



ANNO QUINTO

GEORGII IV. REGIS.

Cap. lxx.

An Act for forming, paving, cleansing, lighting, watching, and regulating Streets and other public Passages and Places on certain Plots of Ground called *Battle Bridge Fields*, near *Gray's Inn Lane*, in the Parish of *Saint Pancras* in the County of *Middlesex*. [28th May 1824.]

WHEREAS *Thomas Dunston* of *Old Street* in the Parish of *Saint Luke* in the County of *Middlesex*, Esquire, *William Robinson* of *Charterhouse Square* in the same County, Esquire, and *William Flanders* of *Colebrook Row, Islington*, in the same County, Esquire, claim to be seised of or entitled to several Pieces or Plots of Ground heretofore called or known by the Name of *Battle Bridge Fields*, containing by Estimation Sixteen Acres and a Half or thereabouts, situate in the Parish of *Saint Pancras* in the County of *Middlesex*; Fifteen Acres and a Quarter Part thereof or thereabouts being on the South Side of a certain Road commonly called *New Road*, and abutting towards the South on the Estate of *Joseph Lucas* Esquire, towards the West on the Estate of the *Skinner's Company*, towards the East on *Gray's Inn Lane Road*, and towards the North on the said *New Road*; and One Acre and a Quarter Part thereof or thereabouts being on the North Side of the said *New Road*, and abutting Northwards on the Estate of *Weston*, Westward on the Estate of the *Skinner's Company*, Eastward on Ground in Possession of the Trustees of the *Highgate* and *Hampstead* Roads used as a

[Local.] 18 K Green-

Greenyard, and Southward on the aforesaid *New Road*: And whereas it is intended to make several Streets and other public Passages and Places on the said Pieces or Plots of Ground: And whereas it would contribute to the Benefit and Safety of all Persons who shall be Inhabitants of the said intended Streets and public Passages and Places, and to all Persons who shall have Occasion to pass along the same, if Provisions were made for forming, paving, repairing, and keeping in Repair such intended Streets and other public Passages and Places on the said Pieces or Plots of Ground, and also for cleansing, lighting, watching, and watering the same, and for removing and preventing Nuisances, Annoyances, and Encroachments therein: And whereas it would also contribute to the Benefit and Advantage of the Owners and Occupiers of the Houses to be erected on the said Pieces or Plots of Ground, if Provisions were made for raising Money to defray the Expence of forming, paving, repairing, cleansing, lighting, watching, and watering such Streets and other public Passages and Places, and of continuing and keeping the same in Repair: But although the several Purposes aforesaid, if carried into Execution, would be highly advantageous to the Parties interested, and also to the Public, the same cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Owners of the Freehold and Inheritance of the said Pieces or Plots of Ground, their Heirs and Assigns, together with *Henry Minter Fyffe, Ebenezer Perry, John Gaultier, William Jenkins, William West, Daniel West, William Smith, William Bittleston, John Bittleston, Edmund Cotterell, Thomas Greenwood, William Charles Lever Keene, John Smither, Thomas Pellatt, William Emmerson, John Tudor, Joseph Wigg, Francis Wigg, Charles Cook, George Slaton, John Ford, William Archer, John Watts, and William Oliver*, together with the Three Vestrymen of the Parish of *Saint Pancras*, to be nominated and appointed as herein-after mentioned, shall be and they are hereby appointed Commissioners for carrying this Act into Execution, for and during the Term of Four Years, to be computed from the Twenty-fourth Day of *June* One thousand eight hundred and twenty-four; and that from and after the Expiration of the said Term of Four Years, the Owners of the Freehold and Inheritance of the said Pieces or Plots of Ground, their Heirs and Assigns, and the several other Persons to be elected and appointed in the Manner herein-after mentioned, shall be and are hereby appointed Commissioners for carrying this Act into Execution.

Commissioners.

Commissioners appointed for Four Years.

Appointing Commissioners at the Expiration of Four Years.

II. And for appointing and continuing a sufficient Number of Commissioners to carry this Act into Execution after the Expiration of the said Four Years; be it further enacted, That upon the Twenty-fourth Day of *June* One thousand eight hundred and twenty-eight, unless the same shall happen to be on a *Sunday*, and in such Case then on the following Day, the Owner or Owners, or Person or Persons entitled to the Freehold of the said Pieces or Plots of Ground, together with the Inhabitant Householders residing within the Limits of this Act, who

who shall respectively be rated at Forty Pounds *per Annum* or more, and who shall have paid up their Rates to the preceding Quarter Day, immediately before every such Meeting as herein-after is mentioned, (to be convened for that Purpose by a Notice to be affixed on the Door of the Church of the said Parish of *Saint Pancras*, under the Signature of the Clerk to the Commissioners for the Time being acting under and by virtue of this Act), are hereby authorized and required to meet at such Place as shall be expressed in such Notice, and there to elect Twenty-one Persons, (each of whom shall be a Housekeeper, and then, either in his own Right or in the Right of his Wife, in the actual Possession and Enjoyment or Receipt of the Rents and Profits of some Building, Land, Tenement, or Hereditament situate and being within the Limits of this Act, of the clear yearly Value of Forty Pounds, or a Lessee or Occupier of some House, Building, Tenement, or Land within such Limits, rated or liable to be rated by virtue or for the Purposes of this Act, at or for the clear yearly Value of Forty Pounds, or resident within the said Limits, and possessed of a Personal Estate of the Amount or Value of Two thousand Pounds over and above what shall be sufficient to satisfy and discharge his just Debts), except the said Vestrymen, to be Commissioners for carrying this Act into Execution; and such Twenty-one Persons to be elected Commissioners shall be and they are hereby appointed Commissioners for putting into Execution the Powers and Authorities given and granted by this Act, either together with or without the Owners of the said several Pieces or Plots of Grounds.

Qualification
of Commis-
sioners:

III. Provided always, and be it further enacted, That if at the Expiration of the said Four Years there shall not be a sufficient Number of Persons, who shall be qualified as aforesaid to act as Commissioners in the Execution of this Act, then and in such Case the said Commissioners hereby first appointed shall be deemed and considered competent to act in the Execution of the same, without such Qualifications for the next succeeding Year after the Expiration of the said Four Years, and so from Year to Year, until there shall be a sufficient Number of Persons qualified and appointed to act in the Execution of this Act as aforesaid.

In case
there are not
sufficient
Persons qua-
lified to act
as Commis-
sioners, those
hereby ap-
pointed may
continue to
act.

IV. And be it further enacted, That from and after the Appointment of the said Commissioners on the said Twenty-fourth Day of *June* One thousand eight hundred and twenty-eight, or from and after the Appointment of the said Number of Commissioners at any subsequent Period, in case a sufficient Number of Persons shall not be found qualified to act as Commissioners on the said Twenty-fourth Day of *June* One thousand eight hundred and twenty-eight, in case any of the Commissioners appointed or to be appointed under or by virtue of this Act (except the Owner or Owners, or Person or Persons entitled to the Freehold of the said Pieces or Plots of Ground, or any of them for the Time being), or the said Vestrymen, shall depart this Life, or shall become disqualified, or shall refuse to act, or for the Space of One Year shall neglect to act herein, it shall be lawful for the surviving or remaining Commissioners, or any Five or more of them, and they are hereby authorized, by Writing under their Hands and Seals, to elect and appoint One other Person to be a Commis-
sioner

For electing
Commis-
sioners on
Vacancies.

sioner in the Room or Stead of each and every Commissioner so dying or becoming disqualified or disabled, or refusing or neglecting to act as aforesaid, and every Person who shall be so elected and appointed is hereby vested with the same Powers and Authorities as the Commissioner in whose Place he was elected and appointed was vested with.

After Ap-
pointment of
said Commis-
sioners, no
Person, ex-
cept a Ves-
tryman, shall
be elected,
unless at
Special or
General
Meetings.

V. Provided always, That from and after the Appointment of the said Twenty-one Commissioners, no Person except the said Vestrymen shall be elected or thereafter appointed a Commissioner under this Act, unless at a Special or General Meeting to be convened for that Purpose by Two or more of the Commissioners for the Time being acting under and by virtue of this Act, by a Notice to be affixed for the Space of Five Days previously to the Day of such Meeting on the Door of the Church of the said Parish of *Saint Pancras*, under the Signature of the said Clerk.

Commission-
ers to be
sworn.

VI. Provided always, and be it further enacted, That no Person or Persons shall be capable of acting as a Commissioner in the Execution of the Powers given by this Act, except in administering the following Oath, until he shall have taken and subscribed the same; *videlicet*,

Oath.

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

No Person
except a
Vestryman
to act unless
qualified.

Which Oath it shall be lawful for any Two or more of the said Commissioners to administer: Provided also, that no Person hereafter to be elected a Commissioner for the Purposes of this Act, except the said Vestrymen, shall be capable of acting as a Commissioner in the Execution of this Act, otherwise than in administering the Oath herein-after mentioned (which Oath any One of the said Commissioners is hereby empowered to administer), unless at the Time of his acting he shall be qualified in manner herein-before mentioned, and until such Person shall have taken and subscribed an Oath to the Effect following; that is to say,

Oath of Qua-
lification.

I do swear, That I am a Housekeeper and in my
own Right [*or in the Right of my Wife*], in the actual Posses-
sion and Enjoyment or Receipt of the Rents and Profits of some
Building, Land, Tenement, or Hereditament, of the clear yearly
Value of Forty Pounds, situate and being within the Limits of an
Act passed in the Fifth Year of the Reign of King *George* the
Fourth, intituled [*here set forth the Title of this Act*], or [that I am
Lessee or Occupier of some Building, House, Tenement, or Land,
rated or liable to be rated at or for the clear yearly Value of Forty
Pounds at the least, by virtue of or for the Purposes or within the
Limits of the said Act], [*or, that I am Resident within the Limits
aforesaid, and am possessed of a Personal Estate of the Amount or
Value*]

Value of Two thousand Pounds over and above what is sufficient to satisfy and Discharge all my just Debts]. So help me GOD.

And if any Person not being so qualified (except the said Commissioners hereby first appointed), and the said Vestrymen; or if any Person so qualified shall, during such Time as he shall hold any Place or Office of Profit, or be any way interested or concerned in any Contract to be made by virtue of this Act, or any Work or Business to be done under the same, shall presume to act as a Commissioner in the Execution of this Act, he shall for every such Offence forfeit and pay the Sum of Fifty Pounds, together with full Costs of Suit, to any Person who shall sue for the same in any of His Majesty's Courts of Record, by Action of Debt or on the Case or otherwise; and the Person so sued shall prove that he is qualified as aforesaid, or that he did not hold any such Place or Office of Profit, or was not interested or concerned in any such Contract, Work, or Business as aforesaid, as the Case may happen, or otherwise shall pay the said Penalty, together with full Costs of Suit, without any other Proof or Evidence being given on the Part of the Plaintiff than that such Person had acted as Commissioner in the Execution of this Act (not being qualified as aforesaid), or whilst holding any such Place or Office, or being interested or concerned in any such Contract, Work, or Business as aforesaid.

