ANNO QUINTO

GULIELMI IV. REGIS.

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3 G. 3. c. 23. *George* the Third, intituled *An Act to explain, amend, and render more effectual an Act made in the last Session of Parliament, intituled* ‘ *An Act for* ‘ *paving, cleansing, and lighting the Squares, Streets, and Lanes within the* ‘ *City and Liberty of* Westminster, *the Parishes of* Saint Giles in the Fields, ‘ Saint George the Martyr, Saint George Bloomsbury, *that Part of the* ‘ *Parish of* Saint Andrew's Holborn *which lies in the County of* Middlesex, ‘ *the several Liberties of the* Rolls *and* Savoy, *and that Part of the Duchy of* ‘ Lancaster *which lies in the County of* Middlesex, *and for preventing Annoy-* ‘ *ances therein; and for other Purposes therein mentioned:*’ And whereas another Act was passed in the Fourth Year of the Reign of King *George*
4 G. 3. c. 39. the Third, intituled *An Act to explain, amend, and render more effectual Two several Acts of Parliament made in the Second and Third Years of His present Majesty, for paving, cleansing, and lighting the Squares, Streets, and Lanes within the City and Liberty of* Westminster *and other Places therein mentioned, and for preventing Annoyances therein; and for other Purposes therein mentioned:* And whereas another Act was passed in the Fifth Year
5 G. 3. c. 50. of the Reign of King *George* the Third, intituled *An Act to enlarge the Powers of and to render more effectual the several Acts passed in the Second, Third, and Fourth Years of His present Majesty's Reign, for paving, cleansing, lighting, and otherwise regulating the Squares, Streets, and other Places within the City and Liberty of* Westminster *and other Parts in the said Acts mentioned, and for extending the Provisions of the said Acts to the* Surrey *Side of* Westminster Bridge, *and for enlarging the Powers of the said Acts with respect to Squares:* And whereas another Act was passed in the
11 G. 3. c. 22. Eleventh Year of the Reign of King *George* the Third, intituled *An Act to amend and render more effectual several Acts made relating to paving, cleansing, and lighting the Squares, Streets, Lanes, and other Places within the City and Liberty of* Westminster *and Parts adjacent:* And whereas another Act was passed in the Thirtieth Year of the Reign of King *George*
30 G. 3. c. 53. the Third, intituled *An Act to alter, explain, amend, and render more effectual several Acts made for paving, cleansing, and lighting the Squares, Streets, Lanes, and other Places within the City and Liberty of* Westminster *and Parts adjacent; and for putting certain Streets therein mentioned, commonly called Optional Streets, under the Management of Parochial Committees, subject to the Control of the Commissioners appointed by or in pursuance of the said several Acts; and for removing and preventing Nuisances, Annoyances, Obstructions, and Encroachments in the said Streets and other Places; and for other Purposes:* And whereas another Act was passed in the Fifty-ninth
59 G. 3. c. 23. Year of the Reign of King *George* the Third, intituled *An Act for subjecting certain Streets and Places within and adjacent to the Parish of* Saint James Westminster *in the County of* Middlesex, *called Optional Streets, to the same Rates for paving, cleansing, and lighting as the other Streets and Places within the said Parish; and for altering, so far as relates to the said Parish, certain Acts for paving, cleansing, and lighting the Streets and other Places within the City and Liberty of* Westminster *and Parts adjacent:* And whereas the Streets and public Places within the said Parishes of *Saint Margaret, Saint John the Evangelist,* and *Saint James,* the Precinct of the *Savoy,* the Liberty of *Saffron Hill, Hatton Garden,* and *Ely Rents,* (except such Part of the said last-mentioned Liberty as has been paved, lighted,
8 G. 3. c. 21. and cleansed by virtue of an Act made in the Eighth Year of the Reign of His Majesty King *George* the Third,) also certain Streets and Places following, (that is to say,) *Abingdon Street, Little Abingdon Street,* and Part of *College Street* in the said Parishes *of Saint Margaret* and *Saint*

John the Evangelist, and *Dartmouth Street*, *King Street*, and *Cannon Row* in the said Parish of *Saint Margaret*, and which said Streets and Places are called Optional Streets, and also certain Streets or Parts of Streets or Places adjacent thereto, (that is to say,) the South Side of *Coventry Street* which is in the Parish of *Saint Martin in the Fields* in the County of *Middlesex*, and the East Side of *Princes Street* which is in the Parish of *Saint Ann Westminster* in the said County of *Middlesex*, and also that Part of the Road adjoining to the Abutments of *Westminster Bridge* on the *Surrey* Side thereof, might be more conveniently paved or macadamized, repaired, lighted, watered, cleansed, regulated, or otherwise improved and kept free from Nuisances and Obstructions, and considerable Expence saved to the Inhabitants of the said several Parishes, Precinct, and Liberty, if the same were withdrawn from the Control and Jurisdiction of the Commissioners who were appointed under and by virtue of some or one of the said Acts herein-before recited, and were vested in Commissioners to be appointed or otherwise as hereafter mentioned: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, and by the Authority of the same, That from and after the Day on which Commissioners for carrying into execution the Purposes of this Act shall have been first elected under the Provisions herein-after contained, the said recited Acts of the Second, Third, Fourth, Fifth, Eleventh, Thirtieth, and Fifty-ninth Years of the Reign of King *George* the Third, so far as the same or any of them relate to paving, repairing, cleansing, lighting, and preventing Nuisances, Annoyances, and Obstructions in the several Squares, Streets, Lanes, Courts, Ways, Footways, Carriageways, Passages, and Places within the several and respective Parishes of *Saint Margaret*, *Saint John the Evangelist*, and *Saint James* within the Liberty of *Westminster* in the County of *Middlesex*, the Precinct of the *Savoy* within the same County, the Liberty of *Saffron Hill*, *Hatton Garden*, and *Ely Rents* in the Parish of *Saint Andrew's Holborn*, and to the several Streets or Places following, (that is to say,) *Abingdon Street*, *Little Abingdon Street*, and Part of *College Street*, situate in the said Parishes of *Saint Margaret* and *Saint John the Evangelist*, and also *Dartmouth Street*, *King Street*, and *Cannon Row*, situate in the said Parish of *Saint Margaret*, and which said several Streets or Places are called "Optional Streets," and also certain Streets or Parts of Streets or Places adjacent thereto, (that is to say,) the South Side of *Coventry Street* which is in the Parish of *Saint Martin in the Fields* in the County of *Middlesex*, and the East Side of *Princes Street* which is in the Parish of *Saint Ann Westminster* in the said County of *Middlesex*, and also that Part of the said Road adjoining the Abutments of *Westminster Bridge* on the *Surrey* Side thereof, and now called *Bridge Street*, in the Parish of *Saint Mary Lambeth* in the County of *Surrey*, shall be and the same are hereby declared to be repealed; and the Owners of Houses, Lands, and Tenements within the Limits of this Act shall be and are hereby exempted and discharged from all Rates and Assessments (except such as shall be made or levied under the Authority of this Act, and except as herein-after mentioned,) for or towards paving, repairing, cleansing, lighting, or improving the Squares, Streets, Lanes, Courts, Ways, Footways, Carriageways, and other Passages and Places within the Limits of this Act; and from and after the first Election of Commissioners for the Purposes of this Act the sole Power

Repeal of Parts of former Acts.

Owners of Houses, &c. within the Limits of this Act exempted from Rates.

Superintendence of paving, &c. vested in Commissioners for each Parish.

Power and Superintendence of the paving, repairing, cleansing, lighting, watering, and improving, and preventing Nuisances and Obstructions in the said Squares, Streets, Lanes, Courts, Ways, Footways, Carriageways, Passages, and Places, as well as the several Streets and Places formerly and commonly called "Optional Streets," within each of the said Parishes, Precinct, and Liberty, together with the South Side of *Coventry Street* and East Side of *Princes Street*, shall be and the same are hereby vested in the Commissioners to be elected for such Parish, Precinct, or Liberty respectively as herein mentioned.

Rates and Monies due under former Acts may be recovered by Commissioners for executing this Act.

II. Provided always, and be it further enacted, That all Rates and Assessments which before the passing of this Act shall have been duly and legally made, and all Fines and Penalties which shall have been incurred under or by virtue of the said recited Acts hereby repealed or either of them, on account of or in relation to either of the said Parishes, Precinct, or Liberty, or the said several Streets or Places called Optional Streets, and also all other Monies due to either of the said Parishes, Precinct, or Liberty, or to the Commissioners under or by virtue of the said recited Acts hereby repealed, or either of them, and which shall respectively remain uncollected or unpaid at the Time of the passing of this Act, shall and may be collected, recovered, and enforced in each of the said Parishes, Precinct, and Liberty by the Commissioners acting in the Execution of this Act, in the same Manner and by the same Ways and Means as if such Rates and Assessments had been made, and as if such Fines and Penalties had been incurred, and as if such Money were due under or by virtue of this Act.

Officers under former Acts to account with Commissioners acting under this.

III. And be it further enacted, That all Treasurers, Collectors, and other Officers and Persons who at the Time of the passing of this Act shall have in their Possession any Money, Books, Documents, Papers, Writings, or other Effects belonging to the Committee or Persons acting in each of the said Parishes, Precinct, and Liberty in the Execution of the said Acts hereby repealed, or any or either of them, shall be liable to account for and deliver up all such Money, Books, Documents, Papers, Writings, and Effects to the Commissioners to be elected in such Parish, Precinct, and Liberty, and acting in the Execution of this Act; and all other Persons who at the Time of the passing of this Act shall owe any Money to the Committee or other Persons acting in each of the said Parishes, Precinct, and Liberty, in the Execution of the said Acts hereby repealed or either of them, for or in respect of any Matter or Thing affecting or relating to any or either of those Acts, shall be liable to the Payment of such Money to the Commissioners acting in the Execution of this Act in such Parish, Precinct, and Liberty, and in case of Refusal or Neglect to pay the same shall be subject to the Provisions of this Act for the Recovery thereof as if such Money had become due under this Act.

Bonds, &c. under former Acts declared valid.

IV. Provided also, and be it further enacted, That all Contracts, Bonds, Mortgages, Assignments, Annuities, Grant, or Conveyances, Leases, and other Securities made or granted to or by any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, or any other Person or Persons whomsoever, acting by virtue of or under Authority of the said recited Acts or either of them hereby repealed, shall be as valid and effectual

effectual to all Intents and Purposes whatsoever as if such Acts had not been repealed.

Rates raised by this Act to be liable for Debts created under former Acts.

V. Provided also, and be it further enacted, That the several Rates in and by this Act authorized to be made or raised shall be and the same are hereby made respectively liable to the Payment of all Monies and Debts which at the Time of the passing of this Act are or shall be due and owing from or by the Commissioners or the respective Committee or Persons acting in such Parish, Precinct, Liberty, and Place under the said recited Acts, or for any other Purpose, Matter, or Thing arising out of the Execution of the said recited Acts, or any or either of them, and of all Interest due and to grow due thereon, as fully and effectually to all Intents and Purposes as if such Monies had become due on the Credit of this Act.

Proportion of Expence of former Commissioners to be paid.

VI. And be it further enacted, That the Proportion of the Monies hitherto paid by each of the said Parishes, Precinct, Liberty, and Optional Streets respectively towards the Salaries of the Clerk, Surveyor, Messenger, and other Officers of the Commissioners acting in the Execution of the said recited Acts hereby repealed, and of any other Expences to which each of the said Parishes, Precinct, Liberty, and Optional Streets respectively is liable under the said Acts, shall continue to be paid until the Twenty-ninth Day of *September* One thousand eight hundred and thirty-five; and from and after the said Twenty-ninth Day of *September* One thousand eight hundred and thirty-five all Contribution by each of the said Parishes, Precinct, Liberty, and Optional Streets respectively, towards any of the Expences of carrying into effect the said recited Acts hereby repealed, shall cease and utterly determine.

Commissioners under former Acts to account with Commissioners under this Act.

VII. And be it further enacted, That the Commissioners appointed by virtue of or acting under the said Acts hereby repealed, or any or either of such Acts, or any Three or more of them, shall and they are hereby required, within Three Calendar Months next after the passing of this Act, to make up and certify to the Commissioners for executing this Act in each of the said Parishes, Precinct, and Liberty, a full and particular Account of all Monies and uncollected Rates remaining in their Hands or Power relating to the several Squares, Streets, Lanes, and other public Passages and Places within or as to which their Jurisdiction is determined by this Act, including the said Optional Streets, and in which said Account all Matters relating to the said Optional Streets shall to all Intents and Purposes be incorporated with and deemed Part of the Account relating to the said Parishes of *Saint Margaret* and *Saint John the Evangelist, Westminster*, within which those Streets are situated; and the said Commissioners appointed by virtue of or acting under the said Acts hereby repealed, or any Three or more of such Commissioners respectively, shall and they are hereby authorized and required, within Four Calendar Months next after the passing of this Act, to transfer or pay to the Commissioners for executing this Act in each of the said Parishes, Precinct, and Liberty the Money which upon the Balance of such Accounts shall appear to be in their Hands or Power belonging to each such Parish, Precinct, and Liberty, to be applied by them respectively to and for the Purposes of this Act; and if upon making up the said Accounts it shall appear that a Balance is due from any of the said Parishes, Precinct, or

Liberty to the said Commissioners acting under the said Acts hereby repealed, the same shall be paid to or according to the Direction of those Commissioners by the Commissioners for executing this Act in such Parish, Precinct, or Liberty respectively; and if it shall appear from the Accounts so to be made up and certified by the said Commissioners appointed under the said Acts hereby repealed that any Surplus or Balances in their Hands, or subject to their Control, and that no Provision has by this Act been made for the Application thereof, the same shall be applied in or towards Payment of the Costs and Charges of and incident to obtaining this Act; and for that Purpose all Monies comprised in or forming any Part of such Surplus or Balance (whether arising from uncollected Rates or otherwise) may be levied and recovered by the said last-mentioned Commissioners in the same Manner, to all Intents and Purposes whatsoever, as if the said Acts hereby repealed had continued in full Force.

Certain Streets and Places declared to be under Control of Commissioners of St. James's.

VIII. And be it further enacted, That for the Purposes of this Act certain Streets or Parts of Streets, or Places adjacent thereto, (that is to say,) the South Side of *Coventry Street* which is in the Parish of *Saint Martin in the Fields* in the County of *Middlesex*, and the East Side of *Princes Street* which is in the Parish of *Saint Ann Westminster* in the same County, shall be deemed and taken and are hereby declared to be within and under the Jurisdiction and Control of the Commissioners acting under this Act for the said Parish of *Saint James*, and to be subject to the Provisions of this Act, in the same Manner as if such Streets or Parts of Streets, or Places adjacent thereto, were Part and Parcel of the said Parish of *Saint James*.

Appointment of Commissioners in St. Margaret's;

IX. And be it further enacted, That the Vestrymen of the said Parish of *Saint Margaret* shall and are hereby empowered and required to meet and assemble in the Vestry Room belonging to the said Parish, or in such other Place as may be appointed for that Purpose by the Churchwardens of the said Parish, upon the Second *Thursday* after the passing of this Act, or within Twenty-one Days next thereafter, and on the Second *Thursday* in the Month of *February* in every succeeding Year, or within Twenty-one Days next thereafter, between the Hours of Ten in the Forenoon and Two in the Afternoon; and the Vestrymen present at such respective Meetings, or the major Part of them, shall and may elect and appoint Twelve Persons, being Householders residing in the said Parish of *Saint Margaret* and within the Jurisdiction of this Act, and duly qualified as in this Act mentioned, to be Commissioners for the Purposes of this Act; and the Vestrymen of the Parish of *Saint John the Evangelist* shall and are hereby empowered and required to meet and assemble in the Vestry Room belonging to the said Parish, or in such other Place as may be appointed for that Purpose by the Churchwardens of the said last-mentioned Parish, upon the Second *Thursday* after the passing of this Act, or within Twenty-one Days next thereafter, and on the Second *Thursday* in the Month of *February* in every succeeding Year, or within Twenty-one Days next thereafter, between the Hours of Ten in the Forenoon and Two in the Afternoon; and the Vestrymen present at such respective Meetings, or the major Part of them, shall and may elect and appoint Eight Persons, being Householders residing in the said Parish of *Saint John the Evangelist* and within the Jurisdiction of this Act, and duly

in St. John the Evangelist.

duly qualified as in this Act mentioned, to be Commissioners for the Purposes of this Act; and the several Persons so from Time to Time elected at such respective Meetings shall be and are hereby declared to be joint Commissioners for carrying the several Purposes of this Act into execution in the said Parishes of *Saint Margaret* and *Saint John the Evangelist*, and shall be called and known by the Name of "The Commissioners for paving and improving the Parishes of *Saint Margaret* and *Saint John Westminster*."

