the like

Notice

Penalty on Scavenger for Neglect.

Notice into every other Place into which the said Carriages cannot pass; and such Scavenger shall take and carry away *gratis* from their respective Houses, Tenements, and Premises all their Soil, Ashes, Cinders, Rubbish, Dust, Dirt, and Filth, upon pain of forfeiting any Sum not exceeding Five Pounds for every Neglect or Default, except all such Rubbish, Earth, Dust, Filth, and Soil as shall be occasioned by building, repairing, amending, or altering any House or other Building, and which shall, within the Space of Two Days after being first left, be carried away by the Owner or Occupier of such House, upon pain of forfeiting and paying any Sum not exceeding Five Pounds for every Neglect in removing the same; and if any Person (except Manufacturers and others, as herein-after expressed,) shall refuse to permit such Soil, Ashes, Cinders, Rubbish, Dust, Dirt, or Filth to be taken away, every such Person so offending shall in like Manner forfeit any Sum not exceeding Five Pounds.

Contractors only to remove Dust.

LXXV. And be it enacted, That if any Person, other than the Scavenger so employed by or contracting with the said Commissioners as aforesaid, shall, on any Pretence whatsoever, collect, gather, ask for, receive, or carry away any Dust, Cinders, Ashes, or Breeze within any Part of the District or Limits mentioned in this Act, it shall and may be lawful for any Justice of the Peace of the said County of *Surrey*, upon Complaint to him made, to grant a Warrant to bring before him such Offender, or for any Person who shall see any such Offence committed to seize, and also for any other Person to assist in seizing, the Offender, together with the Horses, Cattle, Carts, or other Carriages, Utensils, or Implements made use of for carrying the same away, and by the Authority of this Act, and without any other Warrant, to convey him before such Justice of the Peace, or any other Justice of the Peace for the said County of *Surrey;* and such Justice shall and he is hereby authorized and required to examine upon Oath the Person apprehending such Offender, and any Witness who shall appear to give Information or Evidence touching such Offence; and if the Party shall be convicted of such Offence he shall forfeit any Sum not exceeding Five Pounds; and if such Offender shall not on Conviction pay the said Penalty, such Justice is hereby required to direct the Horses, Cattle, Carts, or other Carriages, Utensils, or Implements which shall have been so seized to be appraised and sold; and after deducting out of the Monies to arise by such Sale the Penalty incurred, together with the reasonable Charges and Expences of such Distress and Sale, the Surplus thereof shall be returned, upon demand, to the Party whose Horses and other Things shall be so appraised and sold; and in case there shall have been no such Seizure as aforesaid, or if the Horses and other Things which shall be so appraised and sold shall not produce a sufficient Sum of Money to pay the said Penalty, Charges, and Expences, then, if such Offender shall not upon Conviction pay the said Penalty, or such Part of the said Penalty, Charges, and Expences which shall remain over and above the Produce of the Horses, Carts, and other Things so seized and sold, such Justice is hereby required to commit such Offender to the Common Gaol or House of Correction for the said County of *Surrey* for any Time not exceeding Fourteen Days, unless such Penalty, Charges, and Expences shall be sooner paid and satisfied; and

and in case the Person so offending as aforesaid shall not be apprehended, or the said Horses, Carts, or other Carriages, Utensils, or Implements shall not be seized, or in case the same, if seized, appraised, and sold, shall not produce a sufficient Sum of Money to pay the said Penalty, Charges, and Expences, then the Owner thereof respectively shall be subject and liable to the said Penalty, and which Penalty shall be levied and recovered by Distress and Sale of his Goods and Chattels in manner herein-before mentioned; and if the Money to arise by such Distress and Sale shall not be sufficient to answer and satisfy such Penalty, Charges, and Expences, or no such Distress can be made, such Justice is hereby authorized and required to commit him to the Common Gaol or House of Correction for the said County of *Surrey* for any Time not exceeding Twenty-one Days, unless such Penalty, Charges, and Expences shall be sooner paid and satisfied: Provided always, that nothing herein contained shall extend or be deemed or taken to prevent any Manufacturer from taking, carrying, or sending away, for his own Use or for Sale, any Cinders, Breeze, Ashes, Dust, or other Article or Thing produced in or purchased from any Manufactory occupied by or belonging to him within the District or Limits mentioned in this Act or adjacent thereto, nor to prevent any Person from taking, carrying, or sending away, for his own Use only (but not for Sale), any Cinders, Breeze, Ashes, Dust, Dirt, or other Article or Thing, from his own Dwelling House or Premises within the said District or Limits.

Manufacturers and others may use their own Dust and Ashes.

LXXVI. Provided always, and be it enacted, That in case the Scavenger so employed by or contracting with the said Commissioners as aforesaid shall neglect for the Space of Seven Days to bring proper Carts or Carriages into all the Streets and Places within the District or Limits mentioned in this Act where such Carriages can pass, and to give Notice in manner aforesaid to the Inhabitants of their coming, for the Purpose of taking away such Dirt, Dust, Soil, Rubbish, Filth, Cinders, and Ashes, and to give the like Notice in every Court, Alley, or Place within the District or Limits aforesaid into which the said Carts and Carriages cannot pass, that then it shall and may be lawful for the Inhabitants of such of the said Roads, Streets, Squares, and other Places to give away or sell their Dust, Dirt, Filth, Cinders, or Ashes to any Person or Persons whomsoever; and that such Person or Persons who shall take and carry away the said Dust, Dirt, Filth, Cinders, or Ashes as last aforesaid shall not be subject or liable to any Penalty or Penalties for so doing, until some other Person shall be appointed by the said Commissioners to collect such Dust, Dirt, Cinders, or Ashes, or until a new Contract shall be entered into for that Purpose, any thing herein contained to the contrary thereof notwithstanding; and all Expences occasioned by any Inhabitant so taking or causing such Dust, Dirt, Cinders, or Ashes to be taken and carried away, as last aforesaid, shall be paid by the Scavenger or Raker or other Person so contracting with the said Commissioners as aforesaid, and shall and may be recovered from him or them before any Justice or Justices of the Peace acting in and for the said County of *Surrey*, in addition to the Penalty or Forfeiture herein-before imposed upon him for such Neglect in

If Contractors, &c. neglect to take away Dust, &c. for Seven Days, any other Person to be at liberty to take it.

carrying away the same as aforesaid, in like Manner as any other Penalty or Forfeiture is in and by this Act imposed and made recoverable before any Justice or Justices as aforesaid.

Cellar-Windows, &c. to be secured.

LXXVII. And be it enacted, That if any Cellar Door, Trapdoor, Hatchway, or Flap Window, leading into or giving Light or Air to or placed over any Cellar, Vault, or Office underground within the District or Limits mentioned in this Act, shall be left open in the Evening or in the Night, or shall not be effectually made and secured so as to prevent Accidents, or if any Grate, Grid, or other Covering placed over any Opening in the Flagging, Pavement, or Footway, and used for putting Coals or other Articles into any Cellar or Place underground, or for any other Purpose, shall, at any Hour of the Day or Night, be left open, or not well and effectually fastened down and secured and made in such Manner so as to prevent Accidents, the Occupier of such Cellar, Vault, Office, or other Place shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Waterspouts to be affixed.

LXXVIII. And be it enacted, That the Owner or Occupier of every House or Building in or adjoining any Street within the District or Limits mentioned in this Act shall, within Twenty-one Days next after Service of any Order of the Commissioners for that Purpose, put up, and for ever afterwards keep in good Condition, a Shute or Trough of the whole Length of such House or Building, with a Pipe or Trunk to be fixed to the Front or Side of such Building, from the Roof to the Ground, to carry off the Water from the Roof thereof, in such Manner that the Water from such House shall not fall upon the Persons passing near the same.

Scaffolds, &c. not to be erected without Licence.