Penalty on unqualified Persons acting.

VII. And be it further enacted, That it shall and may be lawful to and for the Vestrymen of the said Parish of *Saint Pancras*, at some General or Special Meeting duly convened for the Purpose, to nominate and appoint from Time to Time Three Persons, being Vestrymen of the said Parish, to act as Commissioners in the Execution of this Act, whether possessed of any Property within the said Limits or otherwise qualified according to the Provisions of this Act or not, and such Commissioners shall take and subscribe the Oath herein-before mentioned for faithfully, impartially, and honestly executing the Trusts of this Act reposed in them previous to their proceeding to carry the same into Execution; and in case any such Persons, or either of them, or any Person or Persons to be nominated and appointed in his or their Stead, shall die, or refuse, or be incapable to act as a Commissioner in the Execution of this Act, then and in every such Case it shall and may be lawful to and for the Vestrymen of the said Parish at some Meeting as aforesaid, to nominate and appoint another Person in the Room and Stead of each and every Person so dying or refusing, or being incapable to act as a Commissioner in the Execution of this Act, so that Three of the said Vestrymen may always be Commissioners as aforesaid.

Vestrymen of Saint Pancras to appoint Commissioners.

VIII. And be it further enacted, That the said Commissioners appointed by this Act shall meet at such Time and Place as any Two or more of them shall appoint, by Notice to be signed by them, and affixed on the Church Door of the said Parish, at least Five Days before such First Meeting, in order to put this Act into Execution, and shall and may then and from Time to Time afterwards adjourn themselves to any Place within or near the Limits of this Act; and if at any Time there shall not appear at any such Meeting a sufficient Number of the said Commissioners appointed or to be appointed by

Meetings of the Commissioners.

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

Restrictions
as to revoking
Orders.

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

Proceedings
of Com-
missioners
to be en-
tered.

X. And be it further enacted, That Entries shall be made by the Clerk or Clerks to the said Commissioners in a Book or Books to be provided for that Purpose of all the Acts, Orders, and Proceedings of the said Commissioners, and of the Names of the Commissioners who shall be present at the respective Meetings, and such Acts, Orders, and Proceedings shall be signed by the Chairman at the Meeting; and all such Entries being so signed shall be deemed

Originals, and shall be allowed to be read in Evidence in all Causes, Suits, Actions, Prosecutions, and Proceedings touching or concerning any thing done in pursuance of this Act, and that such Books shall at all seasonable Times be open to the Inspection of all Persons rated or assessed for the Purposes of this Act.

XI. And be it further enacted, That the said Commissioners shall from Time to Time, by Writing under their Hands, appoint a Treasurer, Clerk, and Surveyor, and also a Collector of the Rates or Assessments to be made as herein-after mentioned, and such other Officers and Persons as they shall think necessary, and may remove any such Officers or other Persons as they shall think proper, and appoint others in their Stead, and pay such Salaries, and make such Allowances to all such Officers and Persons, as they the said Commissioners shall think reasonable; and the said Commissioners are hereby required to take such Security from every such Treasurer and Collector, or other Officers, as they shall think proper.

Officers to be appointed, and to give Security.

XII. And be it further enacted, That every such Treasurer, Clerk, Collector, and other Officer shall, under their respective Hands, (at such Time or Times, and in such Manner as the said Commissioners shall direct), deliver to the said Commissioners, or to such Person or Persons as they shall appoint, a true and perfect Account in Writing of all such Matters and Things as may be committed to their Charge; and also of all Monies which shall have been by them received by virtue and for the Purposes of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the proper Vouchers for such Payments; and if any such Collector as aforesaid shall at any Time or Times hold or keep in his own Hands, for the Space of Seven Days together, any larger Sum of Money to be received by him under this Act than the Sum of Fifty Pounds, he shall for every such Offence forfeit and pay to the said Commissioners for the Purposes of this Act, any Sum of Money not exceeding Ten Pounds, within the Space of Ten Days next after he shall be called upon by them or their Treasurer to pay such Penalty; and every such Collector shall, when thereunto required by the Commissioners assembled at any such Meeting as aforesaid, produce a Book, containing an Account of the Rates and Assessments made by virtue of this Act, which shall be in arrear and unpaid, and the Names of the Persons by whom the same ought to be paid, with the Sums by them respectively owing, and the Times when the same became due; and if any such Treasurer, Clerk, Collector, or other Officer, shall refuse, or wilfully neglect to make and render, or to produce or deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or in case the Clerk of the said Commissioners, or any such Treasurer, Clerk, Collector, or other Officer shall not deliver to the said Commissioners, or to such Person as they shall appoint, within Seven Days next after being thereunto required by Notice in Writing, signed by the said Commissioners or any Two or more of them, and given to or left at the last or usual Place of Abode of such Treasurer, Clerk, Collector, or other Officer, all Books, Papers, and Writings in their respective Custody or Power, relating to the Execution of this Act, or Duplicates thereof respectively, or give Satisfaction to the said

Collector and other Officers to account.

Com.

Commissioners respecting the same, and Complaint shall be made thereof on the Behalf of the said Commissioners, to any Justice of the Peace for the County of *Middlesex*, such Justice is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Treasurer, Clerk, Collector, or other Officer to be brought before him, and upon his appearing or not being to be found, to hear and determine the Matter of such Complaint in a summary Way; and if upon the Confession of the Party, or by the Testimony of any creditable Witness upon Oath, which Oath such Justice is hereby empowered to administer, it shall appear to such Justice that any of the Monies which shall have been collected and received by virtue of this Act shall be in the Hands of any such Treasurer, Clerk, Collector, or other 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 Person; and if no such Goods or Chattels can be found sufficient to answer and satisfy the Money, and the Charges of distraining and selling the Distress, or if it shall appear to such Justice that any such Treasurer, Clerk, Collector, or other Officer had refused or wilfully neglected to render and give such Accounts as aforesaid, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of this Act shall be in the Custody or Power of any such Treasurer, Clerk, Collector, or other Officer, and he shall have refused or neglected to deliver up or give Satisfaction respecting the same as aforesaid, then such Justice shall commit him to the Common Gaol or House of Correction, there to remain without Bail or Mainprize, until such Person shall make and give a true and perfect Account, and have paid such Money as aforesaid, or shall have compounded for such Money with the said Commissioners, and have paid such Composition in such Manner as they shall appoint, which Composition the said Commissioners are hereby empowered to make and receive, and until such Person being Treasurer, Clerk, Collector, or other Officer, shall deliver up all such Books, Papers, and Writings, or Duplicates of the same as aforesaid; but no Person who shall be committed on account of his not having sufficient Goods or Chattels as aforesaid, shall be detained in Prison for any longer Term than Three Calendar Months.

Commissioners may sue and be sued.

XIII. And be it further enacted, That the said Commissioners shall and may sue and be sued, and otherwise proceed or be proceeded against at Law or otherwise, in the Name or Names of any One of the said Commissioners or of their Clerk for the Time being; and that all Actions or Suits which it may be necessary to bring for the Recovery of any Penalty or Sum of Money due or payable by virtue of this Act, or for or in respect of any Matter or Thing relating to this Act, shall be brought and prosecuted in the Name or Names of One of the said Commissioners, or of their Clerk for the Time being; and that no Action or Actions which may be brought, commenced, or prosecuted by or against the said Commissioners, or any of them, by virtue or on account of this Act, in the Name or Names of One or more of the said Commissioners or of their Clerk, shall abate or be discontinued by the Death or Removal of any such Commissioner or Clerk, or either of them, or by the Act or Default

of

of such Commissioner or Clerk or either of them, done or suffered without the Direction or Consent of Five or more of the said Commissioners for the Time being; but One or more of the said Commissioners, or the Clerk of the said Commissioners for the Time being, shall always be deemed Plaintiff or Plaintiffs, Defendant or Defendants, as the Case may be: Provided always, that every such Commissioner or Clerk in whose Name or Names any Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act, shall always be reimbursed and paid out of the Monies to be raised by virtue of this Act, all such reasonable Costs, Charges, and Expences as he or they shall sustain, be put unto or become chargeable with, by reason of his being so made Plaintiff or Plaintiffs, Defendant or Defendants therein, and such Commissioner or Clerk shall not be personally answerable or liable for the Payment of the same, or of any Part thereof, unless such Action or Suit shall arise in consequence of his own Neglect or Default, or unless it should have been brought, commenced, or defended without the Order or Direction of Five or more of the said Commissioners assembled at a Meeting under this Act.

XIV. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to appoint the Person or Persons who has been or may be appointed their Clerk or Clerks in the Execution of this Act, or the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, or of his or their Partner or Partners, the Treasurer or Treasurers for the Purposes of this Act, or to continue or appoint any Person or Persons who has been or may be appointed Treasurer or Treasurers, or the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers, or of his or their Partner or Partners, the Clerk or Clerks to the said Trustees; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person or Persons being the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, or of his or their Partner or Partners, shall accept the Office of Treasurer, or being the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers, or of his or their Partner or Partners, shall accept the Office of Clerk in the Execution of this Act, every such Person so offending shall, for every such Offence, forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance shall be allowed.

XV. And be it further enacted, That the said Commissioners shall and they are hereby required from Time to Time and at all Times hereafter, to order and direct a Book or Books to be provided and kept

[Local.]

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by

Treasurer and Clerk not to be the same Person.

Books of Accounts to be kept by Clerks.

by their Clerks for the Time being, in which Book or Books such Clerk or Clerks shall enter or cause to be entered true and regular Accounts of all Sums of Money which shall be received, paid, laid out and expended in pursuance of the Powers and Provisions of this Act, by or for or on account of the said Commissioners, and of the several Articles, Matters, and Things for which such Sums of Money shall have been paid, laid out, and expended; which Books shall, at all reasonable Times, be open to the Inspection of the Commissioners, and any Creditor or Creditors of the Rates hereby granted, and any Person or Persons who shall be rated to the same, without Fee or Reward; and the said Commissioners and Creditors, and such Person rated as aforesaid, or any of them, shall or may take Copies of or Extracts from the said last-mentioned Book or Books, or any Part or Parts thereof respectively, without paying any thing for the same; and in case the said Clerk or Clerks shall refuse to permit, or shall not permit the said Commissioners, or such Creditors, or such Persons so rated as aforesaid, or any of them, to inspect the same Book or Books, or to take such Copies or Extracts as aforesaid, he and they shall forfeit and pay for every such Offence any Sum not exceeding the Sum of Five Pounds.

Commission-
to pave
and repair
the Streets,
&c.