Appointment of Commissioners in St. James's.

X. And be it further enacted, That the Vestrymen of the said Parish of *Saint James* shall and are hereby empowered and required to meet and assemble in the Vestry Room belonging to the said last-mentioned Parish, or in such other Place as may be appointed for that Purpose by the Churchwardens of the said Parish, upon the Second *Thursday* after the passing of this Act, or within Twenty-one Days next thereafter, and on the Second *Thursday* in the Month of *February* in every succeeding Year, or within Twenty-one Days next thereafter, between the Hours of Ten in the Forenoon and Two in the Afternoon; and the Vestrymen present at such last-mentioned respective Meetings, or the major Part of them, shall and may elect and appoint Twenty-one Persons, being Householders residing in the said Parish of *Saint James* and within the Jurisdiction of this Act, and duly qualified as in this Act mentioned, to be Commissioners for the Purposes of this Act; and the several Persons so from Time to Time elected at such respective Meetings shall be and are hereby declared to be Commissioners for carrying the several Purposes of this Act into execution in the said Parish of *Saint James*, and shall be called and known by the Name of "The Commissioners for paving and improving the Parish of *Saint James Westminster*."

Appointment of Commissioners in the Precinct of the Savoy.

XI. And be it further enacted, That the Inhabitants of the Precinct of the *Savoy* aforesaid, who have a Right to assemble in Vestry or other public Meetings in and for the said Precinct, shall and are hereby empowered and required to meet and assemble in the Vestry Room or other usual Place of Meeting for transacting the public Business of the said Precinct, upon the Second *Thursday* after the passing of this Act, or within Twenty-one Days next thereafter, and on the Second *Thursday* in the Month of *February* in every succeeding Year, or within Twenty-one Days next thereafter, between the Hours of Ten in the Forenoon and Two in the Afternoon; and the Persons present at such respective Meetings, or the major Part of them, shall and may elect and appoint any Number of Persons not exceeding Twelve nor less than Seven, being Householders and residing in the said Precinct and within the Jurisdiction of this Act, and duly qualified as in this Act mentioned, to be Commissioners for the Purposes of this Act; and the several Persons so from Time to Time elected at such respective Meetings shall be and are hereby declared to be Commissioners for carrying the several Purposes of this Act into execution in the said Precinct of the *Savoy*, and shall be called and known by the Name of "The Commissioners for paving and improving the Precinct of the *Savoy*."

Appointment of Commissioners for Part of the

XII. And be it further enacted, That the Inhabitants who have a Right to assemble in Vestry or other public Meetings in and for that Part of the said Liberty of *Saffron Hill, Hatton Garden,* and *Ely Rents* which has not been

Liberty of Saffron Hill, Hatton Garden, and Ely Rents.
8 G. 3. c. 21.

been paved, lighted, and cleansed by virtue of an Act of Parliament made in the Eighth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for the better paving, cleansing, and enlightening the City of* London *and the Liberties thereof, and for preventing Obstructions and Annoyances within the same, and for other Purposes therein mentioned, and for repealing an Act made in the Sixth Year of His present Majesty's Reign for those Purposes*, shall and are hereby empowered and required to meet and assemble in the Vestry Room or other usual Place of Meeting for transacting the public Business of the said Liberty upon the Second *Thursday* after the passing of this Act, or within Twenty-one Days next thereafter, and on the Second *Thursday* in the Month of *February* in every succeeding Year, or within Twenty-one Days next thereafter, between the Hours of Ten in the Forenoon and Two in the Afternoon; and the Persons present at such respective Meetings, or the major Part of them, shall and may elect and appoint any Number of Persons not exceeding Twenty-one nor less than Seven, being Householders residing in such Part of the said Liberty of *Saffron Hill, Hatton Garden*, and *Ely Rents* as aforesaid, and within the Jurisdiction of this Act, and duly qualified as in this Act mentioned, to be Commissioners for the Purposes of this Act; and the several Persons so from Time to Time elected at such respective Meetings shall be and are hereby declared to be Commissioners for carrying the several Purposes of this Act into execution in such Part of the said Liberty of *Saffron Hill, Hatton Garden*, and *Ely Rents* as aforesaid, and shall be called and known by the Name of "The Commissioners for paving and improving the Liberty of *Saffron Hill* in the County of *Middlesex*."

Notice to be given of Meeting for Appointment of Commissioners.

XIII. Provided always, and be it further enacted, That Notice of the Time and Place of the respective Meetings for the Appointment of Commissioners in each of the said Parishes, Precinct, and Liberty, signed, as to the First Meeting of the Vestrymen, in and for the said Parishes of *Saint Margaret, Saint John the Evangelist*, and *Saint James*, and the Inhabitants having a Right to assemble in Vestry or other public Meetings in and for the said Precinct and Liberty as aforesaid, by the Clerk of the Committee appointed under the Powers of the said Act of the Eleventh Year of the Reign of King *George* the Third hereby repealed, and as to all subsequent Meetings by the Clerk of the Commissioners acting in the Execution of this Act in each of the Parishes, Precinct, and Liberty, shall be given in the Churches of the said respective Parishes, and the Churches or Chapels of the Precinct and Liberty, on the *Sunday* next preceding such Meetings respectively.

Powers of present Committees to continue till Election of Commissioners under this Act.

XIV. And be it further enacted, That the Committee-men elected and appointed for carrying into execution the said Acts hereby repealed, or any or either of them, in either of the said Parishes, Precinct, or Liberty, shall continue to perform the Duties by those Acts imposed upon them until the Election of Commissioners under the Authority of this Act in such Parish, Precinct, or Liberty, notwithstanding the Year for which such Committee-men were elected shall have expired in the meantime.

Qualification of Commissioners.

XV. And be it further enacted, That no Person shall be capable of being elected or of acting as a Commissioner in the Execution of this Act unless he shall be an Householder and Resident within the Parish,

Precinct, or Liberty for which he shall be elected, and also within the Jurisdiction of this Act, and shall also be seised or possessed of Real or Personal Estate, or of Real and Personal Estate together, of the Value of One thousand Pounds at the least, or shall be assessed to and pay the Rates made for the necessary Relief of the Poor of the said Parish, Precinct, or Liberty for and in respect of the Tenement and Premises on which he is resident therein, and who shall be rated and assessed at the yearly Rent or Value of Forty Pounds at the least; nor shall any Person be capable of being elected or of acting as such Commissioner who shall hold any Office of Profit under this Act, or have any Share or be any way, either directly or indirectly, interested or concerned in any Contract or Work to be done in pursuance of this Act in the Parish, Precinct, or Liberty in or for which he shall be so elected and act; and if any Person not being qualified, or being disqualified as aforesaid, shall act as a Commissioner in the Execution of this Act, he shall for every such Offence forfeit and pay the Sum of Fifty Pounds, together with full Costs of Suit, to any Person who shall sue for the same, to be recovered in any of His Majesty's Courts of Record by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, Wager of Law, or more than One Imparlance, shall be allowed; and every Person so prosecuted shall prove he was at the Time of acting qualified as aforesaid, or otherwise shall pay the said Penalty, without any other Proof on the Part of the Prosecutor that such Person hath acted as Commissioner in the Execution of this Act: Provided nevertheless, that all Acts and Proceedings of any Person so acting as such Commissioner in the Execution of this Act, and not being qualified or being disqualified as aforesaid, shall, notwithstanding such Conviction, be as valid and effectual as if such Person had been qualified according to the Directions of this Act: Provided also, that no Justice of the Peace shall be disqualified from acting as such Justice in any Case within his Jurisdiction in the Execution of this Act by reason only of his being a Commissioner for executing this Act.

First and other Meetings of Commissioners,

XVI. And be it further enacted, That the Commissioners for executing this Act in and for the said Parishes of *Saint Margaret* and *Saint John* shall meet together in the Vestry Room of the said Parish of *Saint Margaret*, and the Commissioners for the said Parish of *Saint James* in the Vestry Room of that Parish, and the Commissioners for the said Precinct in such Place within that Precinct as they shall appoint, and the Commissioners for the said Liberty in such Place within that Liberty as they shall appoint, within Twenty-one Days next after they shall have been elected as herein-before mentioned, and shall then and there proceed in the Execution of this Act; and in case no Commissioner, or less than Three Commissioners, shall attend at such Meeting, the same shall be deemed as adjourned to the same Day in the following Week, and so *toties quoties* until a sufficient Number of Commissioners shall attend thereat to act in the Execution of this Act; and the said Commissioners may at such Meeting and at their several Meetings from Time to Time adjourn themselves, and afterwards meet again as they shall from Time to Time appoint, provided that no such Adjournment shall be made for a longer Space of Time than Three Calendar Months; and if at any such Meeting there shall not appear a sufficient Number of Commissioners to act or adjourn, or if the Commissioners appearing shall not adjourn such Meeting,

ing, the Clerk of the said Commissioners shall and may from Time to Time, and as often as the Case shall happen, adjourn such Meeting to some other Day within Eight Days then next following, to be held at the same Place, and shall cause Notice of such Adjournment to be given at least Two Days previous to the Day to which such Meeting shall be adjourned, by leaving such Notice at the usual Place of Abode of each of the said Commissioners.

Proceedings to be had at Meetings.

XVII. And be it further enacted, That all Orders and Proceedings of the Commissioners in the Execution of this Act shall be made and taken at a Meeting or Meetings to be held in pursuance hereof, and not otherwise (except in Cases hereby specially provided for), and no Order or Proceeding shall be made or taken at any such Meeting unless the Majority of the Commissioners present thereat shall concur therein; and all Orders and Proceedings which are hereby directed to be made or taken by or before the said Commissioners, and all the Powers and Authorities hereby vested in them generally, shall and may be made, taken, or exercised by the Majority of the Commissioners who shall be present at the respective Meetings of such Commissioners, the whole Number of Commissioners present at every such Meeting not being less than Three (except in Cases where any other Number is by this Act named for any particular Purpose); and all Orders or Proceedings so made or taken by or before such Three Commissioners (or other Number as herein-before mentioned, as the Case may require,) shall have the same Force and Effect, and be as binding and conclusive on all Persons, and to all Intents and Purposes, as if the same had been made or taken by or before all such Commissioners; and at every such Meeting the Commissioners present shall and may appoint a Chairman; and the Chairman, in case of an equal Number of Votes (including such Chairman's Vote), shall have a second or deciding Vote; and no Order or Proceeding at any Meeting of the said Commissioners once made or taken shall be revoked or altered at any subsequent Meeting, unless Notice of the Intention to propose the Revocation or Alteration thereof shall have been given at a previous Meeting held pursuant to the Directions of this Act, and shall have been entered in the Book of the Proceedings of such Commissioners, nor unless such Revocation or Alteration shall be agreed to by at least as great a Number of Commissioners as agreed to the Order or Proceeding so made or taken as aforesaid.

Meetings on Emergencies.

XVIII. Provided always, and be it further enacted, That if it shall on an Emergency be thought necessary that a Meeting of the Commissioners should be held, it shall be lawful for any Three or more of the said Commissioners, or for the Clerk of the said Commissioners by an Order in Writing signed by any Three or more of the Commissioners, although not assembled at a Meeting under this Act, to appoint such Meeting by Notice in Writing, mentioning the Time, Place, and Object of such Meeting, such Time not being less than Two Days after the Day of giving the Notice of such Meeting; and the said Commissioners shall thereupon meet accordingly, and all Orders and Proceedings of the said Commissioners at such Meeting, relating to the particular Subject on which such Meeting shall have been called, shall be as valid as they would have been in case such Commissioners had met in pursuance of Adjournment; and such Meeting may be adjourned to and be held at such Time and Place

as the said Commissioners shall think proper, in the same Manner as any other Meeting may be adjourned under this Act.

Appointment of Officers.

XIX. And be it further enacted, That it shall be lawful for the said Commissioners, or any Five or more of them, from Time to Time, at any of their Meetings to be held as herein-before directed, to elect or appoint a Treasurer or Banker, and also a Clerk, Surveyor, Inspector, Collector or Collectors, and such other Officers as the said Commissioners shall think proper for the due Execution of this Act; and it shall be lawful for the said Commissioners, or any Five or more of them, from Time to Time at any of their Meetings to remove, suspend, or displace all or any of such Officers as they shall see Occasion, and to appoint others in the Room or Place of such of them as shall be removed, suspended, or displaced, or in the Room of such of them as shall die or resign their Offices, and also to pay such Salaries or make such other Allowances to such Officers as the said Commissioners shall judge necessary and reasonable; and the said Commissioners shall and are hereby required to take sufficient Security from every such Treasurer and Collector or Collectors, and may also take such Security from every such other Officer, as they may think necessary for the due and faithful Execution of his Office.

Present Officers to continue in Office, unless removed by Commissioners.

XX. Provided always, and be it further enacted, That the Clerks and Treasurers (if appointed consistently with the Provisions of this Act in reference to the Offices of Clerk and Treasurer), and the Surveyors, Inspectors, and all other Officers or Persons appointed under the said Acts or either of them hereby repealed, and in the Employment of the respective Committees of the said Parishes, Precinct, or Liberty at the Time of the Commencement of this Act, shall hold and enjoy their respective Offices and Employments until removed therefrom by the Commissioners for executing this Act; and all such Officers and Persons shall have the same Powers, Privileges, and Advantages in the Execution of this Act, and they and their Sureties shall be liable to the same Penalties, Obligations, Restrictions, and Regulations in every respect, as if such Officers or Persons respectively had been appointed under and by virtue of this Act.

Clerk and Treasurer not to be the same Person, &c.

XXI. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners in either of the said Parishes, Precinct, or Liberty to appoint their Clerk in the Execution of this Act, or the Partner or any Person in the Service or Employ of such Clerk, to be their Treasurer for the Purposes of this Act, or to continue or appoint their Treasurer, or the Partner of any such Treasurer, to be the Clerk of the said Commissioners; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk to the said Commissioners, or in his Service or Employ, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Partner of any such Treasurer, or in his Service or Employ, shall accept the Office of Clerk to the said Commissioners, or shall act as Deputy of or in any Manner officiate for such Clerk, or if any such Treasurer shall hold or accept any Place or Office of Profit or Trust under the said Commissioners other than that of Treasurer, every such

such Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt.

Commissioners to sue and be sued in the Name of their Clerk or of any One Commissioner.

XXII. And be it further enacted, That all Actions and Suits to be commenced or instituted by or on behalf of the said Commissioners shall and lawfully may be commenced or instituted and prosecuted in the Name of their Clerk for the Time being, or of any One of the said Commissioners, as a nominal Plaintiff for or on behalf of the said Commissioners; and all Actions or Suits to be commenced or instituted against the said Commissioners shall be commenced, instituted, and prosecuted against their Clerk, or against any One of the said Commissioners for the Time being, as the nominal Defendant; and no Action or Suit which may be so commenced, instituted, or prosecuted by or against the said Commissioners in the Name of their Clerk or of any One of the said Commissioners shall abate or be discontinued by the Death, Resignation, Suspension, or Removal of such Clerk or Commissioner, or by any Act or Default of such Clerk or Commissioner done or suffered without the Consent or Direction of the said Commissioners, but such Clerk or Commissioner shall be always deemed Plaintiff or Defendant, as the Case may be, in every such Action or Suit: Provided always, that in all Cases in which the Clerk of the said Commissioners or any One of the said Commissioners as aforesaid shall be the Plaintiff or Defendant on the Record in any Action or Proceeding in which in effect the said Commissioners shall be suing or be sued, pleading or impleaded, in the Name of such Clerk or of any such Commissioner as aforesaid, such Clerk or such Commissioner (as the Case may be) may and shall, if not otherwise interested, be a good and competent Witness in any such Action or Proceeding either for or against the said Commissioners; and all Affidavits of Debt or Service which may be necessary to be made in reference to any such Action or Proceeding may be lawfully made by such Clerk or by such Commissioner (as the Case may be), notwithstanding he shall be nominal Plaintiff or Defendant on the Record as aforesaid: Provided always, that no such Clerk or Commissioner in whose Name as such nominal Plaintiff any Action or Suit shall be commenced or prosecuted by the said Commissioners, or against whom as such nominal Defendant any Action shall be commenced or prosecuted, shall by reason thereof be liable to or become chargeable with any Costs, Damages, or Expences, but that every Plaintiff suing the said Commissioners in the Name of their said Clerk or of any One of the said Commissioners shall, on obtaining Judgment in any such Action or Suit, have the like Remedies for Satisfaction thereof as if the said Commissioners had been made Defendants in such Action or Suit.