LXXIX. And be it enacted, That no Person shall erect or place, set up or build, in any Street or public Place within the District or Limits mentioned in this Act, at any Time or Times hereafter, any Hoard or Scaffolding, or place or erect any Posts, Bars, Rails, Boards, or other Thing by way of Inclosure, for the Purpose of making Mortar, or of depositing, or sifting or screening, or slacking, any Brick, Stone, Lime, Sand, or other Materials for building and repairing any House, Tenement, or Building, or for 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 or Clerk for the Time being of the said Commissioners, who is and are hereby required to grant the same forthwith, for the Purpose of making Mortar, and depositing, or screening, sifting, or slacking, any Brick, Stone, Lime, Sand, or other Materials for building or repairing any House or other Tenement or Erection, specifying therein the Length of Time for which the same, when so erected and set up, may be continued, and giving such other Directions respecting the same as he may think necessary, on being paid by every Person so applying for such Licence the Sum of One Shilling, to be accounted for and paid over to the Treasurer for the Time being, and, in case there shall not be any Treasurer, to the Clerk of the said Commissioners for the Time being, to be applied as the other Monies to be raised under this Act are directed to be applied; and if any Person or Persons shall erect, place, set up, or build, or cause

or

or permit to be erected, placed, set up, or built, any such Hoard, Scaffolding, or any Inclosure, Posts, Bars, or Rails, or any other Matter or Thing, for the Purposes aforesaid, or for any other Purpose, without the Leave or Licence of such Surveyor or Clerk, signed as aforesaid, so had and obtained, or shall erect, set up, or build the same, or cause or permit the same to be set up or erected, in any other Manner, or to be continued for any longer Time, than shall be allowed or expressed in such Licence, or in some Renewal thereof for a Time to be therein specified (and for which Renewal no further Fee or Reward shall be demanded or taken), then and in either of the said Cases such Person or Persons, or the Person or Persons by whom he or they shall or may be employed, shall forfeit and pay a Sum not exceeding Ten Shillings for every Day that the same shall have been and shall be set up and continued; and also that it shall be lawful for the said Commissioners, or for their said Surveyor or Clerk for the Time being, to cause the same to be pulled down and removed, and the same, and all the Materials thereof and of every Part thereof, to be kept and detained until such Person or Persons shall pay to the said Surveyor or Clerk, or to the Person or Persons in whose Custody the same shall be, all the Penalties incurred by such Person or Persons, together with the Charges of pulling down, removing, and keeping the same, to be ascertained and determined by the said Surveyor or Surveyors or Clerk; and in case the same shall not be claimed, and the Penalties and Charges shall not be paid, within the Space of Five Days next after the pulling down and Removal thereof, then it shall be lawful for the said Commissioners, or their Surveyor or Clerk, to order or cause the same to be appraised and sold, and the Money arising therefrom (after deducting all the said Charges) shall be paid to the Treasurer of the said Commissioners, and, if there shall not be any Treasurer, to the Clerk of the said Commissioners, to be applied with the Monies to be raised under this Act.

Penalty for not placing Lights on Deposit of Building Materials or Excavations.

LXXX. And be it enacted, That when any Building Materials or other Things shall be laid, or any Hole or Excavation shall be made, in any Roads or Streets within the District or Limits mentioned in this Act, the Person causing such Materials or other Things to be so laid, or the said Hole or Excavation to be made, shall, at his own Expence, cause a sufficient Light to be fixed in a proper Place upon or near the same, and continue such Light every Night from Sun-setting to Sun-rising during the Time such Materials, Hole, or Excavation shall remain; and such Person shall, at his own Expence, cause such Materials or other Things, and such Hole or Excavation, to be sufficiently fenced and enclosed until such Materials or other Things shall be removed, or the Hole or Excavation filled up or otherwise made secure; and in case such Person shall refuse or neglect so to light, fence, or enclose such Materials or other Things, or such Hole or Excavation, every Person so offending shall for every such Offence forfeit a Sum not exceeding Five Pounds; and in every such Case of Refusal or Neglect it shall be lawful for the Commissioners to cause such Light to be so affixed and continued during the Time aforesaid, and such Materials and other Things, Hole or Excavation, to be sufficiently fenced and enclosed, and all Charges and Expences thereof shall be paid by the Persons causing such Materials or other Things

Things to be so laid, or such Hole or Excavation to be so made, as aforesaid.

Penalty for certain Offences.

LXXXI. And be it enacted, That every Person shall be liable to a Penalty of not more than Forty Shillings who, within the Limits of this Act, in any Street, shall commit any of the following Offences; that is to say,

Every one who shall beat or shake any Mat or Rug in any Street, except before the Hour of Eight o'Clock in the Morning:

Every one who shall beat or shake any Carpet within Thirty-five Yards of any Dwelling House.

Justices may award Compensation for personal Injury.

LXXXII. And be it enacted, That in case it shall appear to the Satisfaction of the Justice by or before whom any Person shall be convicted of any Offence for which any Penalty is imposed under this Act, that any Person has sustained bodily or personal Injury therefrom, it shall be lawful for such Justice, in addition to the Penalty for such Offence, and on the Application of the Person sustaining such Injury, to adjudge such Offender to pay to such Person, by way of Compensation for the Injury sustained by him, such Sum as the said Justice shall think fit, not exceeding Ten Pounds, which Sum shall be levied with and in addition to the Penalty for such Offence: Provided always, that the Payment of such Compensation shall be a Bar to all Proceedings at Law by the Person injured for the Recovery of Damages in respect of such Injury as aforesaid.

Commissioners to appoint Stands for Hackney Coaches.

LXXXIII. And be it enacted, That it shall be lawful for the Commissioners to fix and appoint Places within the District or Limits mentioned in this Act as Stands for Hackney Coaches or Carriages, and from Time to Time to alter or vary the Places so appointed.

Penalty for standing or plying except at appointed Stands.

LXXXIV. And be it enacted, That the Driver of any Hackney Carriage who shall with any such Carriage stand or ply for Hire in any Street within the District or Limits mentioned in this Act, other than at or in such Places as shall be appointed by the Commissioners as Stands for Hackney Coaches or Carriages, shall for every such Offence be liable to a Penalty not exceeding Forty Shillings.

Owners of Carriages and Horses to be liable to the Payment of Fines imposed on Drivers.

LXXXV. And be it enacted, That where any Fine or pecuniary Penalty is imposed by this Act, or shall be imposed or inflicted by virtue of the Provisions thereof on the Driver or Conductor of any Omnibus, Coach, Cart, or other Carriage, or the Rider or Driver of any Horse or other Cattle, for any Neglect or Misconduct of such Driver, Conductor, or Rider, or for any Injury or Damage done or committed by him, and such Driver, Conductor, or Rider shall not be the Owner of such Omnibus, Coach, Cart, or other Carriage, Horse or Cattle, then and in every such Case the Owner of every such Omnibus, Coach, Cart, or other Carriage, and of such Horse or other Cattle, shall personally be liable and bound to pay such Fine or pecuniary Penalty, and the same shall and may be recoverable from every such Owner by Sale and Distress of his Goods and Chattels, and by such other Remedies, Ways, and Means in all Respects and Particulars as are herein provided, expressed, and declared for the Recovery of

Fines and Penalties imposed upon any other Offender or Offenders against the Provisions of this Act: Provided always, nevertheless, that the Payment of any such Fine or Penalty by the Owner of any such Omnibus, Coach, Cart, or other Carriage, Horse or Cattle, as aforesaid, shall not exonerate or protect any such Driver, Conductor, or Rider as aforesaid from any other Punishment to which he may be subject or liable under the Provisions of this Act or otherwise.

Houses to be numbered.

LXXXVI. And be it enacted, That the said Commissioners may order and direct the Houses in the said Roads, Streets, Lanes, and Places within the District or Limits mentioned in this Act to be numbered with Figures placed or painted on the Doors or other Part of the said Houses respectively, and may also order and direct to be engraved, painted, or otherwise described on a conspicuous Part of some House or other Buildings at or near the End or Corner of each Road, Street, Lane, Court, Yard, Alley, Passage, or Place adjoining to or being near the said Road, Streets, Lanes, or Places respectively, the Name by which such Road, Street, Lane, Court, Yard, Alley, Passage, or Place so adjoining is usually or properly called or known; and if any Person shall wilfully or maliciously destroy, injure, obliterate, or deface any such Number, Figure, Name, or Description, or any Part thereof, he shall forfeit and pay any Sum not exceeding Twenty Shillings.