XVI. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, from Time to Time to cause the several Streets and other public Passages and Places to be made and set out within the Limits of this Act, and the Footways to be paved, and the Carriageways to be paved or made with Gravel, Flint, or other Materials, and such Foot and Carriageways to be from Time to Time amended and kept in good Repair, upon such Levels, and in such Manner, and with such Sorts and Kinds of Materials as they shall judge necessary and proper, and also to cause the said Streets and other public Passages and Places to be cleansed, lighted, watched, and watered, and the Sides thereof, or other Places which shall be made or set out, to be fenced or inclosed with Iron or other Rails, in such Parts and Places, and in such Manner as the said Commissioners shall think proper, and all Encroachments, Obstructions, Nuisances, and Annoyances therein to be removed, and Drains, Sinks, Gutters or Watercourses to be made for conveying the Water off and from the said Streets and other public Passages and Places, in such Manner as they shall think proper; and the said Commissioners shall and may erect Iron or other Gates, at the Ends of all or any of the said Streets, provided the said Streets be not a public Highway or Road, to prevent the passing of Carts, Stage Coaches, and other Carriages or Cattle, or Sheep, other than to, from, or for the Use of the Inhabitants of the said Estate.

No Person
shall break
up Pavement,
&c. without
Consent of
Commission-
ers.

XVII. And be it further enacted, That no Person shall, without the Consent of the said Commissioners, alter the Form or break up the Ground or Pavements of the Carriage or Footways, or the Iron or other Gates so to be erected or made as aforesaid, within any of the said Streets and other public Passages or Places, or make the same otherwise than as shall be directed by the said Commissioners, upon pain of forfeiting any Sum not exceeding Ten Pounds for every Offence, and such Person so offending shall also pay all the Expences
of

of restoring such Ground, Pavement, Iron, or other Gates, to their former State.

XVIII. Provided always, and be it further enacted, That it shall and may be lawful for the said Commissioners, and they are hereby authorized and empowered, from Time to Time to cause the Footway which shall be made in front next *Gray's Inn Lane Road* and the *New Road* to be paved, and such Pavement to be from Time to Time amended and kept in good Repair: Provided always, that nothing herein contained shall extend or be construed to extend to enable the said Commissioners to alter or repair the Carriageways of such Parts of *Gray's Inn Lane Road* and the *New Road*, as are opposite the said Estate, but the same shall remain and continue under the Management of and be repaired by the Trustees of the same Roads for the Time being.

Commissioners to pave Footway in front next Gray's Inn Lane Road and New Road.

XIX. And whereas it would be the Means of forwarding the Purposes of this Act, if the Builders and others who by Law are liable to make, level, and fill in the several Streets, Passages, and Places within the Limits of the Act, and pave the Carriage and Footways of the same, were to pay such Sums of Money for that Purpose as are herein-after directed; be it therefore enacted, That it shall and may be lawful to and for the said Commissioners to view and inspect all Streets or public Passages or Places within the Limits of this Act, which now are or hereafter may be built upon or in building, and if upon such View they shall be of Opinion that the Foot and Carriageways of the same, or any Part or Parts thereof, are fit and proper to be made, levelled, and filled in and paved, the said Commissioners at any Meeting to be held in pursuance of this Act, after such View, shall and may order their Surveyor or Surveyors, or other Person or Persons by them appointed for that Purpose, to give Notice to the Lessee or Lessees of all and every such Lands, Grounds, Houses, Shops, Warehouses, Coach Houses, Stables, Cellars, Vaults, Tenements or Hereditaments situated within the Limits aforesaid, or leave the same at his, her, or their last or usual Place of Abode, or with his, her, or their known Servant or Servants; or if no such Lessee or Lessees can be found, then such Notice shall be stuck against the said Premises or any Part thereof; which Notice shall require such Lessee or Lessees, either in Person or by his, her, or their Agent or Agents, to meet the said Commissioners at the Time and Place to be therein mentioned (not being less than Seven Days from the Date of such Notice) compound for making, levelling, and filling in such Foot and Carriageways, and paving of the Footways, and paving or making the Carriageways, and the said Commissioners are hereby authorized to make any such Composition as they may judge fair and reasonable, so that the Composition to be paid by such Lessee or Lessees for making and paving the Carriageways and Footways be not less in any Case than Two-third Parts of the actual Costs and Charges of making and paving the same by the said Commissioners; and if such Lessee or Lessees shall not so attend, or shall not compound and agree with the said Commissioners as aforesaid, it shall and may be lawful to and for the said Commissioners to order the said Foot and Carriageways to be levelled and filled in, and to be made and paved as soon as conveniently

Commissioners may compound for levelling and paving new Streets.

conveniently may be; and all the Charges and Expences attending such levelling, filling in, making, and paving as last aforesaid, as also such Composition which may be so made as aforesaid, shall be paid by the respective Lessee or Lessees, and shall be recovered and levied by Distress and Sale of their Goods and Chattels, in the same Manner as the Rates and Assessments to be paid by virtue of this Act are herein directed to be levied and recovered.

Commissioners may purchase or hire Ground for depositing Materials, and for building Watch Houses, &c.

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

To erect Engine House for Fire Engine.

XXI. And be it further enacted, That the said Commissioners may, and they are hereby authorized and empowered, either to purchase, rent, or hire any Piece or Parcel of Ground within the Limits aforesaid, for the Purpose of erecting an Engine House thereon, or to rent any Building to be made use of as such; and also to erect any Engine House in and upon any such Piece or Parcel of Ground, and to appoint an Engine Keeper; and likewise to buy or hire any Fire Engine or Engines, and such Horses, Carriages, and all other necessary Apparatus, and to hire such Persons, buy such Materials, and make such Regulations for the better carrying into Execution all or any of such Purposes, as the said Commissioners shall in their Discretion think proper.

Pavements, &c. vested in Commissioners.

XXII. And be it further enacted, That all the present and future Pavements, Flag Stones, Curb Stones, Stone, Gravel, and all other Materials of and in the several present and future Streets and other public Passages and Places, as well Carriage as Footways within the Limits of this Act, and all Materials and other Articles, Matters, and Things purchased or provided for the Purposes of this Act, shall belong to and be the Property of, and the same are hereby vested in the said Commissioners; and the said Commissioners shall and may

cause to be brought any Action or Actions, or direct the preferring of any Bill or Bills of Indictment (as the Case may require) against any Person or Persons who may steal, take, or carry away, or detain, spoil, injure, damage or destroy the several Articles, Matters, and Things hereby vested in them the said Commissioners as aforesaid, or any of them, or any Part or Parts thereof; and in all such Actions and Bills of Indictment respectively, it shall be 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, lighting, watching, and improving *Battle Bridge Fields*, without particularly mentioning or specifying the Name or Names of all or any of such Commissioners; and the said Commissioners shall have full Power and Authority from Time to Time to sell and dispose of all or any of the said Articles, Matters, and Things, or any Part or Parts of the same respectively, for the Purposes of this Act, to such Person or Persons, at such Time or Times, and in such Manner as they the said Commissioners shall think proper.

XXIII. And be it further enacted, That if any Person or Persons shall wilfully or maliciously break, pull down, destroy, or otherwise injure, damage, or spoil any of the said Iron Rails, Gates, Lamp Irons, Posts, Rails, Materials, and Things, or any of the Works which are or shall be carrying on, made, done, or executed within or about any of the said several Streets or other public Passages or Places already or hereafter to be set out or made as aforesaid in pursuance of this Act, or any Part or Parts thereof, every Person so offending shall for every such Offence forfeit any Sum not exceeding Five Pounds, and also make full Satisfaction to the said Commissioners for any Damage done by him, her, or them as aforesaid.

Penalty on destroying or injuring Materials.

XXIV. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered, from Time to Time to cause such Lamp Irons or Lamp Posts, Watch Houses, or Watch Boxes, to be put or fixed upon or against the Walls or Palisades of any of the Houses, Tenements, or Buildings, and Inclosures, or in such other Manner within the said intended Streets or other public Passages or Places, as they shall think proper, and also to cause such Number of Lamps, of such Sizes and Sorts, to be provided and fixed or put upon such Lamp Irons and Lamp Posts, as they shall think necessary for lighting all or any of the said Streets and other public Passages and Places, and also to cause the said Lamps, and also the several Houses within the several Streets and other public Passages and Places to be numbered; and also to cause to be painted, engraved, or described in or upon Stone, Wood, or otherwise, and to be affixed in a conspicuous Part of One or more House or Houses, Building or Buildings, at or near each End, Corner, or Entrance of such Streets and other public Passages and Places, the Name by which each respective Street, Lane, Court, Yard, Mews, Passage, and Place, or Row of Houses, is to be properly called or known, in such Manner as they shall judge most proper for distinguishing the same.

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

Power to
contract for
lighting.

XXV. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to contract and agree with any Company of Proprietors, or with any other Person or Persons, to light the said Streets, Lanes, Passages, and other public Places, or any of them, with Gas, Oil, or otherwise, as to the said Commissioners shall from Time to Time seem proper and expedient, and to provide and set up all necessary Lamps, Lamp Posts, Lamp Irons, and other Works necessary for such Purposes.

Company
not to lay
Pipes on
private Pre-
mises, &c.
without Con-
sent.

XXVI. Provided always, and be it enacted, That nothing herein contained shall extend or be construed to extend to authorize or empower the said Commissioners, or their Successors, or any Body or Bodies Politic or Corporate, or Person or Persons contracting with the said Commissioners for lighting such Streets, public Passages and Places, to carry or lay any Pipe or Pipes, Cocks, or Branches from any Mains or Pipes against, into, or through any Dwelling House or Dwelling Houses, Manufactories, public or private Buildings as aforesaid, or to continue the same without the Consent in Writing of the Owner or Owners, Occupier or Occupiers for the Time being of any such Dwelling House or Dwelling Houses, Manufactories, public or private Buildings as aforesaid respectively, nor to enable the said Commissioners, or their Successors, or any Body or Bodies Politic or Corporate, or Person or Persons contracting with the said Commissioners for lighting such Streets, public Passages and Places, to enter into or upon any private Lands or Grounds, without the Consent in Writing of the Owners and Occupiers of such Lands or Grounds for that Purpose first had and obtained.

Commission-
ers empower-
ed to let out
Gas Light in
case they
light the
Streets
themselves.

XXVII. And be it further enacted, That in case the said Commissioners shall deem it expedient to erect such Gas Apparatus, and to light the said Streets, Lanes, Entries, and other public Passages and Places, or any of them, with Gas or Inflammable Air, without contracting for the same as aforesaid, it shall be lawful for the said Commissioners, after sufficiently lighting such said Streets, Lanes, Entries, and other public Passages and Places, to let out or grant to any Person or Persons whomsoever who shall be willing to take the same, any Light or Lights, or Argand, Cockspur, Batwing, or any other Kind of Burner or Burners, and to supply the same with Gas or Inflammable Air, upon such Terms and Conditions, and at such annual Rents for the same, and in such Manner as they the said Commissioners shall from Time to Time think proper; provided nevertheless, that all Money to proceed therefrom or arise thereby be in the first Instance applied to defray the Expences of the Gas Apparatus and other Things connected therewith, and if there shall be any Overplus, then the same shall be applied generally for the Purposes of this Act.

Recovery of
Rent.