Minutes of Proceedings of Commissioners to be kept.

XXIII. And be it further enacted, That regular Entries shall be made, in some Book or Books to be provided for that Purpose, of the Commissioners who shall attend at each of the Meetings of the said Commissioners, and of all their Orders and Proceedings, and such Entry shall be read as the first Business of the next succeeding Meeting of the said Commissioners; and the Chairman of every such Meeting at which the same shall be read shall, if such Entries be correctly made, subscribe his Name to the same; and all such Entries, being so signed, shall be deemed Originals,

Originals, and shall be allowed to be read in Evidence in all Courts whatsoever, and in all Suits, Actions, and Proceedings relating to any thing done in pursuance of this Act; and every such Book shall at all reasonable Times be open to the Inspection of the Inhabitants of such Parish, Precinct, or Liberty respectively, who shall be rated to any of the Purposes of this Act, without Fee or Reward; and if the Clerk or Person having the Custody thereof shall not permit such Persons as aforesaid, or any of them, so to inspect such Book or Books, such Clerk or Person shall forfeit and pay for every such Offence the Sum of Five Pounds.

Books of Accounts to be kept.

XXIV. And be it further enacted, That the said Commissioners shall cause a proper Book 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 Monies received and expended under the Authority of this Act, and of the several Articles, Matters, and Things, and the several Purposes for which the same shall have been expended, all which Book or Books shall at all seasonable Times be open to the Inspection of the said Commissioners, and of all Persons rated under the Authority of this Act, and of any Creditor or Creditors on such Rates, without Fee or Reward; and the said Clerk shall and is hereby required to make and furnish Copies of or Extracts from such Accounts to all such Persons who shall require the same, upon Payment of the Sum of Sixpence for every Ninety Words of such Copies or Extracts; and if the Clerk having the Custody of such Book or Books shall not permit the said Commissioners and Persons and Creditors as aforesaid, or any of them, to inspect the same, or shall not furnish such Extracts or Copies as aforesaid, such Clerk shall forfeit and pay any Sum not exceeding Twenty Shillings for every such Offence; and all such Books, with all Bills, Receipts, Vouchers, and Documents touching or concerning the same respectively, at a Meeting of the said Commissioners to be held annually for that Purpose on some Day prior to the annual Election of Commissioners, shall by the said Clerk be produced to the said Commissioners, to be by them examined and allowed.

A certificated Copy of the Accounts to be laid before the Vestries yearly, and deposited with the Vestry Clerk for Inspection of Inhabitants.

XXV. And be it further enacted, That a true Copy of the said Accounts, certified by the Clerk of the said Commissioners, shall, in the Month of *January* in every Year, be laid before the Vestry of each of the said Parishes, Precinct, and Liberty, and shall be deposited and kept in the Office of the Vestry Clerk of each of the said Parishes, Precinct, and Liberty, together with the Amount of all Monies by the said Commissioners rated and assessed, and at how much in the Pound, and the total Amount of so much of such Rates as shall appear to be collected and received, and of so much thereof as shall be in arrear and unreceived; and that such Copy and Account shall be open to the Inspection of all Persons liable to pay any of the Rates assessed in pursuance of this Act, at all convenient Times, without Fee or Reward.

Officers to account when required.

XXVI. And be it further enacted, That every Officer so continued or appointed by the said Commissioners as herein-before mentioned shall, at such Times and in such Manner as the said Commissioners shall direct, deliver to the said Commissioners or to such Persons as they shall appoint true and perfect Accounts in Writing of all Matters and Things committed to his Charge by virtue of this Act, which Accounts shall show

the Money received and also the Money expended by such Officer by virtue or for the Purposes of this Act, and the Objects of such Expenditure, together with proper Vouchers for such Payments; and every such Officer shall pay over all such Money as shall remain due from him to the said Commissioners, or to such Persons as they shall appoint to receive the same; and if any such Officer shall refuse or neglect to render such Account, or to produce and deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or to deliver to the said Commissioners, or to such Person or Persons as they shall appoint to receive the same, within Seven Days after being thereunto required by the said Commissioners, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, or to give Satisfaction to the said Commissioners respecting the same, then and in every such Case, upon Complaint by the said Commissioners or by such Persons as they shall appoint for that Purpose, of any such Refusal or wilful Neglect as aforesaid, to any Justice of the Peace for the County, City, or Place wherein such Officer shall be or reside, such Justice is hereby authorized and required to issue a Summons under his Hand and Seal for the Officer so refusing or neglecting to appear before him, or before some other Justice of the Peace; and upon such Officer appearing, or having been summoned and not appearing without some reasonable Excuse, or not being found, it shall be lawful for such Justice to hear and determine the Matter in a summary Way; and if upon the Confession of the Party, or by the Testimony of any credible Witness upon Oath, it shall appear to such Justice that any Money remains due from such Officer, such Justice is hereby authorized and required, upon Nonpayment thereof, by Warrant under his Hand and Seal to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer; and if sufficient Goods or Chattels of such Officer shall not be found to answer and satisfy the said Money and the Charges of such Distress and Sale, or if it shall appear to such Justice that such Officer has refused or wilfully neglected to render such Accounts or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of this Act remain in his Custody, and he refuses or wilfully neglects to deliver or give Satisfaction respecting the same as aforesaid, then and in every such Case such Justice is hereby required to commit such Offender to any Common Gaol or House of Correction, there to remain without Bail or Mainprize until he shall have paid such Money as aforesaid, or have compounded with the said Commissioners for such Money, and have paid such Composition (which Composition they are hereby empowered to make and receive), or until he shall have rendered such Accounts and have produced the Vouchers relating thereto, or until he shall have delivered up such Books, Papers, and Writings, or have given Satisfaction in respect thereof to the said Commissioners, but no such Offender shall be detained in Prison by virtue of this Act for any longer Space of Time than Six Calendar Months for Want of sufficient Distress only: Provided always, that no Prosecution or Commitment under the Provisions of this Act of any such Officer as aforesaid shall invalidate, release, or discharge any Security which may have been given or executed by any Person as Surety for any such Officer to the said Commissioners for the faithful Execution of his Office, or for the Payment of any Money received or to be received by him.

XXVII. And

Pavement, &c. vested in the Commissioners.

XXVII. And be it further enacted, That the Right and Property of all Pavements, Stones, Bricks, Posts, Carts, Horses, Iron, Timber, Furniture, Pumps, Pales, Rails, Chains, Gas and other Lamps, Lamp Irons, Pipes, Columns, and Posts, and Materials, Articles, Matters, and Things, purchased, provided, or obtained for the Purpose of the said Acts hereby repealed, or which shall hereafter be purchased, provided, or obtained for the Purposes of this Act (except when the same shall have been or shall be otherwise regulated by Contracts), shall belong to and be the Property of and are hereby vested in the Commissioners for the Time being elected or appointed under this Act for paving and improving the respective Parishes or Parish, Precinct, or Liberty by or for which the same shall have been or shall be so purchased, provided, or obtained; and the said Commissioners may bring any Action or prefer any Bill of Indictment (as the Case may require) against any Person who shall steal or detain, destroy or injure, any or any Part of the said Articles and Things hereby vested in the said Commissioners; and in all such Actions and Bills of Indictment respectively it shall be sufficient to state generally that the Article or Articles, Thing or Things, for or on account of which such Action or Actions shall be brought, or Bill or Bills of Indictment preferred, is or are the Property of "The Commissioners for paving and improving the Parishes of *Saint Margaret* and *Saint John Westminster*, or the Parish of *Saint James Westminster*, or the Precinct of the *Savoy*, or the Liberty of *Saffron Hill*, in the County of *Middlesex*," (as the Case may be,) without particularly stating or specifying the Name or Names of all or any of the Commissioners; and the said Commissioners in the said Parishes, Precinct, and Liberty shall have full Power and Authority from Time to Time to sell and dispose, for the Purposes of this Act, of all or any Part of the said Articles and Things to such Persons and in such Manner as the said Commissioners shall think proper.

Commissioners empowered to light Streets, &c.

XXVIII. And be it further enacted, That it shall be lawful for the said Commissioners in each of the said Parishes, Precinct, and Liberty to cause the several Squares, Streets, Lanes, Courts, Ways, Footways, Carriageways, Passages, and Places within such Parish, Precinct, or Liberty, or such of them as they shall from Time to Time think proper, to be well and sufficiently lighted at such Times and in such Manner as they shall direct; and it shall be lawful for the said Commissioners to provide and set up Lamps and other Apparatus and Works necessary for the Purposes of such lighting, and also to affix, carry, or place any such Lamp or Works to, upon, or against any Buildings or Premises, and to alter or remove and repair the same in such Manner as shall from Time to Time become necessary.

Commissioners not to carry Gas Pipes into private Premises without Consent.

XXIX. Provided also, and be it further enacted, That nothing herein contained shall authorize or empower the said Commissioners or any Persons whomsoever making or supplying Gas to carry or affix any Pipe or other Thing for the Conveyance of Gas for the lighting of any of the said Squares, Streets, Lanes, Courts, Ways, Passages, or Places against, through, or into any private Buildings or Premises within the said Parishes, Precinct, or Liberty, or so to continue the same, without the special Consent and Authority of the Owner and Occupier of every such Building or Premises.

XXX. And

Gas Pipes to be laid at a Distance from Water Pipes.

XXX. And be it further enacted, That all Pipes to be laid for the Conveyance of Gas in or under any of the said Squares, Streets, Lanes, and other public Passages and Places within the Limits of this Act, shall be so laid at the greatest practicable Distance, and whenever the Width of the Carriageway will allow thereof at the Distance of Four Feet at least from the nearest Part of any Water Pipe, except where it shall be unavoidably necessary to lay any Gas Pipe across any Water Pipe, in which Case such Gas Pipe shall be laid above such Water Pipe at the greatest practicable Distance therefrom, and shall form therewith a Right Angle; and in such Case the Length of the said Gas Pipe so crossing the said Water Pipe shall always exceed Nine Feet, in order that no Joint of the said Gas Pipe may be nearer to any Part of the said Water Pipe than Four Feet; and in laying down such Gas Pipes the Person laying the same shall in no Case join Two or more Gas Pipes together previously to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall then in such Trench properly form and complete the Jointing with the other Pipes to be connected therewith, and shall also make and keep air-tight all such Pipes, and all Pipes connected or communicating therewith, and in every respect prevent the said Gas from escaping, upon pain of forfeiting for every Default the Sum of Twenty Pounds, to be recovered, with full Costs of Suit, by Action of Debt, Bill, Plaint, or Information in any of His Majesty's Courts of Record at *Westminster*.

For preventing the Escape of Gas.

XXXI. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall have been laid down or set up by any Company of Proprietors, Body Politic or Corporate, or other Persons whomsoever, making or supplying any Gas used or consumed within the Limits of this Act, such Company, Body, or other Person shall, immediately after Notice of any such Escape of Gas, cause the most speedy and effectual Measures to be taken to stop and to prevent the further Escape of such Gas; and in case any such Company, Body, or other Persons shall not within Twenty-four Hours next after such Notice given effectually stop and prevent any further Escape of such Gas, then and in every such Case such Company, Body, or other Person as aforesaid shall for every such Offence forfeit and pay the Sum of Five Pounds for each Day, after the Expiration of Twenty-four Hours from the Time of giving such Notice, during which such Gas shall be suffered to escape.

To prevent Contamination of Water by Gas.

XXXII. And be it further enacted, That whenever the Water of any Waterworks supplying with Water the Limits of this Act, or the Water in any Well within such Limits, shall be contaminated or affected by the Gas of any Company of Proprietors, Body Politic or Corporate, or other Persons whomsoever, making or supplying any Gas used or consumed within the said Limits, such Company or other Persons as aforesaid shall forfeit and pay the Sum of Twenty Pounds, and the same shall be paid or applied to and for the Use and Benefit of the Owners or Proprietors of such Waterworks, or of the Persons owning or using the Water of such Well as aforesaid, and suing for the same; and the said Company, Body, or other Persons as aforesaid shall also, within Twenty-four Hours next after Notice of such Contamination in Writing, signed by the Treasurer or Clerk for the Time being to, or by any Member of, any Company, or by other the Owners or Proprietors of any Waterworks, or by any other

Person interested in or using any Water so contaminated, to be left at the usual Office or Place of transacting Business of the said Company or Body, or at the last or usual Place of Abode of such other Persons so making or supplying Gas as aforesaid, cause Measures to be taken effectually to prevent the Gas from further escaping from their Works and contaminating such Water; and in case the said Company, Body, or other Persons as aforesaid shall not within Twenty-four Hours next after such Notice effectually prevent the Gas from further escaping, and satisfactorily remove the Cause of the Complaint whereof Notice shall have been given as aforesaid, then and in every such Case the said Company, Body, or other Persons as aforesaid shall on each and every such Complaint forfeit and pay, over and above the afore-mentioned Penalty of Twenty Pounds, the Sum of Ten Pounds for each and every Day during which such Water shall be and remain contaminated by any such Case; and the same shall be paid and applied to the Use and Benefit of the Owners or Proprietors of such Waterworks, or of the Persons using or owning the Water of such Well as aforesaid, and suing for the same.

For ascertaining if Water be contaminated.

XXXIII. And whereas it may become Matter of Question, upon such Complaint as aforesaid, whether the said Water be contaminated by the Gas of the said Company of Proprietors, Body Politic or Corporate, or other Person making or supplying any Gas used or consumed within the said Limits; be it therefore enacted, That in every such Case it shall be lawful for the Owners or Proprietors of such Waterworks, or for the Persons interested in such Well, to dig to and about and search and examine the Works and Apparatus of the said Company, Body, or other Persons as aforesaid, for the Purpose of ascertaining whether such Contamination be occasioned by the Gas of the said Company, Body, or other Persons; and if it shall appear that the said Water has been contaminated by the Gas of the said Company or other Persons, the Costs and Expences of such Examination, and of the Repair of the Pavement or Surface of the Street or Place which shall have been disturbed by such Examination, shall be defrayed by the said Company, Body, or other Persons; and such Costs and Expences shall be determined, if necessary, by the Justice before whom the Matter shall be heard, and be recovered in like Manner as any Penalty may be recovered under this Act: Provided always, that if upon such Examination it shall appear that such Contamination has not arisen from such Gas, the Person making Complaint of such Contamination shall defray the Costs and Expences of such Examination and Repairs, and shall also make good to the said Company, Body, or other Persons as aforesaid any Loss or Damage which may be occasioned to the Works of such Company, Body, or other Persons in or by such Examination, the Amount of such Loss or Damage to be determined, if necessary, by such Justice as aforesaid.

Penalty on suffering Liquids produced by Manufacture of Gas to flow into any Streams &c.

XXXIV. And be it further enacted, That if any Company of Proprietors, Body Politic or Corporate, or any other Persons making or supplying Gas used or consumed within the Limits of this Act, shall at any Time empty or convey, or cause or knowingly and wilfully suffer to be emptied or conveyed, or to run or to flow, any Washings, or other Liquids, Substances, or Thing whatsoever, which shall arise or be used in the Manufacture of Gas or in the Employment of any Gas Works, into any

any River, Brook, or Running Stream, Reservoir, Spring, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or shall commit any Annoyance or Act whatsoever to the Water contained in any such River, Brook, or Running Stream, Reservoir, Spring, or Well, Drain, Sewer, or Ditch, whereby such Water shall be contaminated or corrupted, the said Company, Body, or other Persons shall forfeit and pay for every such Offence the Sum of Two hundred Pounds, with full Costs of Suit, to any Person who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same shall be sued for within Twelve Calendar Months after the Time when such Annoyance or Act shall have ceased: Provided also, that in addition to the said Penalty of Two hundred Pounds, and whether or not such Penalty shall be sued for or recovered, in case any of the said Washings, or other waste Liquids, Substances, or Things, shall be emptied or conveyed, or be suffered to run or flow, in manner aforesaid, into any River, Brook, or Running Stream, Reservoir, Spring, or Well, Drain, Sewer, or Ditch, or any such Annoyance or Act shall be committed as aforesaid, and Notice thereof in Writing shall have been given by any Person to the said Company, Body, or other Persons as aforesaid, and such Company, Body, or other Persons shall not within Twenty-four Hours after such Notice prevent the further Continuance of such of the Causes of Complaint as shall be expressed in such Notice, the said Company, Body, or other Persons, as the Case may be, shall forfeit and pay the Sum of Twenty Pounds for each Day such Cause of Complaint shall continue; and any Justice of the Peace, upon Conviction of the Offender before him upon the Oath or Affirmation of any credible Witness, shall and may by Warrant under his Hand and Seal cause the said Penalty, and also the Costs attending such Conviction, to be levied by Distress and Sale of the Goods and Chattels of such Offender; which Penalty when recovered shall, at the Discretion of the said Justice, either be paid to the Informer, or the Person who in the Judgment of the said Justice shall have sustained any Annoyance, Loss, or Damage by any such Cause of Complaint as aforesaid.