For cleansing Privies, &c.

LXXXVII. And be it enacted, That if any Person or Persons shall cause any Privy or Necessary House, or Cesspool or Drain, within the District or Limits mentioned in this Act, to be emptied at any Time except between the Hours of Twelve of the Clock in the Night and Six of the Clock in the Morning, or shall lay or cause to be laid the Soil thereof in any of the said Roads, Streets, Lanes, or other public Passages or Places, or shall wilfully or negligently spill or throw down any such Soil in any of the said Roads, Streets, Lanes, or other public Passages or Places, every Person offending in any of the Cases aforesaid shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Penalty on Persons obstructing Officers, &c.

LXXXVIII. And be it enacted, That if any Person or Persons shall at any Time or Times obstruct, hinder, or molest any of the said Commissioners, or any Surveyor, Clerk, Collector, Street Keeper, or other Officer, Workman, or Person who is or shall be employed by virtue of this Act, in the Performance or Execution of his Duty, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Sixty Shillings.

Commissioners may direct Prosecutions for public Nuisances.

LXXXIX. And be it enacted, That it shall be lawful for the Commissioners to direct any Prosecution for any public Nuisance whatsoever which shall be committed or suffered within the District or Limits mentioned in this Act, and to direct and order the Expences of any such Prosecution to be paid and borne by and out of the Funds raised under or by virtue of this Act.

Power to make equal Pound Rate

XC. And be it enacted, That the Charges and Expences of lighting the Roads, Streets, and other Places within the District or Limits mentioned

on all Parties within District.

mentioned in this Act, and of removing and preventing Nuisances, Annoyances, and Encroachments therein, and all other the Costs, Charges, and Expences of carrying the several Purposes of this Act into execution, shall from Time to Time be borne and paid by the Occupiers of all Messuages, Buildings, Lands, Tenements, and Hereditaments whatsoever situate within the District or Limits mentioned in this Act; and for that Purpose it shall be lawful for the Commissioners and they are hereby authorized and required from Time to Time, and when as often as they shall deem it necessary or convenient, to make and sign an equal Pound Rate or Assessment upon all Persons who do or shall inhabit, hold, use, occupy, possess, or enjoy any Messuage or Tenement, Land, Shop, Warehouse, or other Building, Wharf, Yard, Storehouse, Ground, Cellar, Hereditaments, or Premises within any Part of the District or Limits mentioned in this Act, or upon such Part or Parts thereof only as to them the said Commissioners shall seem equitable and right, according to the fair annual Value of such respective Premises, so as such Rates or Assessments shall not exceed in the whole in any One Year the Sum of One Shilling in the Pound on the yearly Value of such Messuage or Tenement, Land, Shop, Warehouse, or other Building, Wharf, Yard, Storehouse, Ground, Cellar, Hereditaments, and Premises; and which said Rate, and the Money to be from Time to Time raised thereby, shall be applied for and towards defraying the Expences of carrying this Act into execution.

Rates not payable when Property unoccupied.

XCI. And be it enacted, That no Person shall be liable to any Rate made in pursuance of this Act in respect of any House, Warehouse, Building, Land, or Tenement or other Property hereby made liable to any Rates under this Act, during the Time the same shall be or remain empty and unoccupied.

Rates vested in Commissioners.

XCII. And be it enacted, That the several Rates made under this Act shall be vested in the Commissioners for the Time being, and shall be payable at such Times as they shall direct to the Collectors to be appointed by them.

Collector to be allowed to inspect Poor Rates.

XCIII. And be it enacted, That it shall and may be lawful for the Clerk of the said Commissioners, or the Collector of any Rate or Assessment to be made by virtue of this Act, at all convenient Times, (first having an Order under the Hands of the said Commissioners for that Purpose,) or any Person duly authorized by them, to inspect the Books or Rates made for raising Money for the Relief and Maintenance of the Poor of the said Parishes of *Saint Mary Lambeth*, *Clapham*, and *Battersea* respectively, and each and every of them in which the District mentioned in this Act is situate, in order to ascertain the Rates and Assessments to be made and raised by virtue hereof, as they shall think proper, for the Purposes of this Act, which Inspection the respective Vestry Clerks or other Officers or Persons having the Custody of such respective Books or Rates are hereby required to permit and suffer to be made, without Fee or Reward, by such Clerk, Collector, or Persons appointed as aforesaid, on their producing an Order under the Hands of the said Commissioners, or any Three or more of them, for that Purpose, and also, on demand, forthwith

to give him or them Copies of the same or any Part or Parts thereof, paying at the Rate of Sixpence for every Twenty-four Names; and in case any such Vestry Clerk or Officer or Person shall refuse or neglect so to do within Ten Days after such Order shall be produced and shown to him, or a Copy thereof left at his last or most usual Place of Abode, then and in every such Case he or they so refusing or neglecting shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds nor less than Ten Pounds.

Rate Books to be Evidence of Rates.

XCIV. And be it enacted, That the Books of Rates of the Commissioners, and all Entries made therein in manner by this Act directed, shall be received as Evidence of the Rates imposed by virtue of this Act.

Power to amend Rates.

XCV. And be it enacted, That if the said Commissioners shall at any Time neglect or omit to rate any Person liable to pay or to be charged with any Rate to be made by virtue of this Act, or shall in any such Rate over-rate or under-rate any Person liable to pay any such Rate, or shall rate any Person who ought not to have been rated or assessed, then and in every such Case it shall be lawful for the said Commissioners, if they think proper, to amend any such Rate or Assessment after the same shall have been made and signed, by inserting in the said Rate any Person so omitted to be rated, and by lessening or increasing the Rate of every Person so over-rated or under-rated, and by striking out the Name of any Person so rated or assessed who ought not to have been rated or assessed, and otherwise to alter or amend any such Rate as they shall think proper for making a just and equal Rate or Assessment, without wholly setting aside or quashing the same.

In case of Embezzlement by Collectors, how Money to be recovered.

XCVI. And be it enacted, That in case any Collector of the said Rates and Assessments shall embezzle, detain, or misapply any Sum or Sums of Money which shall be collected by him, so that the same cannot be recovered from him or his Sureties, or shall be possessed of any Sum or Sums of the Money by him collected by virtue of this Act, and which shall not be paid and recovered from his Executors or Administrators or his Sureties for the Space of Fourteen Days after his Death, then and in every such Case all such Sums of Money shall be raised by a new Rate or Assessment to be made for that Purpose on the Inhabitants within the District or Limits mentioned in this Act, and shall be collected and levied in such Manner and under such Penalties as are herein provided for collecting and levying the Rates and Assessments made in pursuance of this Act.

Appeal to Petty Sessions for Inequality of Rates.

XCVII. And be it enacted, That if any Person shall think himself aggrieved by any Rate, on the Ground of Inequality, Unfairness, or Incorrectness of the Valuation of any rateable Property included therein, he may appeal to the Justices acting in and for any Petty Sessions holden in the said County of *Surrey*, or to any Special Sessions which may be holden for the Purpose of determining any Appeal against the Poor Rates; but no such Appeal shall be entertained unless Notice of Appeal stating the Grounds of Objection in Writing shall have been given to the Party appealed against Seven

Days

Days at least before the Day appointed for such Special Sessions; and on the hearing of such Appeal the Person appealing against such Rate shall not be permitted to go into Evidence of any Objection to such Rate other than the Objections which shall be stated in such Notice.

Decision of Petty Sessions may be appealed from.