XXVIII. And be it further enacted, That in case any Person or Persons who shall contract with the said Commissioners, or any Body or Bodies Politic or Corporate, or Person or Persons contracting with the said Commissioners for lighting such Streets, public Passages and Places, or otherwise agree to take, or shall use or enjoy the Benefit of the said Gas in their private Dwellings, Shops, Inns, Ta-

verns, or other Buildings or Manufactories, shall refuse or neglect, for the Space of Fourteen Days after Demand, to pay the Sum or Sums then due for the same to the said Commissioners, or to the Body or Bodies Politic, or Corporate, or Person or Persons contracting with the said Commissioners, according to the Terms and Stipulations agreed upon, it shall be lawful for the said Commissioners, or their Clerk or Clerks, or any Person or Persons acting by or under their Authority, by Warrant under the Hand and Seal of any Justice of the Peace for the said County of *Middlesex*, to levy the said Sum or Sums of Money in respect whereof such Neglect or Refusal shall happen, by Distress and Sale of the Goods and Chattels of the Person or Persons so neglecting or refusing to pay the same, rendering the Overplus (if any) to such Person or Persons so refusing or neglecting; after the necessary Charges of making such Distress and Sale shall be first deducted.

XXIX. And be it further enacted, That the Branch or Service Pipes which shall be put down for lighting the said Streets, Lanes, Entries, and other public Passages and Places, shall be kept fully charged with Gas, and the Stop-cocks shall be so turned as not to impede or prevent the said Branch or Service Pipes being completely filled with Gas during the Time the same shall be lighted.

Service Pipes to be kept fully charged with Gas.

XXX. Provided also, and be it further enacted, That in case the said Commissioners, or any Body or Bodies Corporate or Politic, or other Person or Persons contracting with the said Commissioners, shall at any Time hereafter break up the Soil, Pitching, or Pavement of any private Road or Way, for the Purpose of laying any Main or Pipe along, under, or across the same, with the Consent of the Owner or Owners of the Soil for the Time being, and after the same shall have been so laid and placed, such Owner or Owners shall be desirous of having the same removed, it shall be lawful for such Owner or Owners at any Time or Times thereafter, if he, she, or they should deem it necessary or expedient, and at his, her, or their own Costs and Charges, to alter and vary the Position of such Pipe or Pipes, Main or Mains, and to relay the same, so that no Damage be done thereby to the said Commissioners, or Body or Bodies Politic or Corporate, or Person or Persons contracting with the said Commissioners, and so that they be not thereby prevented from or obstructed in lighting any public or private Lamp, unless such Damage or Obstruction be unavoidable.

Owners of private Grounds may alter the Position of Pipes.

XXXI. Provided always, and be it further enacted, That the said Commissioners shall at their own Expence, or any Body or Bodies Politic or Corporate, or Person or Persons contracting with the said Commissioners for lighting such Streets, public Passages and Places, on the Expiration or Determination of the Tenancy or Tenancies of any such Occupier or Occupiers so giving Consent as aforesaid, or within Fourteen Days of the Expiration or Determination of such Tenancy or Tenancies, upon receiving Notice in Writing for that Purpose for or on behalf of the Owner or Owners, or the succeeding Occupier or Occupiers of any such Dwelling House or Dwelling Houses, Manufactory or Manufactories, or public or private Building

Commissioners to remove Pipes when Tenants quit, if required.

or

or Buildings as aforesaid, remove, take, and carry away, or cause to be removed, taken, or carried away, any Pipe or Pipes, Cocks, or Branches from any Main or Pipe which shall have been placed or laid by the said Commissioners, or any Body or Bodies Politic or Corporate, or Person or Persons contracting with the said Commissioners for lighting such Streets, public Passages and Places, to or against any such Dwelling House or Dwelling Houses, Manufactory or Manufactories, or public or private Building or Buildings as aforesaid, pursuant to the Power for that Purpose herein-before contained, and repair and make good such Dwelling House or Dwelling Houses, Manufactory or Manufactories, or public or private Building or Buildings, to or against which the same shall have been so placed or laid, any thing herein contained to the contrary thereof in anywise notwithstanding; and in default thereof it shall and may be lawful to and for such Owner or Owners, or for such new Occupier or Occupiers, as the Case may require, or any Person or Persons acting under his, her, or their respective Authority or Authorities, to cause such Pipes, or Cocks, or Branches to be removed, taken, and carried away, and the said Dwelling House or Dwelling Houses, Manufactory or Manufactories, or public or private Building or Buildings, to or against which the same shall have been so placed or laid, to be repaired and made good, and the reasonable Costs and Charges of doing the same shall be immediately paid by the said Commissioners, or their Treasurer for the Time being, or any Body or Bodies Politic or Corporate, or Person or Persons contracting with the said Commissioners for lighting such Streets, public Passages and Places, to such Owner or Owners, Occupier or Occupiers, as the Case may require; and if such reasonable Costs and Charges shall not be paid within Ten Days next after Demand thereof shall be made by such Owner or Owners, Occupier or Occupiers, or other Person or Persons as aforesaid, Proof of such Demand being made by the Oath of One credible Witness before One or more Justice or Justices of the Peace for the said County of *Middlesex*, such reasonable Costs shall and may be levied and recovered by Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices of the Peace for the said County of *Middlesex*, which Warrant such Justice or Justices is and are hereby empowered to grant, and such Costs and Charges shall be paid to such Owner or Owners, Occupier or Occupiers, as the Case may be.

For prevent-
ing the
Escape of
Gas.

XXXII. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up by the said Commissioners in pursuance of this Act, the said Commissioners, or any Body or Bodies Politic or Corporate, or Person or Persons contracting with the said Commissioners for lighting such Streets, public Passages and Places, shall at their own Expence immediately after receiving Notice by Parol or in Writing to be left or given at their Office or usual Place of transacting their Business, of any such Escape of Gas, from any Person or Persons whomsoever, cause the most speedy and effectual Measures to be taken to stop or prevent such Gas from escaping; and in case the said Commissioners, or any Body or Bodies Politic or Corporate, or Person or Persons contracting with the said Commissioners for lighting such Streets,
public

public Passages and Places, shall not within Twenty-four Hours next after such Notice by Parol or in Writing being given of any such Escape of Gas, effectually stop and prevent the Gas from escaping, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the said Commissioners; or any Body or Bodies Politic or Corporate, or Person or Persons contracting with the said Commissioners for lighting such Streets, public Passages, and Places, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, for each and every Day after the Expiration of Twenty-four Hours from the Time of giving any such Notice during which the Gas shall be suffered to escape as aforesaid; which Penalty shall from Time to Time be recoverable in a summary Way, on the Oath or Affirmation of One or more credible Witness or Witnesses, before One or more Justice or Justices of the Peace for the said County of *Middlesex*, and shall and may be recovered, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the said Commissioners, or any Body or Bodies Politic or Corporate, or Person or Persons contracting with the said Commissioners for lighting such Streets, public Passages, and Places, by the Warrant of any such Justice or Justices of the Peace as aforesaid, to be granted in like Manner, and subject to the like Provisions as are herein directed, touching other Penalties to be recovered by virtue of this Act.

XXXIII. And be it further enacted, That it shall be lawful for the Commissioners, Body or Bodies Politic or Corporate, or other Person or Persons contracting with the said Commissioners, to make Sewers or Cuts of such Breadth, Depth, and Dimensions, in such Manner as they shall think expedient, under the Ways, Streets, Lanes, Avenues, and other public Passages and Places within the Limits of this Act, for the Purpose of carrying off the Washings or other waste Liquids which may arise in the Prosecution of the Works aforesaid, the said Commissioners, Body or Bodies Politic or Corporate, or other Person or Persons contracting with the said Commissioners, doing as little Damage as may be in making the said Sewers or Cuts, and immediately repairing at their own Expence all such Damages; provided that no such Washings or other waste Liquids, or any other Matter or Thing made or arising in the Manufacture of such Gas, shall be conducted or conveyed into any River, Brook, or running Stream, and that no such Sewer or Cut shall be made in any Situation where the same can, shall, or may in any Manner interfere with, prejudice, or affect any of the present or future public or private Wells, Sewers, or Drains within the Limits of this Act, or without the Consent of the Commissioners acting under the Authority of this Act.

Power to convey Washings.

XXXIV. And be it further enacted, That if the said Commissioners, or any Body or Bodies Politic or Corporate, Company or Companies of Proprietors, or any other Person or Persons whomsoever, contracting to light or lighting with Gas the said Streets, Lanes, and public Passages and Places within the Limits of this Act, shall at any Time drain or convey, or cause or suffer to be drained or conveyed, or to run or flow any Washings or other waste Liquids, Substances,

Penalty for conveying Washings into any Sewer, Stream, &c.

[Local.]

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or

or Things whatsoever, which shall arise or be made in the Prosecution of the said Gas Works, into any River, Brook, or running Stream, Reservoir, Canal, Aqueduct, Feeder, Pond, or Spring Head, or into any Drain, Sewer, or Ditch communicating with any of them, or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any of them, whereby the Water contained therein, or any Part thereof, shall or may be soiled, fouled, or corrupted, then and in every such Case the said Commissioners, or any such Body or Bodies Politic or Corporate, Company or Companies of Proprietors, or other Person or Persons as aforesaid, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Complaint, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than One Imparlance, shall be allowed; and such Penalty shall be paid to the Person or Persons who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable, unless the same be sued for within Twelve Calendar Months after the Time when such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased: Provided also, that over and above and in addition to the said Penalty of Two hundred Pounds (and whether such Penalty shall or shall not be sued for or recovered), in case any of the said Washings, or other waste Liquids or noisome or offensive Liquids, Substances, or Things, shall be drained, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid into any River, Brook, or running Stream, or any Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, or Spring Head, or into any Drain, Sewer, or Ditch communicating with any of them, or any such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Person or Persons whomsoever to the said Commissioners, or any of them, or to the Body or Bodies Politic or Corporate, Company or Companies of Proprietors, or any of them, or other Person or Persons as aforesaid, contracting with the said Commissioners, and the said Commissioners, Body or Bodies Politic or Corporate, Company or Companies of Proprietors, or other Person or Persons, shall not, within Twenty-four Hours after such Notice given, stop and prevent all and every such Washings, waste Liquids, noisome or offensive Liquids, Substances, or Things from being drained, conducted, or conveyed, or from running or flowing in manner aforesaid, and every such other Annoyance Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case the said Commissioners, Body or Bodies Politic or Corporate, Company or Companies of Proprietors, or other Person or Persons contracting with the said Commissioners, so offending, shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things shall be so drained, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid, or such other Annoyance, Nuisance, Injury, or Damage, Act or Thing shall be so done or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered and levied in like

Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered and levied, and shall be paid to the Informer, or to the Person or Persons who in the Judgment of the Justice or Justices, before whom the Conviction shall take place, shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed.