Power for the Surveyor of Commissioners of Sewers to enter into Gas Works to see if there be any Escape of Gas.

XXXV. And be it further enacted, That it shall be lawful for any Surveyor or other Person acting by or under the Authority of the Commissioners of Sewers at any Time in the Daytime to enter into any Manufactory, Gasometer, Receiver, or other Buildings belonging to any Company of Proprietors, Body Politic or Corporate, or any other Person or Persons making or supplying Gas within the Limits of this Act, in order to ascertain if there be any Escape of Gas, or of any Washings, or other waste Liquids, Substances, or Things whatsoever, which shall arise or be produced in the Prosecution of the said Gas Works, or in the Manufacture or Process of making or procuring such Gas, into any public Sewer or Drain; and if such Surveyor or other Person acting by or under the Authority of the said Commissioners of Sewers shall be refused Admittance, or shall not be admitted on Request into any such Manufactory, Gasometer, Receiver, or other Building, for the Purpose of making such Inspection as aforesaid, or, being admitted, shall be obstructed in or prevented from making such Inspection as aforesaid, the Party or Parties so offending shall forfeit and pay for every such Offence the Sum of Twenty Pounds.

XXXVI. Pro-

XXXVI. Provided always, and be it further enacted, That nothing in this Act contained shall extend to protect any Company, Body Politic or Corporate, or any other Person making, supplying, or using Gas used or consumed within the Limits of this Act, or of any of the Servants, Officers, or Workmen of such Company, Body, or other Person or Persons, from any Indictment or Prosecution for a public or private Nuisance in respect of any Gas Works, or of the Means which shall be employed in making or using such Gas, or from any Action from any Loss or Damage sustained by reason of such Gas Works, or of the making or using such Gas, whether such Loss or Damage shall proceed from the Preparation or from the Use of such Gas, or from the Method of lighting, or from the Carelessness or Want of Skill of any of the Persons employed therein, or from any other Cause whatsoever connected therewith or relating thereto.

Act not to protect Persons lighting with Gas from being indicted for a Nuisance.

XXXVII. And be it further enacted, That if any Person shall wilfully break, throw down, spoil, or damage any Lamp, Lamp Iron, Column, or Post, Pump, Pipe, Pale, Rale, Chain, or other Property belonging to or hereby vested in any Commissioners elected or appointed under this Act, 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, such Offender, and without any other Authority than this Act to keep such Offender in safe Custody, and with all reasonable Dispatch to convey him before some Justice of the Peace for the City and Liberty of *Westminster* or County of *Middlesex*, and such Justice shall examine upon Oath any Witness who shall appear or be produced to give Evidence touching such Offence; and if the Party accused should be convicted of any such Offence, either by his Confession or such Evidence as aforesaid, he shall forfeit and pay any Sum not exceeding Forty Shillings for every Light so wilfully extinguished as aforesaid, and any Sum not exceeding Forty Shillings for every Lamp, Lamp Iron, Column, or Post, or other such Article or Thing as aforesaid, so broken, thrown down, or damaged as aforesaid, and shall also make full Satisfaction for the Damage which shall have been done thereby; and One Moiety of such Forfeiture respectively shall be paid to the Person apprehending such Offender, and the Remainder shall be applied for the Purposes of this Act in the Parish, Precinct, or Liberty in which the Offence shall have been committed; and in case any such Offender shall not on Conviction pay such Forfeiture and make such full Satisfaction as aforesaid, such Justice is hereby required to commit him to the House of Correction, to be there kept to hard Labour, if such Justice shall so order, for any Time not exceeding Three Calendar Months, unless such Forfeiture and full Satisfaction shall be sooner paid or made.

Penalty on Persons wilfully breaking Lamps, or doing any other Damage.

XXXVIII. And be it further enacted, That if any Person shall carelessly or accidentally break or otherwise damage or injure any Lamp, Lamp Iron, Column, Post, Pipe, Pale, Rail, Chain, or other Property of the said Commissioners, and shall not upon Demand make Satisfaction to them for the Damage or Injury so done, it shall be lawful for any Justice of the Peace for the said City and Liberty of *Westminster* or County of *Middlesex*, upon Complaint thereof made to him upon Oath, to summon the Party complained of before him, and upon hearing the Parties on both

Persons accidentally breaking Lamps.

both Sides, or on the Nonappearance of the Party complained of, to examine the Matter of Complaint, and to award such Sum of Money by way of Satisfaction to the said Commissioners for such Damage as the said Justice shall think reasonable; and in case of Neglect or Refusal forthwith to pay such Money, the same, and the Expences attending the Recovery thereof, may be levied and recovered as any Penalty or Forfeiture inflicted by this Act may be levied and recovered.

Commissioners may regulate Lamps and alter the Level of the Streets.

XXXIX. And be it further enacted, That it shall be lawful for the said Commissioners to be appointed in pursuance of this Act in or for the said Parishes, Precinct, and Liberty respectively, to alter, regulate, and increase the Number and Position of the Lamps in any of the Streets and public Places within their respective Jurisdictions, and also to alter the Level of any such Street or public Place, and the Form of the Pavement or the Materials with which the same is or shall be paved, or otherwise made or formed.

Power to alter the Form and Position of Urinals.

XL. And be it further enacted, That it shall be lawful for the said Commissioners in the said Parishes, Precinct, and Liberty to order and direct any Alteration they shall think fit to be made by the Owners or Occupiers of any Public House or Alehouse, or other Place for the Sale of Beer by Retail, in the Form or Situation of the Urinals adjoining any such Public House or Alehouse or other Place as aforesaid for the Convenience of which such Urinals shall be constructed in the Parishes, Precinct, or Liberty for which such Commissioners shall act; and it shall be lawful for the said Commissioners to order and direct the Owner or Occupier of any Public House or Alehouse or other Place as aforesaid which shall be without such Urinal to construct, at the Expence of such Owner or Occupier, a proper Urinal to the Satisfaction of the said Commissioners, and subject to the Regulations of the Commissioners of Sewers, as regards the Communication of Urinals with the public Sewers or Drains; and no such Urinal shall, after the passing of this Act, be constructed or made without the Consent in Writing of the Commissioners for that Purpose first had and obtained; and the said Commissioners are hereby empowered to order and direct the Owner or Occupier of the House for the Convenience of which any Urinal shall be standing at his own Expence to alter or pull down and reconstruct the same in such Manner and Situation as the said Commissioners shall direct, subject as aforesaid; and in case any such Owner or Occupier shall not, within Fourteen Days after having received Notice in Writing signed by the Clerk of the said Commissioners, and left with or delivered at the Dwelling House of such Owner or Occupier, alter or pull down and reconstruct such Urinal, or erect one where there shall be none as aforesaid, every such Owner or Occupier shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds, and a Sum not exceeding Ten Shillings for each Day so long as the Nuisance shall be continued, or such Urinal shall not be erected; and the said Commissioners are hereby authorized and empowered in such Case to cause such Alterations to be forthwith made, or such Urinal erected, under the Direction of their Surveyor, the Costs, Charges, and Expences of which, to be ascertained and determined by any Justice of the Peace acting in and for the said City, Borough, or County, shall be recovered from such Owner or Occupier in the same Manner as any Forfeitures or Penalties are recoverable

under this Act: Provided always, that the said Commissioners may, if they shall think proper so to do, pay any Part of the Expence of such Urinal as aforesaid, or of the Drains thereof, out of the Monies applicable to the Purposes of this Act.

Commissioners may make Rules for the Regulation of their Proceedings, &c.

XLI. And be it further enacted, That it shall be lawful for the said Commissioners in the said Parishes, Precinct, and Liberty from Time to Time to make such Rules and Orders for the Regulation of their Meetings and Proceedings, and for the Control and Management of the Persons employed by them, as they the said Commissioners shall deem expedient and necessary, and from Time to Time to repeal any or all such Rules and Orders, and to make others in lieu thereof, or not, according to their Judgment or Discretion: Provided always, that such Rules and Regulations shall not be made or repealed or altered except at some Meeting to be held for that Purpose, of which Meeting and the Purpose thereof Two Days Notice in Writing at the least shall be given in manner aforesaid, nor unless Six in Number at the least of such Commissioners shall be present at the Time of making such Rules and Regulations, or of such Repeal or Alteration as aforesaid, as the Case may be, nor unless Two Thirds of such Number shall concur therein.

Commissioners empowered to contract for the Works authorized by the Act.

XLII. And be it further enacted, That it shall be lawful for the said Commissioners in the said Parishes, Precinct, and Liberty to contract and agree with any Person or Persons for all or any of the several Works, Matters, or Things by this Act authorized to be done or performed by the said Commissioners, or for any other Business, Matters, or Things necessary for carrying this Act into execution; and every such Contract shall specify the several Works to be done, the Prices to be paid for the same, and the Period within which the same are to be completed, and the Penalties to be suffered in case of the Nonperformance thereof, and shall be signed by Five or more of the said Commissioners, and shall also be signed by the Person or be sealed with the Seal of the Body Corporate contracting to perform such Works respectively: Provided always, that Notice of the Intention to enter into every such Contract, and of the Time when and the Place where the Tenders for the same are intended to be considered, shall be given Fourteen Days at least before the Day for entering into the same by Advertisement in One or more of the Daily Newspapers published within the County of *Middlesex*.

On Contracts not being performed, Commissioners may cause the Work to be done by other Persons, and deduct the Expence from the Money due to the Contractor.

XLIII. And be it further enacted, That whenever any Contract made by virtue of the said former Acts or to be made as aforesaid shall not, in the Opinion of the said Commissioners, in every respect be duly performed and executed according to the Terms and Conditions thereof, it shall be lawful for the said Commissioners to employ some fit Person to perform and execute or to complete the Works to be done by virtue of such Contract, and which, in the Opinion aforesaid, shall not be performed and executed or completed as aforesaid, and to deduct and detain the Expence thereof out of any Money then due or to grow due to the Contractor; and every such Contractor shall likewise forfeit and pay any Sum not exceeding One Third Part of the Money which may be expended by the Commissioners in doing such Work; which Forfeiture and also such Expence as aforesaid may be recovered by Action at Law or otherwise in such and the like Manner as any Penalty or Forfeiture inflicted by this

Act is to be recovered, or may be deducted and retained out of any Money due and owing to the said Contractor.

Power of Commissioners to pave.

XLIV. And be it further enacted, That it shall be lawful for the said Commissioners in the several Parishes, Precinct, and Liberty from Time to Time and at all Times hereafter to pave, macadamize, or otherwise make, keep, repair, and alter all the Squares, Streets, Lanes, Courts, Ways, Footways, Carriageways, Passages, and Places within the Parishes, Precinct, and Liberty for which they may be appointed, or which may be placed under their Jurisdiction by virtue of this Act (except as herein is excepted), and to cleanse, light, water, and regulate the same in such Manner as they shall think fit: Provided always, that it shall not be lawful for the Commissioners for executing this Act to macadamize the Carriageways of any Street or Place within their Jurisdiction without Requisition first made to them so to do, according to the Provisions and on the Terms and Conditions expressed and contained in an Act of Parliament of the Seventh Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to vest in the Commissioners of His Majesty's Woods, Forests, and Land Revenues the Powers of several Acts for the Improvement of the Streets near* Westminster Hall *and the Houses of Parliament; and to authorize the Conversion of the Pavements in several Parts of the Metropolis into broken Stone Roads.*

7 G. 4. c. 78.

Rates to be made for general Purposes of this Act.

XLV. And be it further enacted, That it shall be lawful for the said Commissioners in each of the said Parishes, Precinct, and Liberty, and they are hereby required, from Time to Time as often as Occasion shall require, to make One or more Rate or Rates (to become due and payable at such Time or Times and in such Proportions as the Commissioners making the same shall direct) for defraying the Expence of carrying into execution the several Purposes of this Act, upon every Person and Persons, Tenant, or other Person who do or shall inhabit, hold, use, occupy, possess, or enjoy, or may otherwise under or by virtue of this Act be liable to be rated or assessed for or in respect of any Land, Ground, House, Shop, Wharf, Warehouse, Coach-house, Stable, Cellar, Vault, Building, or other Tenement or Hereditament whatsoever, within each of the said Parishes, Precinct, and Liberty, and all other Streets and Places hereinbefore declared to be within the Jurisdiction of this Act, so as no such Rates or Assessments shall exceed in the whole the Sum of Two Shillings in the Pound in any One Year upon the respective annual Value of such Tenements and Hereditaments; and the Money arising from such Rates is hereby vested in the said Commissioners and their Successors for the Time being acting in the Execution of this Act.

Rates to be ascertained by the Square Yard.

XLVI. Provided always, and be it further enacted, That the respective Rates or Assessments to be made by the said Commissioners under and by virtue of this Act upon or in respect of any Church, Churchyard, Chapel, Meeting House, Hospital, School, or other public Building, or any Wall or void Space of Ground, shall be ascertained according to the Number of Square Yards of Pavement or Ground paved, repaired, cleansed, or lighted by the said Commissioners under or by virtue of this Act, belonging to such Church, Churchyard, Chapel, Meeting House, Hospital, School, or other public Building, Wall, or void Space of Ground, measuring the same from such Church, Churchyard, Chapel, Meeting

House, Hospital, School, Building, Wall, or void Space of Ground, to the Middle of the Street, Square, or Place on which the same shall respectively abut, and the same shall never exceed in any One Year the Sum of Sixpence for every such Square Yard; and such Rates or Assessments to be made upon such Church, Churchyard, Chapel, Meeting House, Hospital, School, or other public Building, Wall, or void Space of Ground, shall be paid by the Church or Chapel Wardens, Trustees, or Owners or Proprietors thereof respectively, but so nevertheless as that no such Rate or Assessment shall by virtue of this Act be laid upon or collected or received for or in respect of any Wall or void Space of Ground, unless the same shall abut upon or front some Street, Lane, or Place to be paved, repaired, cleansed, or lighted by the Commissioners for executing this Act.

Rates to be assessed equally.

XLVII. And be it further enacted, That, subject to the Provisions in this Act contained for making Assessments in certain Cases according to the Number of Square Yards of Pavement, the Rates which shall be made under the Authority of this Act shall be laid and assessed equally upon or in respect of all the Property whatsoever which is hereby made rateable or chargeable in each Parish, Precinct, or Liberty respectively: Provided only, that if any One or more of the Streets and Places within any such Parish, Precinct, or Liberty shall be watered, whilst other Streets and Places within the same Parish, Precinct, or Liberty shall not be watered, such Addition to the Rate may be laid and assessed in such One or more of the said Streets and Places as shall be so watered beyond the Rate laid and assessed in the other or others of them as the said Commissioners shall consider equivalent to the Expence of so watering the same.

Empty Houses how rateable.

XLVIII. And be it further enacted, That where any Messuages, Tenements, or Hereditaments, at the Time of making any of the Rates or Assessments directed to be made under or by virtue of and for the Purposes of this Act, shall be empty, untenanted, or unoccupied, then and in every such Case it shall and may be lawful to and for the Commissioners in the several Parishes, Precinct, and Liberty to rate and assess such Messuages, Tenements, or Hereditaments respectively at One Half of such Rates or Assessments during the Time only that such Messuages, Tenements, or Hereditaments shall be empty, untenanted, or unoccupied; and also in case any such Messuages, Tenements, or Hereditaments, after the making of such Rates or Assessments, shall become empty, untenanted, or unoccupied, One Half only of such Rate or Assessment shall be charged on the same respectively for and during so long a Time as the same shall continue empty, untenanted, and unoccupied; and the nand in any of the said Cases the said Rates or Assessments, and all Arrears due thereon, shall be paid by the Owner or Owners or by the first or any other Tenant or Occupier thereof respectively, and in which last Case every such Tenant or Occupier shall and may and is hereby authorized to deduct and retain the same out of his Rent; and the Owner of such Messuages, Tenements, or Hereditaments is hereby required to allow such Deduction and Payment out of his Rent, and the said Tenant or Occupier shall be and is hereby acquitted and discharged of and from so much of his Rent as shall be the Amount of any such Rates or Assessments, and all Arrears due thereon, so paid by him in respect of such Messuages, Tenements, or Hereditaments during such Period as the same shall have been empty, untenanted, and unoccupied previous to his Tenancy or Occupation thereof.