XCVIII. And be it enacted, That the Justices assembled at any Special Sessions for which any such Notice of Appeal against any Rate shall have been given, or at any Adjournment thereof, shall hear and determine all such Appeals; and the Determination of such Justices shall be final, unless the same shall be appealed from in manner herein-after mentioned: Provided always, that it shall not be lawful for the Justices in such Special Sessions assembled to inquire into the Liability of any Property to be rated, but only into the true Value thereof, and the Fairness of the Amount at which the same may be rated; nor shall any Order of such Justices be of any Force pending an Appeal concerning the same Matter to the Order of such Court upon any such Appeal.

Parties may appeal to Quarter Sessions against Rates, &c.

XCIX. And be it enacted, That if any Person shall think himself aggrieved by any Rate made under the Authority of this Act, or by any Matters included in or omitted from the same, or by any Determination of the Justices in Petty Sessions assembled to adjudicate respecting any such Rate, he may appeal to the next General Quarter Sessions; but no such Appeal against the Rate, or any Matter contained in or omitted from the same, shall be entertained at such General or Quarter Sessions unless reasonable Notice in Writing of such Appeal, stating the Nature and Ground thereof, be given to the Commissioners, but the same shall be adjourned to the next General or Quarter Sessions; nor shall any Appeal against the Determination of the Justices in Petty Sessions assembled be entertained unless the Party appealing against such Determination shall within Fourteen Days after the same shall have been made give Notice in Writing of such Appeal, stating the Matter or Cause thereof, to the Party in whose Favour such Determination shall have been made, and within Five Days after such Notice shall enter into a Recognizance before such Justice, with sufficient Sureties, conditioned to try the same at the next General or Quarter Sessions, and to abide the Order of such Court, and to pay such Costs as shall be awarded at such General or Quarter Sessions or any Adjournment thereof.

Quarter Sessions to make Order.

C. And be it enacted, That at the General or Quarter Sessions for which any such Notice of Appeal as aforesaid shall be given the Court shall proceed to hear and determine the Appeal in a summary Way, except when the Court are hereby directed to adjourn the same, and except when the Court shall think fit to adjourn the Appeal to the following Sessions, which they are hereby authorized to do; and in all such Cases the Court shall hear and determine the Appeal at such last-mentioned Sessions.

Quarter Sessions to have same Power of amending

CI. And be it enacted, That the Court of Quarter Sessions and the Justices in Petty Sessions assembled respectively shall, on any Appeal against any Rate under the Authority of this Act, have the same

same Powers of amending or quashing such Rates as are by Law vested in them respectively for amending or quashing the Rates for the Relief of the Poor within the said several Jurisdictions upon Appeals against such Rates, and shall likewise have respectively on any Appeal against any Rate made under the Authority of this Act the same Powers of awarding Costs to be paid by or to any of the Parties to an Appeal, and of recovering such Costs, as are now vested in them respectively for awarding and recovering Costs on an Appeal against any Rate for the Relief of the Poor within their several Jurisdictions.

and quashing Rates, and directing Payment of Costs, as in Cases of Appeal from Poor Rates.

CII. And be it enacted, That if any Person rated under the Authority of this Act shall not pay any of the said Rates due from him for the Space of Fourteen Days after Demand thereof in Writing by the Commissioners or their Collector, any Magistrate may, on the Application of the Commissioners or their Collector, summon any such Person to appear before him, at a Time to be mentioned in the Summons, to show Cause why the Rate due from him should not be paid; and in case no sufficient Cause for the Nonpayment of such Rate shall be shown accordingly the same shall be levied by Distress, and such Magistrate shall issue his Warrant accordingly: Provided always, that when the Rates in arrear from any Person shall amount to or exceed the Sum of Twenty Pounds, it shall and may be lawful to and for the Commissioners, if they shall so think fit, instead of summoning such Person before a Magistrate, to proceed by Action of Debt for the Recovery of such Rates in any of Her Majesty's Superior Courts.

Rates may be recovered by Action or Distress.

CIII. And be it enacted, That the Warrant of Distress for the Nonpayment of any Rate may include one Person or several Persons, and may be to the Effect mentioned in the Schedule (A.) to this Act annexed.

Form of Warrant of Distress.

CIV. And be it enacted, That in all Cases where a Distress is hereby authorized to be made every Constable authorized by the Warrant to levy any Sum mentioned therein shall, upon being required by a Collector of the Rates, aid and assist in making a Distress or Sale pursuant to such Warrant; and every Constable who shall refuse to do so shall be liable to a Penalty not exceeding Five Pounds.

Constables to assist in making Distress.

CV. And be it enacted, That the Goods and Chattels of any Person neglecting or refusing to pay any Sum of Money legally assessed on and due from him, in respect of any Rate made under the Provisions of this Act, for the Space of Seven Days after the same shall have been legally demanded, shall and may be distrained, not only within the District or Limits mentioned in this Act, but also within any other District, Parish, Township, or Hamlet within the County of Surrey; and if sufficient Distress cannot be found within the same County, then upon Oath thereof made before any Justice or Justices of the Peace of any other County, Riding, Division, or Jurisdiction in which any of the Goods or Chattels of such Person shall be found, which Oath such Justice or Justices is and are hereby required to administer and certify by endorsing in his or their Handwriting his or their Name or Names on the Warrant granted to make such Distress,

Powers of Distress.

the Goods and Chattels of the Person so neglecting or refusing to pay as aforesaid shall be subject and liable to such Distress and Sale in such other County, Riding, Division, or Jurisdiction where the same shall be found, and may by virtue of such Warrant and Certificate be distrained and sold in the same Manner as if the same had been found within the District or Limits mentioned in this Act.

Power to Commissioners or Justices to remit Rate.

CVI. Provided always, and be it enacted, That it shall be lawful for the Commissioners at any of their Meetings, or any Two Justices in Petty Sessions assembled, to reduce or remit the Payment of any Rate, on account of the Poverty or Sickness of any Person liable to the Payment of the Rate.

For better recovering of Rates on Tenements let at small Rents or to Lodgers.

CVII. And be it enacted, That where the yearly Rent or Value of any House, Tenement, Hereditaments, or Premises within the District or Limits mentioned in this Act shall not exceed Twenty Pounds, or where the same shall be let to weekly or monthly Tenants, or to Lodgers in separate Apartments, furnished or unfurnished, or in any Case where the Rent shall become payable at any shorter Period than quarterly, then and in any and every of such Cases it shall be lawful for the said Commissioners, at any of their General Meetings as aforesaid, (due Notice being first publicly given of such Meeting in manner herein-before directed with respect to the Meetings of the said Commissioners,) if they shall think fit, to compound with the Landlord, Owner, or Lessee of every or any such House, Tenement, Hereditaments, and Premises, for the Payment of the said Rate or Rates, Assessment or Assessments which shall be made by the said Commissioners for the Purposes of this Act, at such a reduced yearly Rental as the said Commissioners shall think reasonable, so that no such House, Tenement, or Hereditaments and Premises be rated at less than One Half or more than Three Fourths of the Rack Rent at which the same shall be then let, or of the annual Value of the said Premises respectively; and the Landlord, Owner, or Lessee of every such House, Tenement, or Hereditaments as shall not exceed the yearly Value of Twenty Pounds, or as shall be let to any weekly or monthly Tenant or Lodger in separate Apartments, furnished or unfurnished, and in every Case where the Rent thereof shall become payable at any shorter Period than quarterly, is and are hereby required to enter into such Composition with the said Commissioners; and in case such Landlord, Owner, or Lessee shall refuse to enter into such Composition, he shall from thenceforth be deemed and taken to be the Occupier of such Premises, and shall thereupon be rated to, and from Time to Time shall pay or cause to be paid, the several Rates or Assessments charged upon such Premises for the Rates to be made in pursuance of this Act, according to a fair and equal Assessment by the said Commissioners as aforesaid; and upon Nonpayment thereof the said Commissioners, and every or any of them, are hereby authorized to levy or cause the same to be levied by Distress and Sale of the Goods and Chattels of the Landlord, Owner, or Lessee of the respective Premises aforesaid, wheresoever they may be found, or of the Person or Persons inhabiting the same respectively: Provided always, that no such Landlord, Owner, or Lessee shall be charged with or be liable to pay for any increased

Landlord to compound.