XXXV. And be it further enacted, That all and every the Pipes or other Conduits to be laid or used for the Conveyance of Gas in, under, through, along, across, or round any Street, Lane, Entry, or other Passage or Place within the Limits of this Act, shall be so laid at the greatest practicable Distance, and whenever the Width of the Carriageway in such Street or Place will allow thereof, at the Distance of Four Feet at least from the nearest Part of any Water Pipe already laid down, or hereafter to be laid down, for the Conveyance of Water in, under, through, along, across, or round any of the said Streets, Lanes, Entries, or other Passages or Places within the Limits of this Act, except in Cases where it shall be unavoidably necessary to lay the Gas Pipes across any of the Water Pipes, in which Cases the said Gas Pipes shall be laid over and above the said Water Pipes, at the greatest practicable Distance therefrom, and shall form therewith a right Angle, and in such Cases the said Gas Pipes so crossing the said Water Pipes shall be at least Nine Feet in Length, so that no Joint of any of the said Gas Pipes shall be nearer to any Part of the said Water Pipes than Four Feet at least; and that in laying down the said Gas Pipes the said Commissioners, Contractors, or other Person supplying Gas shall in no case join Two or more Gas Pipes together previous 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 in such Trench properly form the Jointing with the other Pipes to be added thereto with proper and sufficient Materials, and shall also make and keep all and every such Pipes, and all Pipes connected or communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively air-tight, and in all and every respect prevent the said Gas from escaping therefrom, upon pain of forfeiting for every Offence the Sum of Five Pounds.

Gas Pipes to be laid Four Feet from Water Pipes, and in a particular Manner.

XXXVI. And be it further enacted, That whenever the Water of any Company of Proprietors for the supplying the Inhabitants of the District within the Limits of this Act with Water shall be contaminated by the Gas hereby authorized to be supplied, the Commissioners, or Body or Bodies Politic or Corporate, or Person or Persons supplying such Gas, shall forfeit and pay the Sum of Twenty Pounds, to be sued for and recovered as any Penalty is hereby directed to be sued for and recovered, and shall be applied to and for the Use and Benefit of the said Company supplying Water as aforesaid; and in case any such Water shall be contaminated or affected by Gas in any Way whatsoever, then and in every such Case the said Commissioners, Company, or other Persons supplying such Gas, shall within Twenty-four Hours next after Notice thereof in Writing, signed by the Treasurer or other Officer of and for such Water Company as aforesaid, to be left at the usual Office or Place of transacting Business of the said Commissioners, Body

To prevent Escape and Contamination, &c. of Water.

Body or Bodies Corporate or Politic, or other Person or Persons, cause the most proper and effectual Measures to be taken to stop and prevent Gas from escaping from their Mains, Works, or Pipes, or contaminating or affecting the Water of such Company as aforesaid; and in case the said Commissioners, Body or Bodies Corporate or Politic, or other Person or Persons supplying Gas, shall not within Twenty-four Hours next after each and every such Notice so left as aforesaid, effectually stop and prevent the Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent all and every such Contamination whereof Notice shall be given as aforesaid, that then the said Commissioners, Body or Bodies Corporate or Politic, or other Person or Persons supplying Gas, shall on each and every Complaint forfeit and pay to the Treasurer or other Officer for the Time being of such Water Company as aforesaid, for the Use and Benefit of the same Company, over and above the before-mentioned Penalty of Twenty Pounds, the Sum of Ten Pounds for each and every Day during which the Water of the said last-mentioned Company shall be and remain contaminated or affected by such Gas; and in default of Payment thereof as aforesaid, such Penalty or Penalties shall and may be recovered by Information to be exhibited on the Oath of One credible Witness, by and in the Name of the Treasurer or other Officer for the Time being of the Water Company as aforesaid, or by and in the Name of any One or more of the Directors of the said Company, at the Option of the Parties prosecuting such Information against the said Commissioners, Body or Bodies Corporate or Politic, or other Person or Persons supplying Gas, before any Justice of the Peace for the County of *Middlesex*, with Costs to be assessed by such Justice, and to be levied by Distress and Sale of the Goods and Chattels of the said Commissioners, Body or Bodies Corporate or Politic, or other Person or Persons supplying such Gas, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of such Justice, which Warrant such Justice is hereby empowered to grant, and such Penalty or Penalties and Costs, when so levied, shall be paid to the Treasurer or other Officer for the Time being of such Water Company, for the Use of such Company.

For ascer-
taining if the
Water is con-
taminated.

XXXVII. And whereas it may be or become a Question, upon such Complaint as aforesaid, whether the said Water be contaminated or affected by the Gas of the said Commissioners, or Body or Bodies Corporate or Politic, or other Person or Persons so contracting to light or lighting as aforesaid; be it therefore enacted, That in every such Case it shall and may be lawful to and for the Company of Proprietors, or other the Owners or Proprietors of any Water Works, to dig to and about, and search and examine the Mains, Pipes, Conduits, and Apparatus of the said Commissioners, Body or Bodies Corporate or Politic, or other Person or Persons as aforesaid, for the Purpose of ascertaining whether such Contamination proceed or be occasioned by the Gas of the said Commissioners, Body or Bodies Corporate or Politic, or other Person or Persons as aforesaid; and if it shall appear that the said Water has been contaminated by any Escape of Gas as aforesaid, the Costs and Expence of the said Digging, Search, and Examination, and Repair of the Pavement of the

the Street or Streets which shall be taken up or disturbed, shall be borne and paid by the said Commissioners, Body or Bodies Corporate or Politic, or Person or Persons as aforesaid; which Costs and Expences shall be ascertained and determined, if necessary, by such Justice as aforesaid, and be recovered in like Manner as any Penalty may be recovered by virtue of this Act: Provided always, that if upon such Examination it shall appear that such Contamination has not arisen from any such Escape of Gas from any of the Mains, Pipes, or Conduits of the said Commissioners, Body or Bodies Corporate or Politic, or other Person or Persons as aforesaid, then and in such Case the said Company of Proprietors, or other the Owners or Proprietors of any Water Works, shall bear and pay all the Costs and Expences of such Examination, Repair, and Search, and shall also make good to the said Commissioners, Body or Bodies Corporate or Politic, or other Person or Persons as aforesaid, any Loss, Injury, or Damage which may be occasioned to the said Mains, Pipes, Conduits, or Apparatus of the said Commissioners, Body or Bodies Corporate or Politic, or other Person or Persons as aforesaid, in and by such Search and Examination, and also to the Pavement of the said Streets so broken up or disturbed in such Search or Examination, the Amount of such Injury, Loss, or Damage to be ascertained and determined, if necessary, by such Justice or Justices of the Peace as aforesaid.

XXXVIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent any Person from proceeding by Indictment or otherwise against any of the Officers, Servants, or Workmen of the said Commissioners, Body or Bodies Politic and Corporate, or other Persons contracting to light or lighting with Gas as aforesaid, in respect of any Works or the Means which shall be employed by them or any of them in making the said Gas and using the same, or furnishing such Light as aforesaid, as a public or private Nuisance, or from bringing any Action against the said Commissioners, Body or Bodies Corporate or Politic, or Person or Persons as aforesaid, or any of their Officers, Servants, or Workmen, for any Injury sustained by reason of any such Works, or the Use of the said Gas, or the Method of lighting therewith, whether such Injury shall proceed from the Preparation or the Use of the same Gas or Method of lighting, or the Carelessness or Want of Skill of any of the Persons employed therein, or from any other Cause whatsoever.

Commissioners, &c. liable to be indicted for a Nuisance.

XXXIX. And be it further enacted, That if any Person shall wilfully break, throw down, take away, spoil, or damage any Watch House or Watch Box, Lamp or Lamps, or any of the Irons, Posts, or other Furniture thereof, or wilfully extinguish the Light of any such Lamp, or deface or obliterate the Name of any Street, or Number of any House within the Limits of this Act, or any Part thereof, every Person or Persons so offending, and not being otherwise sued or prosecuted for the same, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, whereof one Moiety shall go to the Informer, and the other Moiety to the Commissioners acting under and by virtue of this Act, to be by them applied for the Purposes thereof; and such Offender shall also pay to the said Commis-

Penalty on damaging WatchBoxes, &c.

sioners; or to such Person as they shall appoint to receive the same, such Sum of Money as shall be a full Satisfaction for the Damage so done; and in case any Person shall carelessly, negligently, or accidentally break, throw down, or otherwise spoil or damage any of the said Lamps, or the Irons, Posts, or other Furniture thereof, and shall not upon Demand make Satisfaction for the Damage done thereto, it shall be lawful for any Justice of the Peace for the County of *Middlesex*, upon Proof thereof made by the Oath of any credible Witness, or on the Confession of the Party, to award such Sum of Money by way of Satisfaction for such Damage as such Justice shall think reasonable; and in default of Payment thereof upon Demand, to cause the same to be levied by Distress and Sale of the Goods and Chattels of the Person who shall have done such Damage, rendering the Overplus (if any), after deducting the Charges of prosecuting such Complaint, and of such Distress and Sale, to the Owner of such Goods and Chattels upon Demand.

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

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

Commissioners may water Streets and make Wells.

XLI. And be it further enacted, That the said Commissioners shall, and they are hereby authorized and empowered to cause all or any of the Streets, Passages, and public Places within the Limits of this Act to be watered when they or any of their Surveyors for the Time being shall think proper, and for that Purpose to cause such Number of Wells and Pumps to be dug, sunk, and made in any of the said Streets, Passages, and Places, as they shall think necessary, and from Time to Time alter and repair the same, as there shall be Occasion, and to defray the Expences thereof out of the Monies to be raised by virtue of this Act; provided that no such Well or Pump shall be sunk or made so as to injure any House or other Building in, or any Vault or Cellar under any of the said Streets, or other public Passages or Places.

Commissioners authorized to contract with Persons for performing Works.

XLII. And be it further enacted, That the said Commissioners shall and may, and they are hereby authorized and empowered from Time to Time at any of their Meetings as Occasion shall require, to contract and agree with any fit Person or Persons for the doing and performing all or any of the Works by this Act authorized or directed to be done and performed by them, or for supplying any of the Materials for the same, or for watering the said Streets and other public Passages and Places, or any of them; which Contract or Contracts shall specify the several Works to be done, and the Prices to

be paid or received for the same, and the Time or Times when the same Works shall be completed, and the Penalties to be suffered in case of Non-performance thereof, and shall be signed by Five or more of the said Commissioners, and also by the Person or Persons contracting to perform such Works respectively; but previously to the making of any such Contract Seven Days Notice at the least shall be given in One or more of the public Newspapers published in *London* or *Westminster*, expressing the Intention of entering into such Contract, in order that any Person or Persons willing to undertake the same may make Proposals for that Purpose to be offered and presented to the said Commissioners at a certain Time and Place in such Notice to be mentioned: Provided always, that it shall be lawful for the said Commissioners to contract with any Person or Persons for the doing and performing of any of the Works or Things aforesaid, although the Price or Prices to be paid for the same shall not be the lowest Tender, if the said Commissioners shall be of Opinion the same will be advantageous to the Inhabitants within the Limits aforesaid.