XLIX. And

Rates in certain Cases to be apportioned.

XLIX. And be it further enacted, That where any Land, Ground, House, Shop, Wharf, Warehouse, Coach-house, Stable, Cellar, Vault, Building, Tenement, or Hereditament shall be partly within and partly without the Jurisdiction of the Commissioners appointed in either of the Parishes, Precinct, or Liberty under the Provisions of this Act, then the Person or Persons liable to be rated for or in respect of the same shall be rated for a proportionate Part of the annual Value thereof, according to the relative Quantity, Extent, or Value of the Part within and the Part without such Jurisdiction respectively, such Proportion to be ascertained and determined by the said Commissioners at the Time of making their respective Rates for such Parishes, Precinct, or Liberty, as herein-before mentioned and provided.

Power of this Act may be extended to certain other Streets, &c.

L. And whereas in and by the said Act passed in the Eleventh Year of the Reign of His late Majesty King *George* the Third it was declared that there were several Streets and Places within the United Parishes of *Saint Margaret* and *Saint John the Evangelist* where the Inhabitants were not of Ability to raise Money sufficient to defray the Expence of new paving, or repairing, cleansing, and lighting such Streets and Places under the Regulations of that Act, it was therefore in and by the said last-mentioned Act enacted and declared that it should not be lawful for the said Commissioners appointed to put that Act into execution to order or direct any of the Streets or Places within the said Parishes of *Saint Margaret* and *Saint John the Evangelist* to be new paved or repaired, cleansed or lighted, except the several Streets and Places therein and herein-after mentioned, (that is to say,) *Parliament Street*, *Derby Street*, *Downing Street*, *King Street*, *Fludyer Street*, *Crown Street*, *Crown Court*, *Charles Street*, *New Charles Street*, *Duke Street*, *Delahay Street*, *Great George Street*, *Little George Street*, *Cannon Row*, *Brewer's Yard*, *Dorset Court*, *Manchester Buildings*, the *Fish Market*, *New Court*, *Bridge Street*, *Little Bridge Street*, *Union Street*, *Saint Margaret Street*, *Abingdon Street*, *Little Abingdon Street*, *Millbank Street* to the *Horse Ferry*, *Market Street* to the *High Road* near the *Burial Ground*, *Great Queen Street*, *Little Queen Street*, *Princes Court*, *Park Prospect*, *Long Ditch*, *Broken Cross*, *Great Sanctuary*, *Little Sanctuary*, *Old Tothill Street*, *Dartmouth Street*, *Dartmouth Row*, *Broadway*, the Street leading from the *Broadway* to *Queen Square*, *Queen Square*, *Petty France*, and *James Street*, and such other Streets and Places or Parts of Streets and Places as then were already new paved, cleansed, and lighted under the Direction of the Commissioners appointed by certain Acts in the said last-mentioned Acts mentioned, nor should any Rate or Assessment be made by virtue of the said last-mentioned Act for the Purposes of paving, repairing, cleansing, or lighting any Part of the said Parishes other than as in that Act was mentioned: Provided nevertheless, that if at any Time after the passing of the said last-mentioned Act any Streets or Places within the Limits which were by the said last-mentioned Act exempted from being paved, repaired, lighted, and cleansed as aforesaid should become so advanced in Rents as that the Inhabitants thereof should, in the Opinion of the Commissioners, be of Ability to contribute a reasonable Sum to the paving, repairing, lighting, and cleansing the same under the Authority of the said last-mentioned Act, then and from thenceforth such particular Streets and Places should be subject to be paved, repaired, lighted, and cleansed in such Manner and by such Ways and Means as the several Squares, Streets, Lanes, and other Places which were under the Direction of the said

said Commissioners or Committee-men could or might be paved, repaired, lighted, and cleansed: And whereas in and by a certain Act of Parliament made and passed in the Twenty-second Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act for amending the Pavement in and for lighting some of the Streets, Lanes, Ways, and Places in the Parishes of* Saint Margaret *and* Saint John the Evangelist *in* Westminster, *which are at present excluded from the Provisions of an Act passed in the Eleventh Year of His present Majesty, (intituled 'An Act to amend and render 'more effectual several Acts made relating to paving, cleansing, and lighting 'the Squares, Streets, Lanes, and other Places within the City and Liberty of 'Westminster and Parts adjacent,') and for preventing Nuisances and Annoyances in or near the same, and for making an Opening from* Orchard Street, *and widening some Part of* Wood Street *and of* Little Peter Street, it was amongst other Things enacted that it should be lawful for the Commissioners under the last-mentioned Act, and they were in and by the said last-mentioned Act authorized, empowered, and required, from Time to Time to cause the Pavement of the Streets called *Strutton Ground, Orchard Street, Duck Lane, Old Pye Street, New Pye Street,* and *College Street,* which are situated partly in the said Parish of *Saint Margaret* and partly in the said Parish of *Saint John the Evangelist,* and also the following Streets or Ways, wholly within the said Parish of *Saint Margaret, videlicet,* the *Great* and *Little Almonry,* the *New Way, New Tothill Street, Dacre Street, Cooper Street,* and *Castle Lane,* and likewise all other the several Streets, Lanes, Ways, and other Places within the said Parish of *Saint John the Evangelist* which then were for the present excluded from the Provisions of the said Act passed in the Eleventh Year of His said late Majesty King *George* the Third, intituled *An Act to amend and render more effectual several Acts made relating to paving, cleansing, and lighting the Squares, Streets, Lanes, and other Places within the City and Liberty of* Westminster *and Parts adjacent,* to be amended and kept in repair until the same should be paved, under the Powers of the said Act, by such Persons and in such Manner as they should judge proper: And whereas it is expedient that the said last-mentioned Streets, Lanes, Ways, and Places should in like Manner be placed under the Commissioners to be appointed under this Act for the said Parishes of *Saint Margaret* and *Saint John* when and as soon as the Inhabitants thereof should be enabled to contribute to the paving, repairing, lighting, and cleansing the same; be it therefore enacted, That if at any Time hereafter the said last-mentioned Streets, Lanes, Ways, and Places, or any of them, should be deemed and considered by the said last-mentioned Commissioners to be so advanced in Rents as that the Inhabitants thereof shall, in the Opinion of the said last-mentioned Commissioners, be of Ability to contribute a reasonable Sum to the repairing, paving, cleansing, watering, lighting, and regulating under the Authority of this Act, then and in that Case and from Time to Time it shall be lawful for the said last-mentioned Commissioners at a Meeting convened for the Purpose to order, adjudge, and determine that from thenceforth each and every or any such particular Street, Lane, Way, and Place to which such Order, Adjudication, or Determination shall extend or apply shall be subject to be repaired, paved, cleansed, watered, lighted, and regulated in such Manner and by such Ways and Means as the several Squares, Streets, Lanes, and other Places are directed to be repaired, paved, cleansed, watered, lighted, and regulated under the Authority of this Act, and thereupon all the Enactments and Provisions in this Act con-

22 G. 3. c. 44.

11 G. 3. c. 22.

tained shall extend to and effectually comprise each and every or any such particular Street, Lane, Way, and Place respectively, and thenceforth all the Powers and Authorities of the Commissioners appointed in and by the last-mentioned Act made and passed in the Twenty-second Year of the Reign of His late Majesty King *George* the Third, so far as the same relate to such particular Street, Lane, Way, and Place, shall thenceforth cease and determine: Provided always, that when and as soon as all the said last-mentioned Streets, Lanes, Ways, and Places shall be taken under the Jurisdiction of the Commissioners under the Authority of this Act as aforesaid, the Number of Commissioners to be appointed for the Purposes of this Act by the Vestrymen of the Parish of *Saint John the Evangelist* shall be increased from the Number of Eight to the Number of Twelve, to be elected and appointed as herein-before mentioned.

Commencement of first Rate.

LI. And be it further enacted, That the first Rate to be made by virtue of this Act shall not commence or take effect before the Twenty-ninth Day of *September* One thousand eight hundred and thirty-five, and the Monies charged and assessed in all Rates by this Act authorized to be made shall be payable quarterly or otherwise as the said respective Commissioners shall direct.

Commissioners may rectify Omissions and correct Errors in Rates.

LII. And be it further enacted, That whenever it shall appear to the Commissioners at any Time or Times after any Rate shall have been made and signed by them that the Name of any Person who ought to have been included in such Rate hath been omitted therein, or that the Name of any Person hath been inserted in such Rate or Assessment as Inhabitant, Holder, or Occupier of any Messuage or other Hereditament for or in respect of which some other Person ought to have been rated or assessed, or in case any Messuage or Tenement which at the Time of making any such Rate or Assessment was empty and unoccupied shall have become occupied by any Person liable to be rated within the Meaning of this Act, or that any other Alteration or Amendment of such Rate or Assessment may in the Opinion of the said Commissioners be necessary, it shall be lawful for the said Commissioners to cause to be added or corrected in such Rate the Name or Names of the Person or Persons so omitted or erroneously rated, and the Name of the Person or Persons and the Description of the Property in respect of which he or they ought to be rated, and generally to make all such other Alterations and Amendments in and to any such Rate as they shall deem necessary to make such Rate a just and equal Rate according to the true Intent and Meaning of this Act; and every such Addition, Alteration, or Amendment made in any of the said Rates shall be as valid and effectual as if the same had been originally Part of the Rate.

Recovery of Rates.

LIII. And be it further enacted, That in case any Person charged with any Rate in pursuance of this Act shall refuse or neglect, after Demand made by the Collector, to pay the Money rated or assessed upon him, it shall be lawful for any One of His Majesty's Justices of the Peace for the City, Borough, or County wherein the Parish, Precinct, or Liberty shall be situate, and he is hereby authorized and required, to summon by Writing under his Hand every Person so charged, and who shall have so refused or neglected as aforesaid (on Oath being made before such Justice by the Collector of his having attended at the Place of Abode

of such Person), to appear at a Time and Place to be mentioned in such Summons before such Justice or before any Justice or Justices of the Peace for the same City, Borough, or County; and it shall be lawful for any Person appointed to collect and receive such Rates, or for any other Person, to serve such Summons upon all Persons so refusing or neglecting to pay as aforesaid, either by delivering the same to the Persons thereby intended to be summoned, or by leaving the same at their last or usual Places of Abode, or at or on the Premises for or in respect whereof the Rate or Rates mentioned in such Summons shall remain due and owing; and if any Person so summoned shall refuse or neglect to attend at the Time and Place mentioned in such Summons, or if he shall attend and not make it appear to such Justice or Justices that he is not chargeable to such Rate or Rates under this Act, then such Persons shall pay as well such Rate as the reasonable Costs and Charges of such Summons; and in all Cases where such Rates, Costs, and Charges shall not be paid upon the Return of such Summons it shall be lawful for such Justice or Justices, and he and they is and are hereby authorized and required, on Oath being made before him or them of the due Service of such Summons as aforesaid, or in case the Person so refusing or neglecting to pay as aforesaid shall have removed out of the said Parish, Precinct, or Liberty, then on Proof of such Summons having been duly issued as aforesaid, to grant a Warrant under his Hand and Seal or their Hands and Seals authorizing and directing such Collector or any Constable to levy such Rate and all Arrears thereof, and the Expences of the Summons and of the Warrant, by Distress of the Goods and Chattels of the Party so neglecting or refusing; and if within Five Days after such Distress shall have been made the said respective Rates and all Arrears thereof shall not be paid, together with the Costs and Charges of taking and keeping such Distress, it shall be lawful for such Collector or Constable to cause the said Goods and Chattels, or a sufficient Part thereof, to be appraised and sold, rendering to the said Persons the Overplus, if any, after deducting the said Rates, and all Arrears thereof, and the reasonable Costs and Charges attending such Distress and Sale; which Costs and Charges, in case of Dispute, shall be ascertained by any One of His Majesty's Justices of the Peace for the same City, Borough, or County; and in default of such Distress it shall be lawful for any such Justice to commit such Person to the Common Gaol or House of Correction for such City, Borough, or County, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless Payment shall be sooner made of such Sum or Sums of Money as shall have been found to be due and in arrear upon such Rates as aforesaid, together with all Costs, Charges, and Expences attending the Recovery thereof, such Costs, Charges, and Expences to be ascertained and determined by the said Justice or Justices respectively.

Rates may be recovered from Persons removing.

LIV. And for the better enforcing the Payment of the Rates to be made by virtue of this Act, be it further enacted, That if any Person liable to pay the said Rates shall at any Time begin to remove his Goods or Furniture from the House or other Premises in his Occupation within the Limits of this Act, or to sell or dispose of such Goods or Furniture therein by public Auction, or to sell or dispose of or carry away his or her Goods or Furniture as aforesaid, without paying all Arrears of Rates then due in respect of such Houses or other Premises by virtue of this Act, in which the current Quarter shall be considered as due, then and in any of the said Cases it shall be lawful for the Collector for the Time being of the

the said Rates to collect and levy such Rates and all Arrears due thereon (the Rate due for the Quarter wherein such Removal or Sale shall begin to be made as aforesaid to be considered as due although previous to the Time for Payment of the Rate of such Quarter) by Distress and Sale of the Goods and Chattels of the Party so beginning to remove, sell, or take away any such Goods or Furniture as aforesaid; and if within Five Days next after such Distress shall be made the said Rates and all Arrears due thereon, together with the reasonable Charges of taking and keeping the said Distress, shall not be paid, the said Collector shall cause the said Goods and Chattels to be appraised and sold, or such Part thereof as shall be sufficient to pay such Rates, together with all Arrears due thereon, and the reasonable Charges of making such Distress, and of keeping and selling the same, returning the Overplus (if any) to the Owner of such Goods and Chattels.

For recovering Rates from Persons who have quitted their Premises.

LV. And be it further enacted, That in case any Person who may have been rated to or who may be liable to the Payment of any Rates which shall be made by virtue of this Act shall quit his House or other Premises within the Limits of this Act, and for or in respect whereof he shall be rated, before he shall have paid such Rates, then and in every such Case it shall be lawful for any Person appointed to collect any such Rates (Oath or Affirmation being made by him that he doth suspect such Person has removed his Goods and Chattels), by Warrant under the Hand and Seal of any One of His Majesty's Justices of the Peace for the City, Borough, or County in which such Person so having been rated shall then reside, to distrain and to appraise and sell the Goods and Chattels of the Person who shall have so quitted the said House or other Premises before he shall have paid such Rates for the Sum of Money due from any such Person by virtue of any such Rtates or any Part thereof, and for all Costs, Charges, and Expences occasioned by such Warrant, Distress, Appraisement, and Sale, in any County, City, or Place to which such Person shall have removed, in such and the same Manner as if the same Person had continued within the Limits of this Act.

Persons removing from Premises, and others coming in, to pay Rates in proportion.

LVI. And be it further enacted, That in case any Person shall remove from or quit the Possession of any Tenement or Hereditament or Part of a Tenement before any Rate charged thereon by virtue of this Act shall have been paid and discharged, and another Person shall enter into the Occupation of such Tenement or Hereditament or Part of a Tenement, then and in every such Case the Person so removing from or quitting Possession of and the Person entering into the Occupation of any such Tenement or Hereditament or Part of a Tenement shall be respectively subject and liable to the Payment of all such Rates, in proportion to the Time that such Person shall have possessed or occupied the same respectively, in the same Manner as if the Person so removing or quitting as aforesaid had remained in Possession of such House, Tenement, or Hereditament. or Part of a Tenement, or the Person so entering into the Occupation thereof had been originally rated and assessed in such Rates; which Proportion shall, in case of Dispute, be settled by any Justice of the Peace for the said City, Borough, or County, whose Determination shall be final.

Owners to be assessed in certain Cases.