Rent reserved or made payable to him for or on account of such Landlord or Owner having agreed to pay the Rates heretofore chargeable upon the several Occupiers of the said Premises: Provided also, that the Goods and Chattels of all and every Person or Persons renting or occupying any such House, Tenement, or Hereditaments, or any Part or Parts thereof, the Rate or Rates, Assessment or Assessments whereof the Landlord or Owner is hereby made liable and subject to as aforesaid, shall be liable to be distrained and sold for Payment of such of the said Rates or Assessments and of all Arrears thereof as became due upon the said Premises during the Time of his or their Occupancy only, but no such Occupier 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 the Arrears thereof, than the Amount of the Rent actually due or payable by such Occupier to the Landlord, Owner, or Lessee of the Premises so occupied by him, unless such Occupier shall refuse or neglect, for Two Days after Demand made for that Purpose by the Collector of the said Rates, to deliver in Writing a true Account of the Christian and Surname and Place of Residence of his Landlord or Landlady, or his or her Receiver of the Rent payable by such Occupier, and of the Amount of Rent then due from such Occupier: Provided also, that each and every Occupier who shall pay any such Rate or Rates, Assessment or Assessments, or any Arrears thereof, or upon whom the same shall be levied on account of the Landlord as aforesaid, shall and may from Time to Time deduct the same, together with the Costs of Distress (if any) paid by him, from the Rent due and payable from him to the Landlord, Owner, or Lessee of the Premises (unless there shall be some Agreement to the contrary between the Landlord and Tenant); and the Receipt for such Payment shall be a sufficient Discharge to such Occupier and to his Landlord for so much Money as he shall pay in the Manner directed by this Act.

Occupiers Goods liable to be distrained.

CVIII. Provided always, and be it enacted, That, to prevent Disputes touching the Designation of the Landlord or Owner intended to be made liable by this Act, the Person receiving, claiming, or being entitled to the Rents of every such House, Tenement, Hereditament, or Premises immediately payable by the Tenant or Occupier thereof shall be deemed and taken to be the Landlord or Owner of the same for the Purposes of this Act, and to be the Person required to enter into such Composition as aforesaid.

Persons to whom Rents payable to be deemed Owners.

CIX. And be it enacted, That from and after any Composition shall be made with the said Commissioners as herein-before is mentioned every House, Tenement, Hereditaments, and Premises therein comprised shall be rated and assessed according to the same reduced Rental in every future Rate or Assessment to be made by the said Commissioners, until they shall otherwise rate and assess the said Premises.

Compositions to remain in full Force until altered.

CX. And be it enacted, That whenever the Name of any such Owner shall not be known to the Commissioners or to the Persons making the Rates it shall be sufficient to rate such Owner in the Rate Books

Not necessary to name the Owner where unknown.

Books of the Commissioners as the Owner of the Property to be rated by the Designation of the Owner, without stating his Name.

Landlords to pay for Houses occupied by Ambassadors.

CXI. And be it enacted, That every Rate or Assessment which shall be made or imposed by virtue of this Act for or in respect of any House or Tenement, Coach-house, Stable, or Hereditament, which now are or hereafter shall be or may be inhabited or occupied by any Ambassador, Agent, or Public Minister of any Foreign Prince or State, or any Secretary, Chaplain, domestic Servant, or other Officer or Person whatsoever to whom the Privilege of such Ambassador, Agent, or Minister doth or may extend, shall be paid by the Landlord or Owner, Lessee or Lessees of every such House or Tenement, Coach-house, Stable, or Hereditament, who shall be liable or compellable to the Payment thereof, and the same shall and may be recovered by Action of Debt or on the Case (from such Landlord or Owner, Lessee or Lessees), in any of the Courts of Record at *Westminster*.

Tenants under existing Leases to repay the Owner.

CXII. Provided always, and be it enacted, That when any Owner shall be rated in respect of any rateable Property which shall be in the Occupation of a Tenant under any Lease or Agreement made prior to the passing of this Act, such Tenant shall repay to the Owner all Sums which shall be paid by the Owner on account of any Rates made under this Act during the Continuance of such Lease, unless it shall have been agreed that the Owner shall pay all Rates in respect of such Property.

Remedy against Persons quitting before Payment of Rates.

CXIII. And be it enacted, That if any Person shall quit or be about to quit any rateable Property situate within the District or Limits mentioned in this Act, before he shall have paid the Rates then payable by him in respect thereof, and shall not pay the same to the Commissioners or their Collector, on demand, it shall be lawful for any Magistrate having Jurisdiction where such Persons may reside or his Goods be found to summon such Person to appear before him at a Time to be mentioned in the Summons, to show Cause why the Rates should not be paid; and if no sufficient Cause be shown accordingly, the same shall be levied by Distress, and such Magistrate shall issue his Warrant accordingly.

Rates to be apportioned on Holder quitting.

CXIV. And be it enacted, That when any Rate shall have been made for a particular Period, and the Owner or Occupier rated to such Rate shall cease to be the Owner or Occupier of the Property in respect whereof he shall be rated before the End of such Period, such Owner or Occupier shall be liable to pay a Portion only of the Rate payable for the whole of such Period proportionate to the Time during which he continued to be Owner or Occupier; and if any Person shall become the Owner or Occupier of any Property so rated as aforesaid during any Part of any Period for which any Rate shall have been made, such Person shall pay a Portion of such Rate proportioned to the Time during which he shall have held or occupied the Property so rated.

CXV. And

Persons entering on Property to pay Portion of Rates.

CXV. And be it enacted, That if any Property rateable under this Act shall have been unoccupied at the Time of making any Rate, and any Person shall occupy such Property during any Part of the Period for which such Rate shall have been made, it shall be lawful for the Commissioners to rate such Property, and the Person occupying the same during any Part of the Period aforesaid shall pay a Portion of the said Rate proportioned to the Time during which he shall occupy such Property.

Power to borrow Money.

CXVI. And be it enacted, That it shall and may be lawful to and for the said Commissioners, or any Five or more of them, from Time to Time to borrow and take up at Interest such Sums of Money as they shall judge necessary, not exceeding in the whole the Sum of Two thousand Pounds, for the Purposes of this Act, upon the Credit of all or any of the Rates or Assessments to be raised and collected by virtue of this Act; and for securing the Repayment of the Monies so borrowed, with Interest, the Commissioners, or any Five or more of them, may assign over the said Rates or any Part thereof to the Person who shall lend or advance such Money, or to his Trustee, as a Security for the Payment of the Principal Money so to be advanced, with Interest for the same: Provided always, that nothing herein contained shall be deemed, construed, or taken to extend to make the Commissioners who shall sign, execute, or give any of the Assignments, Bonds, or other Securities hereby authorized or directed to be given, personally, or their respective Estates, Lands, or Tenements, Goods and Chattels, liable to the Payment of any of the Monies to be borrowed or secured in pursuance of this Act, by reason of their giving or executing any such Assignments, Bonds, or other Securities as aforesaid: Provided nevertheless, that before any such Money shall be borrowed or raised by the said Commissioners for the Purposes of this Act Fourteen Days Notice at the least shall be given in some Newspaper published in *London* or *Westminster* or the said County of *Surrey*, signifying the Intention of borrowing or raising such Money.

Form of Mortgage.

CXVII. And be it enacted, That every such Assignment or Mortgage shall be by Deed duly stamped, in which the Consideration shall be truly stated; and every such Deed shall be under the Hands and Seals of Five at least of the Commissioners, and may be according to the Form in Schedule (B.) to this Act annexed, or to the like Effect.

Mortgages to be without Preference.

CXVIII. And be it enacted, That all Persons to whom such Assignments or Mortgages shall be made, or who shall be entitled to the Monies thereby secured, shall, in proportion to the Sums therein respectively mentioned, be Creditors on the same Rates equally one with another, without any Preference in respect of the Priority of advancing such Monies, or of the Dates of any such Assignments or Mortgages respectively.