XLIII. And be it further enacted, That the said Commissioners shall cause all and every the Works to be done in pursuance of this Act to be inspected by their Surveyor or Surveyors, or by such other Person or Persons as they shall for that Purpose appoint; and in case the same shall not be well and sufficiently performed, according to the Terms, Intent, and Meaning of such Contract or Contracts, or shall not be finished and completed at or within the Time or Times specified in such Contract or Contracts, then the said Commissioners may cause an Action to be brought in any of His Majesty's Courts of Law at *Westminster*, against any such Contractor, for any Penalty contained in his Contract, and on Proof of the signing of the said Contract or Contracts, and Non-performance thereof, at the Time or Times for that Purpose to be therein mentioned, the said Commissioners shall be entitled to and shall recover the full Penalty contained in any such Contract, which, when recovered, shall be applied for the Purposes of this Act.

Works to be inspected and Contracts to be enforced.

XLIV. Provided always, That it shall be lawful for the said Commissioners (if they think fit), to compound and agree with any Contractor for any Penalty incurred by him for the Breach or Non-performance of any such Contract, for such Sum of Money as the said Commissioners shall think proper, not being less than the Injury or Damage sustained by the Breach or Non-performance of such Contract, and all Costs, Charges, and Expences that shall be occasioned thereby.

Commissioners may compound for Breach of Contracts.

XLV. And be it further enacted, That the said Commissioners shall at their *Midsummer* Meeting in every Year cause an Account of the Monies received and disbursed in the preceding Year, and the Amount of the Arrears of Rates then due, and of the Balance of Cash in hand, to be made out, which Account it shall be lawful for all Persons rated or assessed under or by virtue of this Act, at all seasonable Times to inspect.

Commissioners annually to make out Accounts of Receipts and Disbursements.

XLVI. And

Upon Com-
plaint of de-
fective Pave-
ment or
Lighting, the
Surveyor
shall inspect,
and if defec-
tive, to give
Notice to the
Contractor.

XLVI. And be it further enacted, That if any Householder within the Limits of this Act shall, by Writing under his or her Hand to be left at the usual Place of Abode of the Surveyor or Inspector for the Time being to the said Commissioners, make Complaint of any Defect of lighting or cleansing or want of Repair in the Pavement in any of the said Streets, or other public Passages or Places, the said Surveyor or Inspector in every such Case shall inquire into and examine the Matter of Complaint, and report thereupon to the said Commissioners at their next Meeting; and if by such Report it shall appear that the Pavement complained of is bad and defective, unless it shall arise from a Defect relating to the Water or Gas Pipes lying under such Pavement, the said Commissioners shall give Notice to their Contractor or Pavior to repair the same within such Time as the said Commissioners shall judge necessary, which Time shall be specified in such Order; and if the Contractor or Pavior to whom such Order shall be given, shall not repair and amend such Pavement within the Time directed by such Order, he shall in every such Case forfeit and pay any Sum not exceeding Forty Shillings, nor less than Ten Shillings for every Day that the said defective Pavement shall remain unrepaired after the Time limited by such Order; and one Moiety of every such Penalty shall be paid to the Inhabitant so making Complaint, and the other Moiety shall be paid to the said Commissioners to be applied by them for the Purposes of this Act; and if it shall appear by such Report, that the Contract for cleansing or lighting shall not be duly performed, the said Commissioners shall forthwith give Directions for recovering the Penalty under such Contract.

For prevent-
ing Encroach-
ments.

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

Houses and other Buildings respectively, and from thence by proper Drains into the common Drains or Sewers, and in case any such Occupier shall neglect or refuse so to do, it shall be lawful for the said Commissioners to cause the same to be done, and to cause all the Costs and Charges attending the same to be levied by Distress and Sale of the Goods and Chattels of such Occupier, by Warrant under the Hand and Seal of any Justice of the Peace for the County of *Middlesex* (which Warrant such Justice is hereby required and authorized to grant), rendering the Overplus (if any) when demanded to the Person whose Goods and Chattels shall be so distrained and sold, and if the Tenant in Possession of any such House or other Building shall remove, alter, or reform any such Encroachments, Obstructions, Projections, or Annoyances as aforesaid, according to the Directions of the said Commissioners (except such as shall be put up or occasioned by such Tenant), it shall be lawful for every such Tenant to deduct and retain the Charges and Expences thereof out of his or her Rent, and the Person entitled to the improved Rent of every such House or other Building is hereby required to allow the same accordingly; and in case the Palisadoe, Fence, or Railing for separating the Area of any House or other Building from any public Way or Passage shall be broken down or out of Repair, or any such House or other Building shall otherwise be dangerous for Passengers, and the Owner or Occupier of such House or other Building shall not forthwith (being thereunto required by Writing signed by the Surveyor or Clerk of the said Commissioners for the Time being), set up, amend, or repair such Palisadoe, Fence, or Railing, it shall be lawful for the said Commissioners from Time to Time to cause the same to be set up, amended, and repaired or altered in such Manner as they shall judge necessary, and to levy the Charges and Expences attending the same upon or from the Owner or Occupier of every such House or other Building by Distress and Sale, in like Manner as any Penalty or Forfeiture is by this Act authorized to be levied.

XLVIII. And be it further enacted, That no Person or Persons shall put up any Post or Posts, Step or Steps, or make any Dung Hole or Saw Pit, or place out any Shew Glass, Board, or Goods exposed for Sale or otherwise, so as to be an Encroachment, in the Judgment of the said Commissioners, either on the Footways or Carriageways belonging or to belong to any of the said Streets or other public Passages or Places within the Limits of this Act, or so as to be a Nuisance or Obstruction to Foot Passengers or Carriages, in the Judgment of the said Commissioners, upon pain that every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings over and above the Expences of taking down such Posts and Steps, and filling up such Dung Holes or Saw Pits, or removing or altering such Shew Glass or Shew Boards, or Goods exposed for Sale according to the Directions of the said Commissioners; any thing in this Act contained to the contrary thereof in anywise notwithstanding.

Penalty on placing Shew Boards, &c.

XLIX. And be it further enacted, That if any Person or Persons shall dig or cause to be dug any Earth, or leave or cause or permit to be left any Hole in any Street or Place, before any House or Tene-

[*Local.*]

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Persons digging Earth, or leaving Holes for Vaults, &c.

ment now or hereafter to be built or in building within the Limits of this Act, for the Purpose of making any Area or Vault, or any other Purpose whatsoever, and shall not inclose the same in a good and sufficient Manner, to be approved of by the Surveyor or Surveyors to the said Commissioners, or if any such Person or Persons having inclosed the same shall keep up such Inclosure longer than the said Commissioners shall think absolutely necessary, or if any such Person or Persons shall not well and sufficiently fence or rail before the Area or Areas fronting to any Street or Place, every Person or Persons guilty of any of the Offences aforesaid shall forfeit and pay any Sum not exceeding Five Pounds, and the Sum of Five Pounds for every Week that such Nuisance shall be continued.

Scaffolding
Poles not to
be left longer
than may be
necessary.

L. And be it further enacted, That if any Scaffold, or any Poles, or other Materials used for Scaffolding, shall be erected or set up for the Purposes of erecting, or building, or repairing any House or other Erection or Building within the Limits of this Act, and shall be continued longer than shall be necessary for finishing and completing the Building, or Repairs, or other Works for which the same shall be so erected or set up, it shall and may be lawful to and for the said Commissioners or their Surveyor to remove, take away, and dispose of the same, in such and the same Manner as they or he are or is empowered to do in respect of any other Encroachments, Nuisances, or Annoyances under or by virtue of this Act.

For prevent-
ing various
Nuisances
and Obstruc-
tions.

LI. 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 aforesaid, run, draw, drive, carry, or place thereon any Truck, Wheel, Sledge, Wheelbarrow, Handbarrow, Bier, or Carriage whatsoever; or roll any Cask or Tub, other than for the necessary loading or unloading thereof, unto, upon, from, or out of any Carriage or Cart, or wilfully ride, lead, or drive any Horse or other Beast or Cattle whatsoever on any of the said Footways or Foot Pavements, or wilfully permit or suffer any Horse or other Beast or Cattle which such Person may be riding, driving, or leading, to go thereon, or shall tie or fasten any Horse or other Cattle, to any House, Wall, Fence, Post, Tree or other Thing whatsoever, across any of the said Footways or Foot Pavements; or set any Cask, Tub, Pail, Bucket, Stool, Bench, Shew Board, Chopping-block, Basket, or Stall, on or in the said Footway or Foot Pavement, or erect, set up, put or place any Blind, Shade, Coverlid, or Awning, or any other Matter or Thing, so as in any Way to cause any Obstruction or Impediment in the Footway or on the Foot Pavement; or shall in any Road, Street, Lane, Court, Yard, Alley, public Passage or Place within the said Limits 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 clean any Coach, Chaise, Waggon, Sledge, or other Carriage, or the Wheel, Body, Springs, or other Part of any Coach, Chaise, Waggon, Sledge, or other Carriage, except such as may want immediate Repair from any sudden Accident on the Spot, and which cannot conveniently be removed for that Purpose; or cause, permit, or suffer any Waggon, Cart, or other Carriage aforesaid, to stand or remain in any of the said Streets, Pas-
sages,

sages, or Places, with or without Horses, for any longer Time than shall be necessary for the loading or unloading thereof, or cause, permit, or suffer any Stage Coach, Post Coach, Post Chaise, or other Carriage let to hire, to stand or remain in any such Street, Passage or Place aforesaid, with or without Horses, for any longer Time than shall be reasonable and necessary for taking up and setting down Passengers, or for loading or unloading their Baggage or other Loading (except for Repairs in case of accident); or shall place or permit, or suffer any Horse or other Cattle to stand at the Door or House of any Person, so as to incommode or obstruct the Passage of any of the said Footways; or if any Person meeting another Coach, Chaise, Waggon, or other Carriage of whatsoever Description, shall not keep his or her Carriage on the Left or Near Side of the Road, or if any Person having the Care of or driving any Coach, Chaise, Waggon, Cart, or other Carriage, shall not readily and promptly turn out of the Road on meeting or being overtaken by any Horse or Carriage, Horses or Carriages, so as to leave proper and sufficient Quarter for such Horse or Carriage, Horses or Carriages; or shall lay or place any Timber, Bricks, Stones, Wood, Goods, or other Things in any of the said Streets, Passages or Places for any longer Time than shall be necessary for removing or housing the same; or shall wet, slack, or mix any Lime, or wet, mix, or make any Mortar; or shoe, bleed, or farry, any Horse or other Beast (unless in case of sudden Accident); or clean, dress, drive, or turn loose any Horse or other Beast or Cattle, or show or expose any Stallion or Stonehorse (except only in such Case as the said Commissioners shall direct), or show or expose, or exercise or expose to Sale any Horse or other Beast; or kill, slaughter, or scald, singe, dress, or cut up any Animal, either wholly or in part, or cause or permit any Blood to run from any House, Butcher's Shop or Shambles into the Streets or any of them; or shall sell or assist in selling by Auction or public Sale any Cattle, Goods, Wares, Merchandize, or Thing or Things whatsoever in any of the said Streets, public Passages or Places, without the Leave of the Commissioners for that Purpose first had and obtained; or hang up, place, or expose to Sale or cause or permit to be hung up, placed, or exposed to Sale any Goods, Wares, or Merchandizes whatsoever, or any Fruit, Vegetables, or Garden Stuff, Butcher's Meat, Carcase Offal, or other Matter or Thing, in or upon, or so as to project over or upon the Footway or Carriageway of any such Streets, public Passages, or Places, or beyond the Line, or on the Outside of the Window or Windows, or in the Area or Areas of the House, Shop, or Place at which the same shall be so hung up, placed, or exposed to Sale, and so as to obstruct or incommode the Passage of any Person or Carriage, or leave open after Sun-set and before Sun-rise the Door or Window of any Area, Cellar, or other underground Room or Apartment, or Openings leading to any Building or Premises, without having placed or left a sufficient Light therein, to warn and prevent Persons passing in the said Streets, public Passages, or Places within the said Limits, from falling into such Cellars or other underground Rooms, Apartments, or Openings; or throw at any Cock or Fowl in the Manner called Cock-throwing, or set up any Cock or Fowl to be thrown at in such Manner; or play at Football or any other Game, to the Annoyance of any Passenger or Passengers, or shall wilfully break, aid, abet, or assist