LVII. Provided always, and be it further enacted, That every Person who shall let out his House, Tenement, or Hereditament in separate Apartments

ments or ready furnished to a Lodger or Lodgers, or who shall be Owner or Landlord or Receiver of the Rent of any House or other Premises which shall be let for a less Term than One Year, or from Year to Year, or shall be let for a less yearly Rent than Twenty Pounds, shall and may be rated for the same, and shall be liable and subject to the Payment of the Rates directed to be laid and levied by virtue of this Act, in such and the same Manner as if he were really and truly the Occupier of the same House, Tenement, and Hereditament, or other Premises; and upon Nonpayment thereof the same shall be levied by Distress and Sale of the Goods and Chattels of such Owner, Landlord, or Receiver, wheresoever they may be found, or of the Person inhabiting any such House or other Premises, in such Manner as by this Act is provided for the Recovery of the Rates in other Cases: Provided always, that nothing herein contained shall be construed to subject any Person who shall or may be entitled to the Ground Rents of any such Houses or other Premises, but who shall not be entitled to the Rack Rents thereof, to be rated for the Purposes of this Act: Provided also, that the Goods and Chattels of every Person renting or inhabiting any such House or other Premises, or any Part thereof, the Rates whereof the Owner, Landlord, or Receiver is hereby made liable to as aforesaid, shall be liable at all Times to be distrained and sold for Payment only of such of the said Rates, and of all Arrears thereof, as became due upon the said House and other Premises during the Time of his Occupancy, but no such Occupier shall at any Time be liable to pay any greater Sum for or towards the Discharge of the said Rates or any of them, and Arrears thereof, than the Amount of the Rent actually due or payable by such Occupier to the Owner or Landlord of such House and other Premises so occupied by him or her; and every such Occupier who shall pay any such Rates, or upon whom the same shall be levied, may deduct the same from the Rent due and payable or to become due and payable from him or her to the Landlord of such House or other Premises, unless there shall be an Agreement to the contrary between any such Landlord and Tenant.

Defining Owners for the Purpose of this Act.

LVIII. And in order to prevent Disputes touching the Definition of Owners or Landlords for the Purposes of this Act, be it enacted, That the Person authorized and empowered to receive and collect the Rents of any Messuages, Lands, Tenements, Hereditaments, or other Premises, from the Tenants or actual Occupiers thereof, or of any of them, shall be deemed and taken for the several Purposes of this Act to be Owners or Landlords thereof; and in all Cases in which either Owners or Landlords are made liable by this Act such Person so authorized and empowered to receive and collect, or receiving or collecting, or claiming to be entitled to receive and collect, the Rents of any such Messuages or other Premises from the Tenants or actual Occupiers thereof, shall be liable as Owners or Landlords thereof, unless the Owners or Landlords shall be distinctly and certainly known to be such to the Satisfaction of the said Commissioners; and the Receiver or Collector of such Rents is hereby authorized to pay the said Rates and Assessments charged and payable for and on account of the said respective Messuages and other Premises, and to deduct the same out of the Rents received or to be received by him.

Rate Books to be received as Evidence.

LIX. And be it further enacted, That the Books of Rates which shall be made by the said Commissioners, and all Entries afterwards made therein,

therein, in manner by this Act directed, shall be received as Evidence of the Rates imposed by virtue of this Act.

Form of Warrant of Distress.

LX. And be it further enacted, That the Warrant of Distress for Nonpayment of any Rate to be made by virtue of this Act may include One or more Person or Persons, and be in the Words or to the Effect following:

'Middlesex, to wit. } To the Collectors of Rates of the Parishes of *Saint Margaret* and *Saint John the Evangelist*, *or* the Parish of *Saint James*, *or* the Precinct of the *Savoy*, *or* the Liberty of *Saffron Hill*, *Hatton Garden*, and *Ely Rents*, in the County of *Middlesex* [*as the Case may be*], and to all Constables, Headboroughs, and Peace Officers for the said Parishes, *or* Precinct, *or* Liberty [*as the Case may be*].

'WHEREAS the under-mentioned Persons, now or late Inhabitants, Landlords, Tenants, or Occupiers of Lands, Grounds, Houses, Shops, Wharfs, Warehouses, Coach-houses, Stables, Cellars, Vaults, or other Buildings, Tenements, or Hereditaments within the Parish, Precinct, *or* Liberty of [*as the Case may be*], have been duly rated by virtue of an Act passed in the Fifth Year of the Reign of King *William* the Fourth [*here set forth the Title of this Act*]: And whereas the said Persons have refused or neglected to pay the several Sums of Money at and against their Names herein-after respectively set for Money due from them for or towards the Purposes in the said Act mentioned, and the several Sums are still remaining due, in arrear, and unpaid, as appeareth upon Oath to me one of His Majesty's Justices of the Peace for the City, Borough, *or* County of [*as the Case may be*], and the said several Persons have been summoned to appear before me to answer the Premises, and no sufficient Cause having been shown by them why such Sum or Sums of Money should not be paid: These are therefore in His Majesty's Name to require you or either of you forthwith to levy the said several Sums herein-after mentioned by Distress and Sale of the Goods and Chattels of the Persons aforesaid, rendering to them respectively the Overplus (if any), the reasonable Charges of such Summons and of this Warrant and of the Distress and Sale being first deducted; and if no sufficient Distress can be had or taken, that then you certify the same to me, to the end that such further Proceedings may be had therein as to the Law doth appertain; and I do hereby strictly charge and command all and singular the Constables, Headboroughs, and others His Majesty's Peace Officers for the said City, Borough, *or* County [*as the Case may be*], to aid and assist in all Things relating to the Premises. Given under my Hand and Seal this Day of in the Year of our Lord.

'*A. B.*
'*C. D.*
'*E. F.*, the Landlord for divided Premises.
'*G. H.*'

Money to be be paid into Bank.

LXI. And be it further enacted, That the Collectors of the several Rates to be made and levied under the Authority of this Act shall from Time to Time, as they respectively shall receive any Money arising from such

such respective Rates, forthwith pay the same to the Treasurer, or into the Bank of *England*, or into any such Banking House as the said Commissioners for the said respective Parishes, Precinct, or Liberty shall from Time to Time direct; and all such Money shall be placed to the Account of the respective Commissioners, and shall be issued and applied by the said Commissioners, or by any Three or more of them, for the Purposes of this Act, in manner in this Act mentioned, and not otherwise; and upon Payment of any such Money to such Treasurer, or into the Bank of *England*, or into any Banking House as aforesaid, such Collector shall take a Receipt for the same, in which Receipt shall be expressed the Name of such Collector, and the Sum of Money paid, and the Account to which the same shall be placed; and if any Collector shall at any Time retain in his Hands more than the Sum of Fifty Pounds for any longer Time than the Space of Seven Days, he shall forfeit and pay to the said Commissioners the Sum of Forty Shillings for every Day during which he shall retain such Money beyond the said Space of Seven Days.

Commissioners may borrow Money upon Mortgage.

LXII. And be it further enacted, That it shall be lawful for the said Commissioners, or any Five or more of them, of each of the said Parishes, Precinct, and Liberty, with the previous Consent of the Vestry of such Parish, Precinct, or Liberty, to borrow and take up at Interest any Sum or Sums of Money not exceeding Five thousand Pounds, for the Purposes of this Act, upon the Credit of all or any of the Rates to be made by virtue of this Act in such Parish, Precinct, and Liberty, and by Writing under their Hands and Seals to mortgage or assign all or any Part of the said Rates to such Person or Persons as shall lend or advance any Money thereon, or to his or their Trustee or Trustees, as a Security for the Principal Money to be advanced, with any legal Interest for the same; and every such Mortgage may be in the Words or to the Effect following; that is to say,

Form of Mortgage.

'WE, Five of the Commissioners for paving and improving the Parishes of [*or* the Parish, Precinct, *or* Liberty of] [*as the Case may be*] in the County of *Middlesex*, appointed by or in pursuance of an Act passed in the Fifth Year of the Reign of King *William* the Fourth, intituled [*here set forth the Title of this Act*], in consideration of the Sum of advanced and lent by *A. B.* upon the Credit and for the Purposes of the said Act, do hereby grant and assign unto the said *A. B.*, [*or* to his Trustee or Trustees, *as the Case may require*,] his Executors, Administrators, and Assigns, such Proportion of the Rates or Assessments [*here set forth the particular Rate upon which the same is charged*] made or to be made in pursuance of or by virtue of the said Act, as the said Sum of doth or shall bear to the whole Sum which may at any Time be borrowed, or become due or owing, or be charged upon the Credit of the said Act for those Purposes, to be holden from this Day of until the said Sum of with Interest for the same after the Rate of *per Centum per Annum*, shall be repaid and satisfied. In witness thereof we have hereunto set our Hands and Seals the Day of in the Year of our Lord '

LXIII. Pro-

Notice to be given of borrowing Money.

LXIII. Provided always, and be it further enacted, That the said Commissioners shall not take up or borrow any Money whatever unless they shall have advertised their Intention so to do in the same Manner as herein provided with respect to Contracts for Work under this Act.

Commissioners may borrow Money at a lower Rate of Interest to pay off Debts of a higher Rate.

LXIV. And be it further enacted, That in case the said Commissioners can at any Time borrow or take up any Money for the Purposes of this Act at a lower Rate of Interest than any Security which shall be then in force shall bear, it shall be lawful for the said Commissioners from Time to Time to charge the said Rates, or either of them, or any Part thereof, in manner aforesaid, with the Payment of such Sums as they shall think proper, not exceeding the Amount of such Securities and the Expences incident to paying off the same, at such lower Rate aforesaid, and to pay off and discharge any Security or Securities bearing a higher Rate of Interest: Provided always, that the said Commissioners shall not be at liberty to pay off any Security contrary to any Agreement made with the Lender at the Time of borrowing the Money thereby secured.

Power to transfer Securities.

LXV. And be it further enacted, That it shall be lawful for the Person entitled to any of the said Securities at any Time to assign and transfer the same to any Person in the Words or to the Effect following:

'I *A. B.* do transfer the within Security, and the Principal Money and 'Interest thereby secured, unto *C. D.*, his Executors, Administrators, 'and Assigns. Witness my Hand and Seal the Day of 'in the Year of our Lord .'

And a Copy of every Mortgage or Assignment which shall have been made in pursuance of this Act, and an Extract or Memorial of every Transfer thereof respectively, shall be entered in a Book to be kept for that Purpose by the Clerk of the said Commissioners, which Extract or Memorial shall specify and contain the Date, Names of the Parties, and Sums of Money thereby transferred, to which Book any Person interested shall at all seasonable Times have access, and have free Liberty to inspect the same, without Fee or Reward; and for the Entry of every such Transfer the said Clerk shall be paid by the Person to whom such Transfer shall be made the Sum of Two Shillings and Sixpence, and no more; and every such Transfer after Entry thereof as aforesaid shall entitle the Person to whom the Transfer shall be made, and his Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred, without any other Register or Enrolment whatsoever.

Money raised to be applied to the Purposes for which it is raised.

LXVI. And be it further enacted, That all and every Sum or Sums of Money lent or advanced upon the Credit of any of the said Rates or Assessments shall be applied in aid of the particular Rate or Assessment upon the Credit of which the same shall have been so lent and advanced, and for no other Purposes whatsoever.

How Payments are to be made by Commissioners.

LXVII. And be it further enacted, That it shall be lawful for any Three or more of the said Commissioners acting in and for each of the said Parishes, Precinct, or Liberty, at any Meeting, and when summoned for that Purpose, to pay or direct the Payment of any Sum or Sums of Money for the Purposes of this Act in such Manner as they shall think

fit; and all Sums of Money received and paid by the said Commissioners shall be fairly entered by their Clerk in a Book to be kept by him for that Purpose, and shall be signed by the Chairman for the Time being, and countersigned by the said Clerk; and such Receipts and Payments shall be audited and the Vouchers examined once in every Three Calendar Months at a Meeting to be held for that Purpose, at which not less than Three of the said Commissioners shall be present.

Rated Inhabitants deemed competent Witnesses.

LXVIII. And be it further enacted, That in all Actions and Proceedings whatever relating to the Execution of this Act none of the said Commissioners, nor any of their Clerks, Officers, or Servants, nor any other Person, shall be deemed incompetent to give Evidence by reason of such Person filling or holding any Office, or being charged with or paying any Rate, under or by virtue of this Act.

Compelling Attendance of Witnesses.

LXIX. And be it further enacted, That if any Person shall be summoned as a Witness to give Evidence before any Justice or Justices of the Peace touching any Matter contained in any Information or Complaint for any Offence against this Act, either on behalf of the Prosecution, or on behalf of the Person or Persons accused, and shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, without a satisfactory Excuse being given for such Nonappearance, or appearing shall refuse to be examined upon Oath or Affirmation, or to give Evidence touching the Matter in question, before such Justice or Justices, then and in every such Case every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds, to be recovered as herein mentioned.

For preventing Nuisances.

LXX. And be it further enacted, That from and after the passing of this Act if any Person or Persons shall, upon any of the Footways or Foot Pavements within the Limits of this Act, run, draw, drive, or carry any Truck, Wheel Sledge, Wheelbarrow, Handbarrow, Bier, or any other Carriage or other Vehicle whatsoever; or roll any Cask or Tub (except to or from any Carriage or Cart, for the necessary loading or unloading of any Carriage or Cart); or shall wilfully ride, lead, or drive any Horse or other Beast or Cattle whatsoever on any of the said Footways or Pavements, or wilfully permit or suffer any Horse or other Beast or Cattle, which such Person may be riding, driving, or leading, to go thereupon; or shall tie or fasten any Horse or other Cattle to any House, Wall, Railing, or Fence, Post, or other Thing whatsoever, across any of the said Footways or Pavements; or hang up, hold, place, or expose any Goods, Wares, or Merchandizes whatsoever, or any Fruit, Vegetables, or Garden Stuff, Butcher's Meat, Offal, or other Matter or Thing, in or upon or so as to project over or upon the Footway or Carriageway of any Road, Street, Square, Lane, Market, Passage, or public Place within the Limits of this Act, or beyond the upright Line of the external Wall, or on the Outside of the Window or Windows, or in, upon, or over the Area or Areas of the House, Shop, or Place at which the same shall be so hanged up, held, placed, or exposed; or shall set any Cask, Tub, Pail, Bucket, Stool, Bench, Showboard, Chopping Block, Basket, or Stall in, upon, or over any of the Footways or Foot Pavements or Carriageways; or carry any large Showboard or Placard on the Footways; or erect, set up, put, or place or continue any Blind, Shade, Coverlid, Awning, or any other Matter or Thing,

Thing, so as to cause any Obstruction or Impediment in the Footway or on the Foot Pavement; or shall, in any Road, Street, Square, Market, Passage, Yard, Mews, or public Place within the Limits of this Act, hang out or cause to be hung out any Linen or Clothes; or shall hoop, fire, cleanse, wash, or scald any Cask or Tub; or hew, saw, or cut any Stone, Wood, or Timber, or bore any Timber; or make or repair or wash or cleanse any Coach, Chaise, Waggon, Sledge, or other Carriage, or the Wheels, Body, Springs, or other Part of any Coach, Chaise, Waggon, Sledge, or other Carriage (except such Part as may want immediate Repair from any sudden Accident on the Spot, and which cannot conveniently be removed for that Purpose); or shall sift, screen, wet, slack, or mix any Lime, or wet, mix, or make any Mortar (except with the Consent of the said Commissioners or their Successors for the Time being, and also having previously erected a Hoard according to the Regulations herein-before contained in that Behalf); or shoe, bleed, or farry any Horse or other Beast (unless in case of any sudden Accident), or clean, dress, drive, or turn loose any Horse or other Beast or Cattle, or shall show or expose any Stallion or Stone Horse, or shall exercise or expose to Sale any Horse or Horses or other Beast or Beasts (except only in such Place or respective Places as the said Commissioners or their Surveyor for the Time being may at their Discretion direct or appoint for any of the above Purposes); or kill, slaughter, or scald, singe, dress, or cut up any Animal, either wholly or in part; or beat or dust any Carpet or Hearthrug or Mat (except only Door Mats before the Hour of Eight in the Morning); or shall drive any Carriage or Carriages for the Purpose of breaking, exercising, or trying Horses; or if any Person shall permit his or her Dog to go at large, after public Notice directed by the said Commissioners to be given by any Officer or Servant appointed by the said Commissioners, during such Time as such Notice shall direct Dogs to be confined on the Suspicion of the Existence of Canine Madness, within or near the Limits of this Act; or shall leave any Cart, Waggon, Truck, or other Carriage or Obstruction in any Road, Street, Square, Lane, Market, Alley, Passage, Place, Path, or Causeway within the Limits of this Act (otherwise than during a reasonable Time necessary for loading or unloading the same); or shall throw, cast, or lay, or cause, permit, or suffer to be thrown, cast, or laid, or to remain, any Ashes, Dust, Dirt, Rubbish, Offal, or Vegetables, or any other Offal, Dung, Soil, Blood, or other Filth or Annoyance, or any other Matter or Thing, on or upon the Carriageway, Footway, or Pavement of any such Road, Street, Square, Lane, Market, or other public Place within the Limits of this Act, to the Annoyance of any Inhabitant or Inhabitants, Passenger or Passengers; or shall wilfully break, or aid or abet or assist in wilfully breaking, any Glass or Window Panes or Windows in or belonging to any Dwelling House or Building; or shall make or assist in making any Bonfire, or wantonly discharge or fire any Gun, Pistol, or Blunderbuss, or other Fire-arms, or let off, set fire to, or throw any Cracker, Squib, Rocket, or other Firework; or shall fly any Kite, drive any Hoop, or play at Football, or any other Game or Games, to the Annoyance of any Passenger or Inhabitant; or shall make or cause any unnecessary Stoppage of any Coach, Cart, Waggon, or Carriage, or otherwise occasion any Kind of Obstruction or Annoyance, in or upon any such Road, Street, Square, Lane, Market, or public Place; or shall obstruct or incommode, hinder or prevent, the free Passage of any Carriageway, Footway, or Causeway within

within the Limits of this Act, or prejudice or annoy in any Manner whatsoever any Person or Persons travelling, passing, or going thereon; or if the Driver of any Sort of Carriage whatsoever, meeting any other Carriage, shall not keep his Carriage on the Left or Near Side of the Road, or shall in any Manner wilfully prevent any other Person or Persons from passing him or any Carriage under his Care within such Road, Street, Square, Lane, Market, or public Place, or by Negligence or Misbehaviour prevent, hinder, or interrupt the free Passage of any Carriage or of His Majesty's Subjects within any such Road, Street, Square, Lane, Market, or Place; or if any Person shall affix any Posting Bill or other Paper to or against any Dwelling House, Wall, or Building, without the Consent of the Owner or Occupier thereof, or write upon or otherwise deface or mark any such Dwelling House, Wall, or Building with or by means of Chalk, Paint, or any other Materials whatsoever; then and in every such Case every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; and it shall be lawful for any Constable or other Peace Officer, or any One of the said Commissioners, or any Officer or other Person acting by or under their Authority, by virtue of this Act, and without any Warrant whatsoever, to seize and apprehend any such Offender or Offenders as aforesaid, and forthwith to convey him, her, or them before some Justice or Justices of the Peace for the City, Borough, or County in which the Offence may have been committed, in order to his, her, or their Conviction of such Offence.