Expences of Mortgages.

CXIX. And be it enacted, That the Expences of and attending any such Assignment or Mortgage shall from Time to Time be defrayed by the Commissioners out of the Monies received by virtue of this Act.

Register of Mortgages to be kept by Clerk, and to be open for Inspection.

CXX. And be it enacted, That a Register of such Assignments or Mortgages shall be kept by the Clerk to the Commissioners, and within Fourteen Days after the Date of any such Assignment or Mortgage, or Entry, a Memorial of the Number and Date thereof, and of the Names of the Parties thereto, with their proper Additions, shall be made in such Register, and such Register may be perused at all seasonable Times by any Person interested therein, without Fee or Reward.

Transfer of Mortgages.

CXXI. And be it enacted, That from Time to Time any Party entitled to any such Assignment or Mortgage may transfer his Right and Interest therein to any other Person by Deed duly stamped, wherein the Consideration shall be truly stated; and any such Transfer may be according to the Form in the Schedule (C.) to this Act annexed, or to the like Effect.

Register of Transfers to be kept.

CXXII. And be it enacted, That within Thirty Days after the Date of every such Transfer it shall be produced to the Clerk of the Commissioners, and thereupon such Clerk shall cause an Entry or Memorial thereof to be made in the same Manner as in the Case of the original Assignment or Mortgage; and for such Entry of Transfer the Clerk may demand a Sum not exceeding Five Shillings, but which Sum shall be accounted for and paid over by him, and be applied as other Monies are made applicable under the Provisions of this Act; and after any such Entry every such Transfer shall entitle the Transferee, his Executors, Administrators, and Assigns, to the full Benefit of the original Assignment or Mortgage in all respects; and no Party, having made such Transfer, shall have Power to make void the Release, or discharge the Assignment or Mortgage so transferred, or any Money thereby secured, without the Consent or Concurrence of such Transferee.

Interest on Mortgages to be payable half yearly, unless otherwise provided.

CXXIII. And be it enacted, That, unless otherwise provided by any such Assignment or Mortgage, the Interest of the Money borrowed on every such Assignment or Mortgage shall be paid half yearly to the Parties entitled thereto.

Power to borrow Money at less Rate of Interest, and pay off Mortgages.

CXXIV. And be it enacted, That if the Commissioners can at any Time borrow or take up any Sum of Money for the Purposes of this Act at a lower Rate of Interest than any Securities given by them, and which shall be then in force, shall bear, then from Time to Time it shall be lawful for them to borrow such Sums of Money as they shall think proper at such lower Rate as aforesaid, in order to pay off and discharge the Securities bearing such higher Rate of Interest, and to charge the Rates made liable to be assigned or mortgaged as aforesaid, or any Part thereof, with Payment of such Sum, and with lower Rate of Interest, in such Manner and subject to such Regulations as are herein contained with respect to other Monies borrowed on Mortgage as aforesaid.

Mode of paying off Mortgages so as to

CXXV. And in order that no undue Preference may be given in paying off any Assignments or Mortgages, be it enacted, That when and as often as the Commissioners shall, under the Provisions of this Act, be

be enabled and think it expedient to pay off One or more out of the Number of such Mortgages upon which the same Rate of Interest shall be payable, or a Part of the Money secured on any such Mortgage, they shall cause the several Numbers of such Mortgages to be written upon distinct Slips of Paper of an equal Size, and all such Slips of Paper shall be rolled or folded up in similar Form, and put into a Box, and the Clerk to the Commissioners shall, in the Presence of Five or more of the Commissioners, draw separately out of the Box One of the said Slips, and thereupon the Mortgage corresponding with the Number so drawn, or the Part of the Money due thereon so proposed to be paid off, shall accordingly be paid off by the Commissioners; and after every such Ballot the Commissioners shall cause a Notice, signed by their Clerk, to be given to the Person entitled to the Money to be paid off pursuant to such Ballot, and such Notice shall express the Principal Sum proposed to be paid off, and that the same will be paid, together with the Interest due thereon, at a Place to be specified in such Notice, at the Expiration of Six Months from the Date of giving such Notice; and at the Expiration of such Period the Interest of the Principal Money to be paid off shall cease, unless such Principal Money and Interest be not paid, on demand, pursuant to such Notice; but such Principal Money, and the Interest thereof to the End of the said Six Months, shall nevertheless be paid on demand.

avoid Preference.

CXXVI. And be it enacted, That all Monies which shall be raised and collected by Order of the Commissioners under this Act, or which shall be by them for the Purpose of this Act borrowed on Mortgage, or be otherwise payable to the Commissioners under any of the Provisions of this Act, shall be paid into the Hands of the Treasurer of the Commissioners, and in case there shall not be any Treasurer then to the Bankers of the Commissioners under this Act; and no Monies shall be paid by such Treasurer or Bankers on account of the Commissioners without a general or special Order in Writing, signed by the Chairman at a Meeting of the Commissioners to be held in pursuance of this Act, and Two other Commissioners present at such Meeting, and countersigned by the Clerk of the Commissioners; and that all such Monies, subject to and after Payment of the Costs and Expences of this Act, as herein-after provided, be applied, in the first place, in the Payment of the Interest of the Monies borrowed on Mortgage by virtue of this Act; and, secondly, in defraying the Expences of lighting the Streets and Places within the Limits of this Act, and in carrying the several Purposes of this Act into execution, and in defraying and paying all Expences which the said Trustees and other Officers shall necessarily sustain or be put unto in carrying this Act into execution, or in prosecuting or defending any Prosecutions, Actions, or Suits in any Manner relative to the Execution of this Act, or of any thing to be done under or by virtue thereof, and for such other Uses and Purposes as are herein expressed; and, lastly, in Payment of the Principal Sums borrowed as aforesaid, in such Order as the Commissioners shall direct.

All Monies to be received, &c., to be paid to Treasurer; and no Money to be paid, except by Special Order of Commissioners, and countersigned by the Clerk, Mode in which Monies to be applied.

CXXVII. And be it enacted, That in all legal Proceedings under this Act it shall be lawful for any Three or more of the Commissioners, by

Releases to Witnesses.

by Order of the Commissioners, to grant general or other Releases for the Purpose of qualifying any Person in the Service of the Commissioners to give Evidence as a Witness; and every such Release or Discharge shall be under the Hands and Seals of the Parties giving the same.

Tender of Amends.

CXXVIII. And with respect to Actions brought in respect of any Proceedings under the Provisions of this Act, be it enacted, That if before an Action be brought any Party, having committed any Irregularity, Trespass, or other wrongful Proceeding in the Execution of this Act, or by virtue of any Power or Authority hereby given, shall make sufficient Tender of Satisfaction, the Plaintiff shall not recover in any Action brought on account of such Irregularity, Trespass, or other wrongful Proceeding; and if no such Tender shall have been made it shall be lawful for the Party offending, by Leave of the Court where such Action shall be pending, at any Time before Issue joined, to pay into Court such Sum of Money as he shall think fit, and thereupon such Proceedings shall be had as in other Cases where Defendants are allowed to pay Money into Court.

Damages to be ascertained, with the Penalty.

CXXIX. And be it enacted, That where any Damages or Charges are directed by this Act to be paid, in addition to any Penalty for any Offence, the Amount of such Damages or Charges, in case of Nonpayment thereof, or of any Dispute concerning the same, shall be determined by the Magistrate before whom the Offender shall be convicted of such Offence, and shall be levied by Distress, and the Magistrate shall issue his Warrant accordingly.

Proviso for Damages not otherwise provided for.

CXXX. And for the Purpose of providing for the Recovery of any Damages, Expences, or Charges which shall be payable under this Act, and for the Recovery of which no Method is herein provided, be it enacted, That in all such Cases the Amount of the Damages, Expences, or Charges by this Act directed or authorized to be paid shall, in case of Nonpayment thereof, or of any Dispute about the same, be ascertained and determined upon by a Magistrate; and the same, together with the Costs of the ascertaining and Recovery thereof, to be ascertained by such Magistrate, shall be levied by Distress, and the Magistrate may issue his Warrant accordingly.