assist in wilfully breaking any Glass, or Window Panes, or Windows in or belonging to any Dwelling House or Building; or make or assist in making any Bonfire, or wantonly discharge, or wantonly 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 occasion any kind of Obstruction or Annoyance in or upon any such Street, public Passage, or Place, or shall obstruct or incommode, hinder, or prevent the free Passage of any Footway or Causeway, or prejudice or annoy in any Manner whatsoever, any Person or Persons travelling, passing, or going thereon within the said Limits; then and in every such Case, every Person so offending shall for every Offence forfeit and pay any Sum not exceeding Five Pounds; and it shall and may be lawful to and for any Constable or other Peace Officer, or any One or more 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 whatever, 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 said County of *Middlesex*, in order to his, her, or their Conviction of such Offence.

Further
Enactment
for prevent-
ing Nuis-
ances.

LII. And be it further enacted, That not only shall the said Penalties lastly enacted become payable and be recovered, but that it shall and may be lawful to and for any Person or Persons appointed or to be appointed by the said Commissioners, without any Warrant or other Authority than this Act, to seize any such Truck, Wheel, Sledge, Wheelbarrow, Bier, or Carriage, Horse, Beast, or Cattle, Cask, Tub, Pail, Bucket, Stool, Bench, Shew Board, Chopping-block, Stall, Basket, Blind, Shade, Coverlid, or Awning, or other Things, Stone, Wood, or Timber, Coach, Chaise, Waggon, or other Carriage, together with the Horse or Horses, Ass or Asses, Mule or Mules, if any be thereunto belonging, with the Harness, Gear, and Accoutrements thereof, or any such Goods, Wares, Merchandize, Fruit, Vegetables, Garden Stuff, Butcher's Meat, or other Things, or any of them, and in case any of the Goods, Wares, and Merchandize so seized shall be perishable, or shall be Articles of Food, then the same shall be immediately forfeited, and such Person or Persons who shall seize the same shall deliver the same or cause the same to be delivered to the Churchwardens, or to the Master of the Workhouse of the Parish of *Saint Pancras*, and the same shall and may be given and distributed by them or him unto and among the poor Inhabitants of the said Parish, but otherwise such Person or Persons shall cause the Goods, Carriages, Horse or Horse, Ass or Asses, Mule or Mules, or any Materials and Things so seized, to be removed to any Place appointed for the Reception thereof within the Limits of this Act, if any such there be, and otherwise to such Place or Places as he or they shall judge convenient, giving parol or written Notice of such Place or Places whereunto the same shall be removed unto the Owner, Driver, or other Person having any Interest in the Goods, Carriages, Horse or Horses, Ass or Asses, Mule or Mules, Materials, or other Things so seized or removed, if he, she, or they shall be then and there present, and the same shall be there kept and detained until such Owner, Driver, or other Person interested therein as aforesaid, shall cause to be

be paid the said Penalty, together with the Charges for taking or removing the same, and of keeping such Horse or Horses, Asses or Mules, if any; and in case the Goods, Carriage, Horse or Horses, Ass or Asses, Mule or Mules, Materials or other Things so removed, (not being perishable or Articles of Food), shall not be claimed, and the said Penalty and Charges be paid within Five Days next after such Removal thereof, then and in every such Case it shall and may be lawful to and for the said Commissioners, or their Surveyor or Inspector, or other Person appointed by the said Commissioners, to order the same to be appraised and sold, and the Overplus of the Money arising by such Sale shall be returned to the Owner or Owners thereof, if he or they shall have given such Notice as aforesaid, after deducting the said Penalty, and such Costs, Charges, and Expences attending such seizing, removing, keeping, appraising, and selling the same, as the said Commissioners shall ascertain and allow.

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

Hoads may
be erected.

LIV. And be it further enacted, That if any Person or Persons shall in any Road, Street, Lane, Court, Yard, Mews, Alley, Passage, or Place within the Limits aforesaid, at any Time or Times hereafter beat or dust any Carpet or Carpets, Hearth Rug or Hearth Rugs, Mat or Mats, or shall drive any Carriage or Carriages for the Purpose of breaking, exercising, or trying Horses, otherwise than by passing through such Road, Street, or other public Place; or shall throw, cast, or lay, or shall cause, permit, or suffer to be thrown, cast, or laid, or to remain any Ashes, Dust, Dirt, Rubbish, Offal of Vegetables, or any other Offal, Dung, Soil, Blood, or other Filth or Annoyance, or any Matter or Thing in or upon the Carriageway or Foot Pavement of any such Road, Street, or other public Place within the said Limits; or shall place or put out, or cause or permit to be placed or put out, any Garden or other Pots, (except the same shall be perfectly secured

Penalties
for beating
Carpets,
breaking
Horses, and
throwing
Filth on the
Pavement.

[Local.]

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from

from falling, to the Satisfaction of the said Commissioners), or any other Matter or Thing, from and on the Outside of the Front or any other Part of any House or Houses, Outbuildings, or Premises over or next unto any such Road, Street, or other public Place, and shall not immediately remove all or any such Matters and Things being thereunto required by the said Commissioners, or their Surveyor or Inspector, or other Person or Persons employed by them, or shall replace or cause the same to be replaced, or any of them, after the same or any of them shall have been so removed; then and in every such Case every Person so offending shall for every Offence forfeit and pay any Sum not exceeding Two Pounds, and it shall and may be lawful to and 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, without any Warrant whatever, 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 said County of *Middlesex*, in order to his, her, or their Conviction for such Offence.

Penalty for
blowing
Horns, &c.

LV. And be it further enacted, That if any Person shall within the Boundaries or Limits of this Act blow any Horn or Trumpet, or use any other noisy Instrument for the Purpose of hawking, selling, or distributing any Article whatsoever, or for any other Purpose of Trade or Profit, or for the Purpose of calling or collecting Passengers, Parcels, or Goods, it shall be lawful for any Constable, Beadle, or other Officer, and to and for any other Person or Persons whomsoever, without any other Warrant or Authority than this Act, to seize and apprehend any Person so offending, and convey such Offender before any Justice of the Peace, who shall examine upon Oath any Witness or Witnesses appearing to give Evidence touching such Offence; and if the Party accused shall be convicted of such Offence, then and in every such Case he, she, or they shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings and not less than Ten Shillings; and in case the Offender shall not upon Conviction forthwith pay the Penalty, such Justice is hereby required to commit such Offender to the House of Correction, there to be kept to hard Labour for any Term not exceeding Fourteen Days nor less than Twenty-four Hours, unless the Penalty shall be sooner paid.

No Person to
take Dust or
Ashes but
the Scaven-
ger.

LVI. And be it further enacted, That if any Person or Persons other than the Scavenger employed by or contracting with the said Commissioners to collect and retain the Dust, Cinders, or Ashes, within the Limits of this Act, or those employed under such Person or Persons, shall on any Pretence whatever go about to collect or gather, or shall ask for, receive, or carry away any Dust, Cinders, or Ashes, it shall and may be lawful for any Justice of the Peace for the County of *Middlesex*, upon Complaint to him made, to grant a Warrant to bring before him such Offender or Offenders, and also for any Person or Persons who shall see any such Offence committed, to seize, and also for any other Person or Persons to assist in seizing the Offender or Offenders, together with the Horses, Asses, Cattle, Carts, Trucks, Wheelbarrows, or other Carriages, Implements, Sacks, or

Bags made use of for carrying the same away, and by the Authority of this Act, and without any other Warrant, to convey him, her, or them before such Justice of the Peace for the said County, and such Justice shall, and he is hereby authorized and required to examine upon Oath the Person or Persons apprehending such Offender, or any Witness or Witnesses who shall appear to give Information or Evidence touching such Offence; and if the Party or Parties shall be convicted of going about to collect or gather, or of asking for, receiving, or carrying away any Dust, Dirt, Cinders, or Ashes, from any House or other Premises within the said Limits, not being the Person or Persons employed or appointed by or contracting with the said Commissioners to collect and carry away the Dust, Dirt, Cinders, and Ashes from the Houses and Premises therein, or not acting with or under his, her, or their Authority, he, she, or they shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, one Moiety whereof shall be paid to the Informer or Informers, or to the Person or Persons who shall apprehend the Offender or Offenders, and the other Moiety shall be paid to and shall belong to the Person or Persons so employed or contracting with the said Commissioners as aforesaid; and if such Offender or Offenders shall not on Conviction pay the said Penalty, such Justice is hereby required to direct such Horses, Cattle, Carts, Trucks, Wheelbarrows, or other Carriages, Implements, Sacks, or Bags which shall have been so seized, to be appraised and sold, and after deducting out of the Monies to arise by such Sale the Penalty incurred, together with the reasonable Charges and Expences of such Warrant, and of such Distress, Appraisement, and Sale, the Overplus thereof shall be returned upon Demand to the Party or Parties whose Horses and other Things shall be appraised and sold; and in case there shall have been no such Seizure as aforesaid, or if the Horses, Asses, Cattle, Carts, or other Things which shall be appraised and sold shall not produce a sufficient Sum of Money to pay the said Penalty, Charges, and Expences, then if such Offender or Offenders shall not upon such Conviction pay the Penalty, Charges, and Expences which shall remain over and above the Produce of the Horses, Asses, Cattle, Carts, and other Things so seized and sold, then such Justice is hereby required to commit such Offender or Offenders to the Common Gaol or House of Correction for the said County, there to be kept to hard Labour for any Time not exceeding Three Calendar Months, unless such Penalty, Charges, and Expences, and every Part thereof, shall be sooner paid and satisfied.