Swine and Poultry not to be suffered to be in Streets, &c.

LXXI. And be it further enacted, That if any Person shall permit or suffer Swine or Poultry to be in any of the Streets or public Places within either of the said Parishes, Precinct, or Liberty, he shall forfeit and pay for every such Offence a Sum not exceeding Forty Shillings, and shall also forfeit the said Swine or Poultry; and it shall be lawful for the Officers of the said Commissioners and all others aiding them to seize the same, and for that Purpose, with the Consent of the Magistrate before whom such Offence shall have been proved, to enter any Place wherein such Swine or Poultry may be kept, and such Swine or Poultry shall be sold for the best Price that can be obtained, and the Proceeds applied to the Purposes of this Act.

Hackney Carriages not to ply in Piccadilly East of Sackville Street.

LXXII. And whereas the Place now used for Hackney Carriages to stand or ply for Hire, and situate in *Piccadilly*, and lying Eastward of the West Side of *Sackville Street*, is not only inconvenient to Passengers, but from the confined Width of the Street there daily Obstructions and frequent Accidents occur; be it therefore enacted, That from and after the passing of this Act no Driver of any Hackney Carriage shall stand or ply for Hire or remain with such Carriage in that Part of *Piccadilly* in the said Parish of *Saint James* which lies to the Eastward of the West Side of *Sackville Street* for any longer Time than shall be necessary for taking up or setting down his Fare, or waiting for his Fare when actually hired; and if any such Driver shall stand, ply, or remain as aforesaid (except as before excepted), he shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings; and in case the Name of such Driver be not known, or he cannot be found, or being found shall be unable to pay such Penalty, the same shall be recoverable from the Proprietor of such Hackney Carriage as if such Offence had been committed by the Proprietor.

LXXIII. And

For securing Offenders whose Names and Residences are unknown.

LXXIII. And be it further enacted, That it shall be lawful for any Officer or Agent of the said Commissioners, and all such Persons as he shall call to his Assistance, to seize and detain any Person who shall commit any Offence against this Act, and whose Name and Residence shall be unknown to such Officer or Agent, and to convey such Offender before some Justice of the Peace for the City, Borough, or County within which such Offence shall be committed, without any other Warrant or Authority than this Act; and such Justice is hereby empowered and required to proceed immediately to the hearing and determining of the Complaint.

Forms of Information and Conviction.

LXXIV. And be it further enacted, That all Justices of the Peace before whom any Person shall be informed against or convicted for or in respect of any Offence against this Act may cause the Information (whenever the Information shall be taken in Writing or in Print) and the Conviction respectively to be drawn up according to the following Forms, or any other Forms to the same Effect, as the Case may require; (that is to say,)

Form of Information.

'Middlesex to wit.' BE it remembered, That on the Day of *A. B.* of informeth me, *C. D.*, one of His Majesty's Justices of the Peace for that *E. F.* of [*here specify the Offence, and the Time and Place when and where the same was committed*], contrary to an Act passed in the Fifth Year of the Reign of King *William* the Fourth, intituled [*here insert the Title of this Act*], which hath imposed a Penalty of for the said Offence. Taken the Day of before me, *C. D.*'

Form of Conviction.

'Middlesex to wit.' BE it remembered, That on the Day of at *A. B.* is convicted before me, *C. D.*, one of His Majesty's Justices of the Peace for for that the said *A. B.* did on [*here specify the Offence, and the Time and Place when and where the same was committed*], contrary to an Act passed in the Fifth Year of the Reign of King *William* the Fourth, intituled [*here set forth the Title of this Act*]; and I do hereby adjudge that the said *A. B.* hath forfeited for the same Offence the Sum of or shall be committed to [*Place of Imprisonment*] for the Space of . Given under my Hand and Seal the Day and Year first above written. *C. D.*'

Act to extend to Knightsbridge.

LXXV. And whereas the several Squares, Streets, and other Places within the Hamlet or District of *Knightsbridge*, and being Part of the said Parish of *Saint Margaret Westminster*, have not been hitherto paved or lighted under and by virtue of the said Acts hereby repealed or either of them; be it therefore further enacted, and it is hereby declared, That all the Powers, Authorities, and Provisions in this Act contained shall be extended to and may be exercised in and over the several Squares, Streets, Lanes, Courts, and Footways in the said Hamlet or District of *Knightsbridge*, and the same are hereby declared to be within the Jurisdiction of the said Commissioners to be hereby appointed for paving and improving the Parishes of *Saint Margaret* and *Saint John Westminster*; and the said last-mentioned Commissioners may from Time to Time and at all Times hereafter inspect and survey the several Squares, Streets,

Lanes, Courts, and Footways in the aforesaid District or Hamlet as may not have been theretofore paved or repaired by virtue of or under the Acts hereby repealed, or any or either of them; and in case such Commissioners or the major Part of them present at a Special Meeting or Meetings to be called for that Purpose shall determine it is expedient that the said several Squares, Streets, Lanes, Courts, and Footways, or any or either of them, or some Part thereof, should be repaired or paved and thereafter repaired and kept in repair by them the said Commissioners, then and in every such Case and from Time to Time, as the said Commissioners shall so determine, it shall and may be lawful for the said Commissioners and they are hereby authorized to repair or pave, cleanse, water, light, or regulate the same or any Part or Parts thereof (as they may from Time to Time think expedient), and thereupon and thereafter that all and every such Squares, Streets, Lanes, Courts, and Footways so repaired or paved, cleansed, watered, lighted, or regulated, shall thenceforth be and be deemed to be under the Control and Management of the said last-mentioned Commissioners; and the Owners or the Occupiers of all and every Messuage, Tenement, and Hereditament therein may and shall be rated and assessed to the Rates and Assessments to be made in and for the said Parishes of *Saint Margaret* and *Saint John* under and by virtue of this Act; and all the Provisions in this Act, and in an Act passed in the Fifty-seventh Year of the Reign of His Majesty King *George* the Third, intituled *An Act for better paving, improving, and regulating the Streets of the Metropolis, and removing and preventing Nuisances and Obstructions therein*, shall apply and extend to all and every the said Squares, Streets, Lanes, Courts, and Footways, or such Parts thereof, as and when they shall be so repaired or paved as aforesaid: Provided always, that nothing herein contained shall extend to empower or authorize the said Commissioners for paving and improving the said Parishes of *Saint Margaret* and *Saint John* to pave, light, water, or cleanse, or in any Manner interfere with, so much and such Part of the Road or Carriageways in the said Hamlet or District of *Knightsbridge* as are under the Control and Jurisdiction of "The Commissioners of the Metropolis Turnpike Roads North of the River *Thames*," appointed under and by virtue of a certain Act made and passed in the Seventh Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for consolidating the Trusts of the several Turnpike Roads in the Neighbourhood of the Metropolis North of the River* Thames, or of any other Act or Acts passed for the Amendment thereof, or so much and such Parts of the Footways as are under the Control and Jurisdiction of certain Commissioners appointed under and by virtue of an Act passed in the Thirty-fifth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for keeping in repair the Footways in the* High Street *of the Town of* Kensington *in the County of* Middlesex, *and for lighting and watching the said Street, and also certain Courts and Alleys communicating therewith, and for removing and preventing Encroachments, Nuisances, and Annoyances therein.*

57 G. 3. c. 29.

Proviso.

7 G. 4. c. 142.

35 G. 3. c. 74.

St. Margaret and St. John to be One Parish for Purposes of this Act.

LXXVI. And be it further enacted, That for the several Purposes of this Act the Parishes of *Saint Margaret* and *Saint John the Evangelist* shall in all respects be considered as One Parish only, and that the Commissioners chosen for the said United Parishes shall be considered as One Body

Body of Commissioners only, who are to meet and act in conjunction for the said United Parishes.

The Act 57 G. 3. c. 29. (Metropolis Paving Act) to apply to the Parishes, &c. within Limits of this Act.

LXXVII. And be it further enacted, That all and every the Clauses, Provisions, Powers, and Authorities, Articles, Matters, and Things, contained in an Act passed in the Fifty-seventh Year of the Reign of His Majesty King *George* the Third, intituled *An Act for better paving, improving, and regulating the Streets of the Metropolis, and removing and preventing Nuisances and Obstructions therein,* shall, notwithstanding any thing herein contained, remain, continue, and be in full Force and Effect within and throughout the several Parishes, Precinct, and Liberty comprised within the Jurisdiction of this Act, and shall be valid and effectual for carrying this Act into execution to all Intents and Purposes, and that the Commissioners for putting this Act in execution may from Time to Time and at all Times either act under and upon all or any of the Clauses, Provisions, Powers, and Authorities contained in the said Act of the Fifty-seventh Year of His said Majesty King *George* the Third, or under the Clauses, Provisions, Powers, and Authorities of this Act, as they from Time to Time may think proper or deem most expedient.

Repeal of the Exception in 10 G. 4. c. 129. s. 108. as to the Road adjoining the Abutments of Westminster Bridge.

LXXVIII. And be it further enacted, That so much of a certain Act of Parliament made and 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,* as provides that nothing therein contained should extend, or be deemed, construed, or taken to extend, to, or to put or place under the Jurisdiction of the Trustees by that Act appointed such Part of the Road adjoining to the Abutments of *Westminster Bridge* on the *Surrey* Side as was by the said Act passed in the Fifth Year of the Reign of His late Majesty King *George* the Third placed under the Jurisdiction of the Commissioners therein named, shall be and the same is hereby repealed; and that from and after the passing of this Act the said Part of the said Road adjoining to the Abutments of *Westminster Bridge* on the *Surrey* Side thereof shall be placed under the Jurisdiction of the Trustees appointed by the said Act passed in the Tenth Year of the Reign of His late Majesty King *George* the Fourth, and the Provisions, Powers, and Authorities of the said last-mentioned Act shall extend over the said Part of the said Road in the same Manner as if the said Part of the said Road had been in and by the said last-mentioned Act placed under the Control of the said Trustees, and the Provisions and Powers of the last-mentioned Act extended thereto.

Persons aggrieved may appeal to the Quarter Sessions.

LXXIX. And be it further enacted, That all Persons who may think themselves aggrieved by any Rate or Assessment made in pursuance or under the Authority of this Act, and also the said Commissioners and all other Persons and Bodies Corporate who may think themselves aggrieved by any Order, Judgment, or Determination of any Justice of the Peace relating to any Matter or Thing in this Act mentioned or contained, and for which no Power of Appeal is by this Act specifically given, may within

Three Calendar Months next after such Order, Judgment, or Determination shall have been made or given, appeal to the Justices of the Peace at any General or Quarter Sessions to be held for the City, Borough, or County within which the alleged Cause of Appeal shall arise, first giving Fourteen Days Notice in Writing of such Intention to appeal, and the Grounds and Nature thereof, to the Party against whom such Complaint is intended to be made, and forthwith after such Notice entering into Recognizance before some Justice of the Peace, with Two sufficient Sureties, conditioned to try such Appeal, and abide the Order and Award of the said Court thereon; and the said Justices shall in a summary Way either hear and determine the said Complaint at such General or Quarter Sessions, or if they think proper may adjourn the Hearing thereof to the following General or Quarter Sessions of the Peace to be held for such City, Borough, or County; and the said Justices may, if they see Cause, mitigate any Penalty or Forfeiture, and may order any Money to be returned which shall have been levied in pursuance of such Order or Determination, and may also order any such further Satisfaction to be made to the Party injured as they shall judge reasonable, and may also order such Costs to be paid to the Party aggrieved by the Party aggressing as they shall think reasonable.

On Appeal from Rate, Quarter Sessions may amend without quashing it, or if necessary may quash the Rate.

LXXX. And be it further enacted, That upon all Appeals from any Rate or Assessment made in pursuance of this Act the Court of General or Quarter Sessions of the Peace shall and such Court is hereby authorized and required (in Cases where they shall see just Cause to give Relief) to amend such Rate or Assessment either by inserting therein or striking out the Name or Names of any Person or Persons, by altering the Sum or Sums therein charged on any Person or Persons, or in any other Manner which the said Court shall think necessary for giving such Relief, and without quashing or wholly setting aside such Rate or Assessment: Provided always, that if the said Court shall be of opinion that it is necessary for the Purpose of giving Relief to the Person or Persons appealing that the Rate or Assessment shall be wholly quashed, then the said Court may quash the same, and order a new one to be made.

Proceedings not to be quashed for Want of Form.

LXXXI. And be it further enacted, That no Proceeding to be had or taken in pursuance of this Act shall be quashed or vacated for Want of Form, or be removed by Certiorari, or by any other Writ or Proceeding whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere, any Law or Statute to the contrary notwithstanding.

Commissioners may direct their Clerk to prefer Indictments.

LXXXII. And be it further enacted, That it shall and may be lawful for the said Commissioners in each of the said Parishes, Precinct, or Liberty to direct their Clerk for the Time being to prefer Indictments against any Person or Persons for any Nuisance committed within or upon any of the said Squares, Streets, Lanes, Courts, Ways, Footways, Carriageways, Markets, Passages, and Places within the Limits prescribed by this Act, and to pay the Expences thereof out of the Monies arising by this Act.

Limitation of Actions.

LXXXIII. And be it further enacted, That no Action or Suit shall be brought, commenced, or prosecuted against any Person for any thing done or omitted to be done in pursuance of or in the Execution of the Powers

Powers or Authorities by or under this Act, unless Twenty-one Days previous Notice in Writing shall be given by the Party or Parties intending to commence such Action or Suit to the intended Defendant or Defendants, nor unless such Action or Suit shall be brought or commenced within Three Calendar Months next after the Fact committed, or in case there shall be a Continuation of Damage then within Three Calendar Months next after the doing or committing such Damage shall have ceased, nor unless such Action or Suit shall be laid and brought in the County within which the Matter in dispute or Cause of Action shall have arisen; and the Defendant or Defendants in such Action or Suit may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the Acts were done or were omitted to be done (as the Case may be) in pursuance or by the Authority of this Act; and if they should appear to have been so done, or to have been so omitted to be done, or if it should appear that such Action or Suit shall have been brought otherwise than as herein-before directed, then and in every such Case the Jury shall find for the Defendant or Defendants; upon which Verdict, or if the Plaintiff or Plaintiffs shall become nonsuited, or shall suffer a Discontinuance of his, her, or their Action or Suit, after the Defendant or Defendants shall have appeared thereto, or if a Verdict shall pass against the Plaintiff or Plaintiffs therein, or if upon Demurrer or otherwise Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have his, her, or their Costs, and shall have such Remedy for recovering the same as Defendants have for recovering Costs of Suit by Law in any other Cases.

Plaintiff not to recover after Tender of Amends.