For ascertaining Damages.

CXXXI. And for the Purpose of ascertaining and determining any such Damages, Expences, and Charges, be it enacted, That any Magistrate may summon any Person liable to pay the same to appear before him at the Time mentioned in such Summons; and at such Time, either on the Appearance or Default of the Party summoned to appear, it shall be lawful for and such Magistrate is hereby empowered to inquire into any such Damages, Expences, or Charges, and to determine the same.

Penalties to be recovered summarily before a Magistrate, and to be ap-

CXXXII. And for the Purpose of providing for the Recovery of Penalties or Forfeitures imposed by this Act, or by any Bye Law made in pursuance hereof, the Recovery of which is not otherwise provided for, be it enacted, That every such Penalty or Forfeiture may be recovered before a Magistrate in the Manner directed by an Act

passed in the Third Year of the Reign of Her present Majesty, intituled *An Act for further improving the Police in and near the Metropolis*, with respect to Offences against that Act, and shall be adjudged to be paid and shall be paid to the Receiver for the Metropolitan Police District, for the Purposes of an Act passed in the said Third Year of Her present Majesty, intituled *An Act for regulating the Police Courts of the Metropolis.*

plied under Metropolis Police Act.

CXXXIII. And be it enacted, That if any Person charged with any Offence against any of the Provisions of this Act, or by any Bye Law made in pursuance thereof, shall refuse to disclose his Name, all the necessary Proceedings may be had and carried on against him for the Recovery of any Penalty, Forfeiture, or Damage imposed or incurred under this Act or such Bye Law respectively by the Description of his Person, and of the Offence committed, without stating his Name, or if only One of his Names be known, all such necessary Proceedings may be had and carried on against him by such Name only.

Proceedings where an Offender will not declare his Name.

CXXXIV. And be it enacted, That no Person shall be liable to the Payment of any Penalty or Forfeiture imposed by virtue of this Act for any Offence herein-before made cognizable before a Magistrate unless the Complaint respecting such Offence shall have been made before such Magistrate within Six Months next after the Commission of such Offence.

Penalties to be sued for within Six Months.

CXXXV. And be it enacted, That no Person, although liable to the Payment of Money towards the Rates authorized to be raised by this Act, shall by reason thereof be deemed to be an incompetent Witness in any Proceeding before any Court or Justice by virtue of this Act.

Liability not to disqualify Witnesses.

CXXXVI. And with respect to Offenders whose Names and Residences are not known, be it enacted, That any Constable, or any Officer or Servant of the Commissioners, and all Persons called by such Officer or Servant to his Assistance, may seize and detain any Person who shall have committed any Offence against the Provisions of this Act, and whose Name and Residence shall be unknown to such Officer or Servant, and may convey him with all convenient Despatch before some Magistrate, without any Warrant or other Authority than this Act, and such Magistrate shall proceed with all convenient Despatch to the hearing and determining of the Complaint against such Offender.

Transient Offenders

CXXXVII. And be it enacted, That no Proceeding in pursuance of this Act shall be quashed or vacated for Want of Form, nor shall the same be moved by Certiorari or otherwise into any of the Superior Courts.

No Proceeding to be quashed for Informality, &c.

CXXXVIII. And be it enacted, That where in this Act any Sum of Money, whether in the Nature of Penalty or otherwise, is directed to be levied by Distress, such Sum of Money shall be levied by Distress

Distress how to be levied.

tress and Sale of the Goods and Chattels of the Party liable to pay the same; and the Overplus (if any) arising from the Sale of such Goods and Chattels, after satisfying such Sum of Money, and the Expences of the Distress and Sale, shall be returned, on demand, to the Party whose Goods shall have been distrained.

Distress not unlawful for Want of Form.

CXXXIX. And be it enacted, That no Distress levied by virtue of this Act or any of the Powers herein contained shall be deemed unlawful, nor shall any Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall any Party be deemed a Trespasser *ab initio* on account of any Irregularity afterwards committed by him, but all Persons aggrieved by such Defect or Irregularity may recover full Satisfaction for the special Damage in an Action on the Case.

Form of Conviction.

CXL. And be it enacted, That in all Cases where any Person or Persons shall be convicted of any Offence against this Act, or any Matter in pursuance thereof, the Conviction shall be according to the Form in Schedule (D.) to this Act annexed.

Expences of Act.

CXLI. And be it enacted, That the Costs and Expences of or incident to the obtaining and passing this Act, with Interest on all Monies which shall have been advanced for that Purpose, shall be paid out of any Monies hereby authorized to be borrowed on Mortgage, and raised by the Rates to be made as aforesaid, or which shall otherwise come to the Hands of the Commissioners by virtue of this Act, in such Proportions or in such Manner as they shall think proper.

Interpretation of the Act.

CXLII. And be it enacted, That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number:

Words importing the Masculine Gender only shall include Females:

The Word "Month" shall mean Calendar Month:

The Word "Person" or the Word "Persons" shall include Corporations, whether aggregate or sole:

The Words "Superior Courts" shall mean Her Majesty's Superior Courts of Record at *Westminster*:

The Word "Oath" shall include Affirmation in case of Quakers, or other Declaration or Solemnity lawfully substituted for an Oath in case of any other Person exempted by Law from the Necessity of taking an Oath:

The Word "Owner" shall be construed to include any Person for the Time being in the actual Occupation of any Property rateable under this Act, and not let to him at Rack Rent, or any Person receiving the Rack Rent of any such Property, either on his own Account or as Mortgagee or other Incumbrancer in possession;

sion; and the Word "Rack Rent" shall be construed to mean any Rent which shall not be less than Two Thirds of the full improved net annual Value of any Property:

The Word "Justice" shall mean any Justice of the Peace acting within the Limits of this Act:

The Words "General or Quarter Sessions of the Peace" shall mean the General or Quarter Sessions of the Peace to be held in the County of *Surrey*:

The Expression "the District or Limits mentioned in this Act" shall include and be understood to include every Road, Square, Street, Lane, Court, Alley, or Place which under and by virtue of the Provisions of this Act are authorized to be lighted by the Commissioners:

The Word "Street" shall include any Square, Street, Court, or Alley, Footpath, Footway, Highway, Lane, Road, Thoroughfare, public Passage or Place, within the Limits of this Act:

The Word "Land" and the Words "House or Tenement" shall include Messuages, Buildings, Lands, Tenements, Hereditaments, and all other Property of any Kind, Tenure, or Description whatsoever:

The Expression "the Commissioners" shall mean the Commissioners for the Time being acting by virtue of this Act:

The Word "House" and the Words "Dwelling House" shall include any Messuage, Tenement, Warehouse, Manufactory, Building, or other Enclosure:

The Word "Gas" shall include, not only "Gas," but every Description of inflammable Air, and also Oil, Naphtha, and all other Substances or Materials with which Light may be supplied; and the Word "Gas Pipe" shall include, not only the Pipes through which such Gas or inflammable Air shall be supplied, but all other Pipes, Posts, Furniture, and Articles of or belonging to the Lamps and Lamp Posts:

The Words "Hackney Carriage" shall include any Coach, Omnibus, Car, Fly, Cabriolet, Gig, or such like Carriage:

The Word "Carriage" shall include any Coach, Omnibus, Chariot, Car, Fly, Cabriolet, Gig, Sociable, Lorry, Waggon, Timber Carriage, Float, Drag, Cart, Shandry, Sledge, Truck, Hand Cart, Wheelbarrow or Handbarrow:

The Word "Driver" shall include the Driver, Conductor, or Carter of any such Carriage:

The Word "Cattle" shall include any Horse, Mare, Gelding, Foal or Filly, Bull, Cow, Heifer, Ox, Calf, Ass, Mule, Ram, Ewe, Wether, Lamb, Goat, Kid, or Swine.