LXXXIV. And be it further enacted, That no Plaintiff shall recover in any Action for any Irregularity, Trespass, or other wrongful Proceeding made or committed in the Execution of this Act, if Tender of sufficient Amends shall have been made by or on behalf of the Party or Parties who shall have committed such Irregularity, Trespass, or other wrongful Proceeding, before such Action brought; and in case no Tender shall have been made it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court wherein such Action shall depend, at any Time before Issue joined, to pay into Court such Sum or Sums of Money as he, she, or they shall think fit, whereupon such Proceedings, Order, and Adjudication shall be had and made in and by such Court as in other Actions where Defendants are allowed to pay Money into Court.

Recovery and Application of Penalties.

LXXXV. And be it further enacted, That all Penalties or Forfeitures inflicted or imposed by this Act, or by virtue of any Rule or Order made in pursuance thereof (the Manner of levying and recovering which is not herein particularly directed), may, in case of Nonpayment thereof, be recovered in a summary Way by the Order and Adjudication of some Justice of the Peace in the said City, Borough, or County, on Complaint to him for that Purpose made, and afterwards be levied, as well as the Costs (if any) of such Proceedings, on Nonpayment, by Distress and Sale of the Goods and Chattels of the respective Offenders or Persons liable to pay the same, by Warrant under the Hand and Seal of such Justice, who is hereby authorized and required to summon and examine any Witnesses of or concerning such Offence, Matters, and Things, and to hear and determine the same; and the Overplus (if any) of the Money so raised or recovered, after discharging such Penalties or Forfeitures and

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the Costs and Expences as aforesaid, shall be returned, on Demand, to the respective Owners of the Goods and Chattels so seized and distrained; all which Penalties and Forfeitures not herein directed to be otherwise applied shall be paid to the said respective Commissioners, and shall be applied towards the general Purposes of this Act, unless such Penalties and Forfeitures shall be incurred by the said Commissioners, in which Case the same shall be paid, one Moiety to the Informer, and the other Moiety to the Treasurer of the County of *Middlesex*, to be by such Treasurer applied to the Use of the General Rate of the County of *Middlesex*; and the Evidence of any Inhabitant of such County shall be admitted in Proof of the Offence, notwithstanding such Application of the Penalty incurred thereby; and in case any such Penalty or Forfeiture shall not be forthwith paid it shall be lawful for the said Justice to order any Offender so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant of Distress, unless such Offender shall give sufficient Security to the Satisfaction of such Justice for his Appearance before the said Justice or before some other Justice having Jurisdiction on such Day as shall be appointed for the Return of such Warrant, such Day not being later than Eight Days from the Day of taking any such Security, and which Security any such Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no such sufficient Distress can be had whereupon to levy the said Penalty or Forfeiture and Costs and Expences aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of any such Justice, upon the Confession of the Offender or otherwise, that he hath not sufficient Goods and Chattels whereupon such Penalty or Forfeiture, Costs and Expences, could be levied if a Warrant of Distress were issued, such Justice shall not be required to issue such Warrant, but in such Case such Justice is hereby required by Warrant under his Hand and Seal to commit such Offender to some Common Gaol or House of Correction for the City or County, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, or until such Offender shall have paid such Penalty or Forfeiture, and all Costs and Charges attending the Proceedings (to be ascertained by such Justice), or shall otherwise be discharged by due Course of Law: Provided always, that in all Cases where the Penalty imposed by this Act shall exceed the Sum of Ten Pounds no summary Proceeding shall be had or taken for the Recovery thereof before a less Number than Two Justices.

Damages and Charges, in Cases of Distress, to be settled by Justices.

LXXXVI. And be it further enacted, That in all Cases where Damages or Charges are by this Act directed to be paid, and the Manner of ascertaining the Amount thereof is not specified or provided for, such Amount, in case of Nonpayment or of any Dispute respecting the same, shall be ascertained and determined by some Justice of the Peace; and where by this Act any Damages or Charges are directed to be paid in addition to any Penalty for any Offence, the Amount of such Damages or Charges, in case of Nonpayment or of any Dispute respecting the same, shall be ascertained and determined by the Justice by or before whom any Offender shall be convicted of such Offence; and such Justices respectively are hereby authorized and required, on Nonpayment of the Damages or Charges in any of the Cases aforesaid, to levy such Damages or Charges

by Distress and Sale of the Offender's Goods and Chattels in manner directed by this Act for the levying of Penalties or Forfeitures.

Justices may proceed by Summons in the Recovery of Penalties.

LXXXVII. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable by Information before a Justice of the Peace it shall be lawful for any Justice of the Peace to whom Complaint shall be made of any Offence against this Act to summon before him the Party complained against, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him or her to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited before him; and all such Proceedings by Summons without Information in Writing shall be as valid and effectual to all Intents and Purposes as if an Information in Writing had been exhibited.

General Powers to Justices to administer Oaths.

LXXXVIII. And be it further enacted, That in all Cases where any Justice of the Peace is authorized by this Act to examine any Person, or to take cognizance of or to hear or determine any Matter or Complaint, it shall be lawful for such Justice and he is hereby empowered to administer an Oath to or to receive the Affirmation of any Person before he or she shall be examined by or before such Justice.

Declaring what shall be good Service of Notice on Commissioners.

LXXXIX. And be it further enacted, That in all Cases where it may be necessary for any Person to serve any Notice or other Proceeding upon the said Commissioners acting under this Act, Service thereof respectively upon the Clerk of the said Commissioners, or left at the Office of such Clerk, or with some Inmate of his last or usual Place of Abode, or at the Office of the said Commissioners, or upon any Three of the said Commissioners acting in the Parish, Precinct, or Liberty in the Execution of this Act, or left with some Inmate of their respective last or usual Places of Abode, shall be deemed sufficient Service thereof upon the said Commissioners.

Declaring what shall be good Service of Notice by Commissioners.

XC. And be it further enacted, That in all Cases where it may be necessary for the said Commissioners to give any Notice to any Person or Body whomsoever under the Provisions of this Act, such Notice shall be in Writing or in Print, or partly in Writing and partly in Print, and be signed by any Three or more of the said Commissioners, or by their Clerk for the Time being, and shall be delivered to such Person, or left with some Inmate of his or her last or usual Place of Abode, or to be delivered to some Member of such Body, or be left with some Inmate of his last or usual Place of Abode, or delivered to some Clerk or other Officer of such Body, or be left at the Office of such Clerk or Officer, or with some Inmate of his last or usual Place of Abode, except in Cases in which any other Mode of giving such respective Notices is by this Act particularly directed; and in all Cases where any public Notice is by this Act directed to be given by the said Commissioners (except such public Notices as are by this Act expressly directed to be given in some other Manner) such Notice shall be in Writing or in Print, or partly in Writing and partly in Print, and be signed by any Three or more of the said Commissioners, or by their Clerk for the Time being, and be affixed to or upon

upon the principal outer Door of the Church of each of the said respective Parishes, or the Church or Chapel of the Precinct or Liberty for which the Commissioners giving such public Notice shall act; and all such Notices so published and given shall be good and available in Law for the Purposes of this Act.

Books, &c. of Commissioners under recited Acts to be delivered to Vestry Clerk of Saint Margaret.

XCI. And be it further enacted, That the said Commissioners, or any Three or more of them, appointed under the said Acts hereby repealed or either of them, shall within Six Calendar Months after the passing of this Act cause all Rate Books and Papers, Books, Writings, Vouchers, Contracts, Agreements, and other Documents in their Hands, Custody, or Power, relating to the said Acts hereby repealed or either of them, to be delivered to the Vestry Clerk of the said Parish of *Saint Margaret*, to be by him kept and preserved among the Records of the said Vestry, and to be inspected at all reasonable Times upon Payment to such Vestry Clerk of the Sum of Two Shillings and Sixpence for his Attendance thereon, and any Extract or Extracts to be taken therefrom, by either of the Commissioners appointed under the Authority of this Act for either of their Parishes, Precinct, or Liberty, or by any Person appointed in Writing by any Three or more of them.

Expences of obtaining Act how to be paid.

XCII. And be it further enacted, That the said Commissioners, or any Three or more of them, appointed under the Acts hereby repealed, shall within Two Calendar Months after the passing of this Act ascertain the Costs, Charges, and Expences of preparing, applying for, and obtaining this Act, or otherwise incidental thereto, and determine and direct the several Proportions thereof to be paid by the said Parishes, Precinct, and Liberty, and certify such Amounts respectively in Writing to the Commissioners for each of the said Parishes, Precinct, and Liberty, and which Proportions so to be determined and certified as aforesaid shall be paid by the said last-mentioned Commissioners in and for the said Parishes, Precinct, and Liberty out of the Monies to be raised or received by them respectively under and by virtue of this Act.

Application of Money received.

XCIII. And be it further enacted, That the Commissioners acting for each of the said Parishes, Precinct, and Liberty, out of the Money received by them under and by Authority of this Act, shall, in the first place, pay and discharge their respective Proportions of the Costs, Charges, and Expences of preparing, applying for, and obtaining this Act, or otherwise incidental thereto; and in the next place, in paying and discharging all Expences now or hereafter to be incurred or become due attending the paving, macadamizing, lighting, cleansing, repairing, watering, and regulating the several Squares, Streets, Lanes, Courts, Ways, Footways, Carriageways, Passages, and Places within their respective Jurisdictions, and in otherwise carrying this Act into execution.

Rules for Construction of certain Terms used in this Act.

XCIV. And be it further enacted, That whenever in the said recited Act of the Fifty-seventh Year of the Reign of King *George* the Third, or in this Act, any Word or Words is or are used importing the Singular Number or the Masculine Gender only, such Word or Words shall extend to and shall be construed to include several Persons or Matters as well as one Person or Matter, and Females as well as Males, and a Body or Bodies

Bodies Politic, Corporate, Collegiate, Corporation or Corporations Aggregate or Sole, as well as Individuals, unless it be otherwise specially directed or provided for.

Not to extend to the lighting of Dean's Yard, &c.

XCV. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to the repairing, lighting, or cleansing a certain Place called *Dean's Yard*, and such other Places as are adjoining to the West and South-east Doors of *Westminster Abbey*, not being Street Pavements, but within the Posts and Rails, but that such last-mentioned Place and Places be paved, repaired, cleansed, and lighted at the Expence of the Dean and Chapter of *Westminster*, as has been accustomed to be done.

Not to affect 25 G. 2. c. 23.

XCVI. And be it further 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 Twenty-fifth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for the better Relief and Employment of the Poor in the Parishes of* Saint Margaret *and* Saint John the Evangelist *in the City of* Westminster, *and for cleansing the Streets and repairing the Highways within the said Parishes*, but that the said last-mentioned Act, and all and every the Rights, Powers, Authorities, and Provisions therein contained, shall be and remain in as full Force and Effect to all Intents and Purposes as if this Act had not been made.

Not to affect 22 G. 3. c. 44.

XCVII. And be it further enacted, That nothing in this Act contained, except as herein-before mentioned and provided for, 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 Twenty-second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for amending the Pavement in and for lighting some of the Streets, Lanes, Ways, and Places in the Parishes of* Saint Margaret *and* Saint John the Evangelist *in* Westminster, *which are at present excluded from the Provisions of an Act passed in the Eleventh Year of His present Majesty, intituled 'An Act to amend and render more effectual several Acts made 'relating to paving, cleansing, and lighting the Squares, Streets, Lanes, and 'other Places within the City and Liberty of* Westminster *and Parts adjacent,' and for preventing Nuisances and Annoyances in or near the same, and for making an Opening from* Orchard Street, *and widening some Part of* Wood Street *and of* Little Peter Street, but that the said last-mentioned Act, and all and every the Rights, Powers, Authorities, and Provisions therein contained, shall be and remain in as full Force and Effect to all Intents and Purposes as if this Act had not been made.

Not to affect 5 G. 4. c. 100.

XCVIII. And be it further 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, Privileges, or Provisions contained or granted in or by an Act passed in the Fifth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for more effectually paving, lighting, watching, cleansing, and regulating the* Regent's Park, *together with the new Street from*

from the Regent's Park *to* Pall Mall, *and the new Streets and Improvements in the Neighbourhood of* Parliament Street *and* Privy Gardens, *and for maintaining a convenient Sewage for the same*, or in or by an Act passed in the Sixth Year of the Reign of His said late Majesty, intituled *An Act for extending the Jurisdiction of the Commissioners acting in execution of an Act of the Fifth Year of His present Majesty, for paving and regulating the* Regent's Park, *together with the new Street from thence to* Pall Mall, *and for other Purposes relating thereto*, or in or by an Act of Parliament passed in the Ninth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to extend the Jurisdiction of the Commissioners acting in the Execution of Two Acts for paving and regulating the* Regent's Park, *together with the new Street from thence to* Pall Mall, *and to amend the said Acts*, or in or by an Act passed in the Second Year of the Reign of His present Majesty, intituled *An Act to extend the Jurisdiction of the Commissioners acting in the Execution of Three Acts for paving and regulating the* Regent's Park, *and several Streets and Places in* Westminster *to certain other Streets and Places in* Westminster, *and for other Purposes;* but that the said several Acts, and all and every the Rights, Powers, Authorities, Privileges, and Provisions therein contained, shall be and remain in as full Force and Effect to all Intents and Purposes as if this Act had not been made.

6 G. 4. c. 38.

9 G. 4. c. 64.

2 W. 4. c. 56.

Not to affect 6 G. 4. c. 134.

XCIX. And be it further 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 Sixth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for paving, draining, cleansing, lighting, watching, and improving the Streets and public Places which are or shall be made upon certain Grounds in the Parishes of* Saint Margaret *and* Saint John the Evangelist *in the City of* Westminster, *commonly called* Tothill Fields, but that the said last-mentioned Act, and all and every the Rights, Powers, Authorities, and Provisions therein contained, shall be and remain in as full Force and Effect to all Intents and Purposes as if this Act had not been made.

Rights of Trustees of Turnpike Roads not to be affected.

C. Provided always, and be it further enacted, That (except as aforesaid) nothing in this Act contained shall be deemed to affect or interfere with any of the Powers, Rights, or Duties of the Commissioners or Trustees of any Turnpike Roads within the Limits of this Act.

Saving Rights of Water Companies.

CI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to prejudice, diminish, or take away any Right, Power, Interest, Privilege, Advantage, Authority, or Liability of the Governor and Company of *Chelsea* Waterworks, or of the Grand Junction Waterworks Company, but that all and every the Rights, Powers, Interests, Privileges, Advantages, Authorities, and Liabilities of the said Companies respectively shall be as good, valid, and effectual as if this Act had not been made.

Saving Rights of Commissioners of Sewers for Holborn.

CII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to prejudice, diminish, alter, or take away any of the Rights, Powers, Authorities, or Liabilities of the Commissioners of Sewers for the Limits of *Holborn*

Holborn and *Finsbury* Divisions, the Parish of *Saint Leonard Shoreditch*, and the Liberty of *Norton Falgate*, in the County of *Middlesex*, and the Borders and Confines of the same, but all the Rights, Powers, Authorities, and Liabilities shall be as good, valid, and effectual as if this Act had not been passed.

Not to affect 11 G. 3. c. 29.

CIII. And be it further 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 Eleventh Year of the Reign of His Majesty King *George* the Third, intituled *An Act for consolidating, extending, and rendering more effectual the Powers granted by several Acts of Parliament for making, enlarging, amending, and cleansing the Vaults, Drains, and Sewers within the City of* London *and Liberties thereof, and for paving, cleansing, and lighting the Streets, Lanes, Squares, Yards, Courts, Alleys, Passages, and Places, and preventing and removing Obstructions and Annoyances within the same;* but that the said last-mentioned Act, and all and every the Rights, Powers, Authorities, and Provisions therein contained, shall be and remain in as full Force and Effect to all Intents and Purposes as if this Act had not been made.

Saving Rights of Commissioners of Sewers for Westminster and Middlesex.

CIV. Provided always, and be it further declared and enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to prejudice, diminish, alter, or take away any of the Rights, Powers, Authorities, or Liabilities of the Commissioners of Sewers for the City and Liberty of *Westminster* and County of *Middlesex*, but all such Rights, Powers, Authorities, and Liabilities shall be as good, valid, and effectual as if this Act had not been made.

Act not to affect certain new Streets, Golden Square, or Saint James's Square.

CV. And be it further enacted, That nothing herein contained shall be construed to extend to or in anywise to affect any Street or Place under the Jurisdiction of the Commissioners of the new Streets or of His Majesty's Woods and Forests, or to lessen or interfere with the Powers and Authorities of the said Commissioners, nor to extend to or affect *Golden Square*, nor the East, West, and North Sides and Centre of *Saint James's Square*, within the said Parish of *Saint James*.

Public Act.

CVI. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

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