Act not to interfere with Act for lighting Clapham, except a Part of the Wandsworth Road;

CXLIII. And be it enacted, That nothing in this Act contained shall extend, or be deemed, construed, or taken to extend, to vary or diminish the Powers of an Act passed in the Twenty-fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for lighting and watching the Village of* Clapham, *and certain Roads leading thereto*, or to narrow or diminish the Limits and District of the said Act: Provided nevertheless, that it shall be lawful for the said Commissioners to light that Part of the *Wandsworth Road* which extends from *Matrimony Hill* to *Wix's Lane* aforesaid, and the Frontage

Frontage on the South Side thereof, not exceeding the Depth of One hundred Yards from the Centre of the said *Wandsworth Road*.

nor Lambeth Improvement Act.

CXLIV. Provided always, and be it enacted, That nothing in this Act contained shall extend, or be deemed or construed or taken to extend, to repeal, abridge, or lessen the Rights, Powers, Authorities, or Provisions contained in or granted by an Act passed in the Tenth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for watching, lighting, cleansing, and otherwise improving the Roads, Streets, and other public Passages and Places within the District left as belonging to the original Parish Church of* Saint Mary Lambeth *in the County of* Surrey, *and the Ecclesiastical District called the* Waterloo District, *in the same Parish*, except so far as the same might but for this Act have been construed to extend to *Upper Kennington Lane* aforesaid, it being the Intention hereof that the whole of the said Lane as herein-before defined, and also the South Side of *Lower Kennington Lane*, shall be under the exclusive Jurisdiction of the Commissioners by this Act appointed or hereafter to be appointed as herein-before provided.

Saving the Rights, &c. of the Surveyors of the Highways of Lambeth.

CXLV. Provided always, and be it enacted, That nothing in this Act contained shall extend, or be deemed, construed, or taken to extend, to repeal, abridge, lessen, or in any Manner interfere with the Rights, Powers, Authorities, or Provisions contained or granted in or by an Act of Parliament passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to consolidate and amend the Laws relating to Highways in that Part of* Great Britain *called* England, so far as the said Act relates to the Surveyors of the Highways of the Parish of *Saint Mary Lambeth* in the County of *Surrey*, and their Successors Surveyors of the Highways of the same Parish; but that the said Act, and all and every the said Rights, Powers, Authorities, and Provisions, shall, so far as the said Act, and all and every the said Rights, Powers, and Authorities, relate to the Surveyors of the Highways of the said Parish of *Saint Mary Lambeth*, and their Successors Surveyors of the same Parish, be and remain in as full Force and Effect, to all Intents, Constructions, and Purposes, as if this Act had not been made.

Saving the Rights of the Commissioners of Sewers.

CXLVI. Provided always, and be it enacted, That nothing in this Act contained shall extend, or be deemed or construed to extend, to prejudice or diminish, or alter, abridge, or take away, any of the Rights, Powers, or Authorities vested in the Commissioners of Sewers for the Limits extending from *East Moulsey* in the County of *Surrey* to *Ravensbourne* in the County of *Kent*, but all the Rights, Powers, and Authorities vested in them shall be as good, valid, and effectual as if this Act had not been passed.

Saving the Powers of the Duke of Cornwall as to the Duchy of Cornwall.

CXLVII. Provided always, and be it enacted, That nothing in this Act contained shall extend to abridge, lessen, or abrogate any of the Powers or Authorities by Law vested in the Council of His Royal Highness the Duke of *Cornwall* in relation to the Lands or Possessions of the Duchy of *Cornwall*.

CXLVIII. Pro-

Saving the Rights of the Duchy of Cornwall.

CXLVIII. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to alienate, defeat, vary, lessen, abrogate, or prejudice any Estate, Right, Title, Interest, Franchise, Royalty, Jurisdiction, or Authority of His Royal Highness the Duke of *Cornwall*, His Heirs or Successors, in right of His Duchy of *Cornwall*.

Public Act.

CXLIX. And be it 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.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

Form of Warrant of Distress.

to wit. } One of the Collectors of the Rates under the Act passed in the Year of the Reign of Her Majesty Queen Victoria, intituled [*here insert the Title of this Act*], and to all Constables.

WHEREAS the under-mentioned Persons, now or late Owners or Occupiers of the Premises within the have been duly rated in or are liable to the Payment of a Rate made on the Day of under the Authority of the said Act, and there are now due from them respectively the several Sums of Money against their Names herein-after respectively set down, which they have not paid, as appeareth upon Oath to me, One of Her Majesty's Justices of the Peace for the ; and the said several Persons having been duly summoned to appear before me to answer the Premises, and not having shown any sufficient Cause why such several Sums of Money should not be paid; These are therefore in Her Majesty's Name to require you or any of you forthwith to levy the said several Sums due as herein-before mentioned by Distress and Sale of the respective Goods and Chattels of the Persons aforesaid, rendering to them respectively the Overplus, if any, the reasonable Charges of such Summons, Warrant, Distress, and Sale being first deducted; and if no sufficient Distress can be had and taken, then that you certify the same to me, to the end that such further Proceedings may be had as the Law doth authorize and direct. And I do hereby strictly charge and command all and singular the Constables respectively to be aiding and assisting in all things relating to the Premises. Given under my Hand and Seal, this Day of 18 .

	£	*s.*	*d.*
A. B. - - - - -			
C. D. - - - - -			

SCHE-

SCHEDULE (B.)

Form of Mortgage Deed.

No. 1.

By virtue of an Act passed, *&c.*, intituled, *&c.*, we, Five of the Commissioners appointed in pursuance of the said Act, in consideration of the Sum of paid to the Banker or Treasurer to the said Commissioners by *A.B.* of for the Purposes of the said Act, do grant and assign unto the said *A.B.*, his Executors, Administrators, and Assigns, such Proportion of the Rates and other Monies arising or accruing by virtue of the said Act as the said Sum of Pounds doth or shall bear to the whole Sum which is or shall be borrowed upon the Credit of the said Rates or Assessments, to hold to the said *A. B.*, his Executors, Administrators, and Assigns, from this Day until the said Sum of with Interest at per Centum per Annum for the same, shall be fully paid and satisfied, and the Principal Sum to be repaid at the End of Years. In witness whereof we have hereunto set our Hands and Seals, this Day of One thousand eight hundred and .

SCHEDULE (C.)

Form of Transfer of Mortgage.

I *A.B.* of in consideration of the Sum of paid to me by *C.D.* of do hereby transfer to the said *C.D.*, his Executors, Administrators, and Assigns, a certain Mortgage, No. made by the Commissioners for executing the [*here insert the Title of the Act*], to bearing Date the Day of for securing the Sum of and Interest [*or, if such Transfer be by Endorsement*, the within Security], and all my Right, Estate, and Interest in and to the Money thereby secured, and in and to the Rates, Rents, and other Monies thereby assigned. In witness whereof I have hereunto set my Hand and Seal, this Day of One thousand eight hundred and .

SCHEDULE (D.)

Surrey to wit. } Be it remembered, That on the Day of in the Year of our Lord *A.B.* is convicted before me [*or* us], One [*or* Two] of Her Majesty's Justices of the Peace for the County of Surrey, by virtue of an Act passed in the Year of the Reign of intituled [*here insert*

insert the Title of this Act], for that the said *A.B.* did on the Day of in the Year of our Lord [*here state the Offence*], by reason whereof I [*or* we] do hereby adjudge the said *A.B.* to have forfeited [*if the Offender is to be fined*] the Sum of [*insert the Penalty*], together with the Sum of for Costs and Charges [*if any given*] [*or if to be imprisoned, then*] do adjudge the said *A.B.* to be committed to the [*naming the Gaol*] for the Space of [*insert the Time, and if the Commitment be for Nonpayment of the Penalty, then add*], unless the said Sum of shall be sooner paid.

Given under my [*or* our] Hand and Seal [*or* Hands and Seals], the Day and Year first above written.

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