LVII. And be it further enacted, That no Scavenger or other Person shall sweep, rake, or place, or cause to be swept, raked, or placed, any of the Mud, Dirt, Dust, Rubbish, Ashes, Filth, or Soil to be found in any of the said Streets, or other public Passages or Places within the Limits of this Act, or brought therein into any Common Sewer, Drain, or Tunnel thereunto belonging; but every such Person shall place, sweep, or rake the same together, so as to lie at the Distance of Ten Feet at the least from each of the Grates to belong to or to be placed over such Common Sewers, Drains, or Tunnels, and at the Distance of Five Feet at the least from the Channel where the Width of the Street, Lane, or Place, will admit thereof.

Soil not to be swept into the Drains.

LVIII. And

Night Soil
when to be
removed.

LVIII. And be it further enacted, That if any Person or Persons at any Time or Times hereafter shall empty or begin to empty any Privy or Bog House, or Privies or Bog Houses, or to take away any Night Soil from any House or Houses, or Premises within the Streets or other public Passages or Places within the Limits aforesaid, or shall come with any Cart or Carriages for that Purpose, (save and except between the Hours of Twelve of the Clock in the Night and Four of the Clock in the Morning, from *Lady Day* to *Michaelmas* in every Year, and between Eleven of the Clock at Night and Five of the Clock in the Morning from *Michaelmas* to *Lady Day* in every Year), or if any Person or Persons shall put or cast, or cause to be put or cast, or suffer to spill or fall out of any Cart or Tub, or otherwise, any Night Soil in or near any of the Streets or other public Passages or Places within the Limits aforesaid, it shall be lawful for any Constable, Headborough, Patrole, Beadle, or Watchman, (and they are hereby strictly charged, required, and directed so to do); or for any other Person or Persons whomsoever, without any Warrant or other Authority than this Act, to apprehend and carry any Person or Persons guilty of the said Offences, or any or either of them, to any Watch House within the Limits of this Act, or to any other Place of Confinement or Security, and from thence to convey him, her, or them, as soon as conveniently may be, before some One of His Majesty's Justices of the Peace for the County of *Middlesex*; or in case such Person or Persons shall not be so apprehended, then and in such Case it shall and may be lawful for any One of His Majesty's Justices of the Peace to issue his Warrant to apprehend such Person or Persons; and the said Justice, upon Oath or Affirmation made of such Offence or Offences as aforesaid, shall commit every such Offender or Offenders to the Common Gaol or House of Correction for the said County, for any Time not exceeding Fourteen Days, to be computed from the Day of Commitment; and the Owner of any Cart or Carriage, Horse or Beast so employed, with his or her Cart, Carriage, Horse or Beast, in and about the employing or removing such Night Soil, or coming for that Purpose (save and except within the Hours hereby allowed), or the Employer or Employers of any Person or Persons who shall so put or cast, or suffer to spill or fall out any such Night Soil, shall forfeit the Sum of Forty Shillings for every such Offence; and any Person or Persons may seize such Carts or Carriages, or the Horses or Beasts drawing the same, with the Gears, Harness, and Accoutrements, and remove or take such Carts or Carriages, Horses or Beasts to such Places within the Limits aforesaid, or as near thereto as may be appointed by the said Commissioners, there to be detained until the Owner or Owners, Employer or Employers, shall pay the said Penalty, together with all Costs, Charges, and Expences incurred in and about or relating to the Seizure, removing, and keeping the said Carts, Carriages, and Horses or incidental thereto; and in case the said Penalty, and all such Costs, Charges, and Expences shall not be paid within Five Days next after such Seizure, then and in every such Case all such Carts, Carriages, Horses, Beasts, Gears, Harness, and Accoutrements, shall be appraised and sold, and the Money arising therefrom shall be applied in Payment of such Penalty, Cost, Charges, and Expences, and after deducting the same, the
Overplus

Overplus shall be paid to the Owner or Owners thereof, when he, she, or they shall apply for the same; and the whole of such Penalty shall belong to and be paid to or among the Person or Persons giving Information of such Offences, or any of them, and apprehending the Offender or Offenders, and seizing, removing, and detaining such Carts or Carriages, and Horses or Beasts, Gears, Harness, and Accoutrements.

LIX. And be it enacted, That if any Person or Persons shall drive or cause to be driven any Cart or other Carriage with any Soap Lees, Slop, Filth, or Channel Mire or Dirt therein, through or in any of the Streets or public Passages or Places within the Limits of this Act, without such Cart or other Carriage having a proper Covering or Boards commonly called Flash Boards, to prevent the same from slopping or spilling in any of the said Streets or Places, or shall fill any such covered Cart or other Carriage so as to run over or cast any Soap Lees, Slop, Mire, or Channel Dirt or Filth, in or upon any of the said Streets or other Places, it shall and may be lawful for any Person or Persons whomsoever to seize and apprehend and to assist in seizing and apprehending the Offender or Offenders, and by the Authority of this Act, and without any other Warrant, to convey him or them before some Justice of the Peace for the said County, which Justice is hereby authorized and required to hear Evidence, and determine upon such Offence; and every Person or Persons so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings: Provided always, that in case the Person or Persons so offending cannot be apprehended, then the Owner or Owners of such Cart or Carriage in which such Soap Lees, Slop, Filth, Mire, or Channel Dirt shall be put or placed, shall be liable to and shall forfeit and pay such Penalty as aforesaid.

Penalty on carrying away Slop, &c. other than in covered Carts.

LX. And be it further enacted, That all Persons contracting with the said Commissioners for cleansing the said Streets or other public Passages and Places, shall once in every Fortnight, or oftener if the said Commissioners shall so direct, between the Hours of Five in the Morning and Five in the Evening, attend in all and every the Streets and other public Passages and Places within the Limits of this Act, and shall give Two Days Notice at least, in Writing, to the Surveyor to the said Commissioners, specifying the particular Day in every Week when they are to attend in each of the said respective Streets or public Passages or Places, for the Purposes aforesaid, of which the said Surveyor shall make an Entry in a Book, and such Surveyor shall on that Day inspect the said Streets and other Places, to see if the Work is properly performed, and shall make an Entry thereof in the same Book; and the Persons so contracting shall also, upon the Request of any of the Inhabitants, or their Servants or Lodgers, go into all and every of the Houses and other Places where any Dirt, Dust, Cinders, or Ashes shall be deposited, and take and carry away the same; and if any Person so contracting, or any Person to be employed by him, shall neglect or refuse so to do, he shall forfeit and pay for every Neglect or Refusal any Sum not exceeding Five Pounds, One Moiety whereof shall be paid to the Informer.

Streets to be swept once a Fortnight or oftener.

Hog-styes,
&c. to be
removed.

LXI. And be it further enacted, That in case any Slaughter House, Hog-stye, Necessary House, or other noisome or offensive Buildings or Place whatsoever within the Limits of this Act, shall by the said Commissioners or any Three or more of them be deemed a Nuisance to any of the Inhabitants or Persons residing within the said Limits, it shall and may be lawful to and for the said Commissioners, upon Complaint thereof made by any such Inhabitant or other Person or Persons, by Notice under the Hands of the said Commissioners or their Clerk, to order such Nuisance or offensive Building or Place to be removed; and in case the same shall not be removed within Five Days next after such Notice given to the Person or Persons who ought to remove the same, or left at her, his, or their last usual Place of Abode, such Person or Persons shall forfeit and pay any Sum not exceeding Five Pounds for every Day the same shall continue unremoved after the Expiration of the Time mentioned in such Notice.

No Swine
to be bred
or kept near
any House,
or suffered to
go about the
Streets.

LXII. And be it further enacted, That no Person or Persons whomsoever shall breed, feed, or keep any Sort or Manner of Swine in any House, Building, or Tenement, or in any Yard or Garden belonging to or adjoining to any House, Building, or other Tenement situated, lying, and being in any Street, Lane, Court, Alley, Yard, Mews, Passage, or Place within the Limits of this Act, or shall suffer any to stray or go about the same, upon pain of forfeiting the same to the Churchwardens of the Parish of *Saint Pancras* for the Time being, for the Use of the Poor thereof; and the Inspector to the said Commissioners, or any other Person authorized by them, may seize such Swine straying in the said Streets for that Purpose; and it shall be lawful for the said Inspector to the said Commissioners, or any Constable, at all Times hereafter in the Day-time, by Warrant under the Hand and Seal of any One of His Majesty's Justices of the Peace for the County of *Middlesex*, to search in all such Places as aforesaid for the finding all such Swine, and all such Swine that shall be so found to seize, take, drive, and carry away, and sell for the best Price that can be procured, and the Money thereby produced forthwith to deliver to the said Churchwardens, to be applied for the Use of the Poor of the said Parish of *Saint Pancras*.

For repair-
ing Flaps
and Doors
to Cellars.

LXIII. And be it further enacted, That when and so often as it shall happen that any Wooden or other Flap-door, Coal Place, Covering, or Entrance belonging to any Vault, Cellar, or other Place lying under or near any Part of the Footway within the Limits of this Act, shall be broken or otherwise damaged, or out of Repair, or shall be removed or insecure, it shall and may be lawful to and for the said Commissioners, or their Surveyor or Inspector for the Time being, to give Notice in Writing to the Owner or Proprietor of such Vault, Cellar, or other Place, to repair and amend or supply such Flap-door, Coal Place, Covering, or Entrance forthwith, and if within the Space of Twelve Hours next after such Notice shall have been given, the same shall not be repaired and amended or supplied, every such Owner or Proprietor shall forfeit the Sum of Forty Shillings, and it shall be lawful for the said Commissioners or their Surveyor or Inspector, immediately after the Expiration of the said Twelve Hours, to cause such Flap-door, Coal Place Covering, or Entrance to be repaired and

amended or supplied; and all Costs and Expences attending such Reparation and Amendment, together with the said Penalty or Forfeiture of Forty Shillings, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of such Owner or Proprietor who shall have so neglected to repair the same, by Warrant under the Hand and Seal of any Justice of the Peace for the said County of *Middlesex*, or for the County or Place where such Owner or Proprietor shall reside, which Warrant such Justice is hereby required and empowered to grant, upon Proof of such Neglect being made before him by the Oath of one or more credible Witness or Witnesses.

LXIV. And be it further enacted, That all and every new or complete Mains or Pipes for the Conveyance of Water or Inflammable Air or Gas, which after the passing of this Act shall be laid down beneath the Surface of any Streets or public Places within the Limits of this Act, by or on account of any Water or Gas Light Company or other Persons, and whether such new or complete Main or Mains of Pipes shall or shall not be substituted for or added to any other complete Main or Mains of Pipes for the Conveyance of Water or Inflammable Air or Gas, shall consist and be made of Iron alone, and no other Material; and that the Pavements or Carriageways of any Streets or public Places within the Jurisdiction of this Act, or any Part thereof, shall not be broken or taken up for the Purpose of laying down any new Main of Pipes, for the Conveyance of Water or of Inflammable Air or Gas, during any Part of the Months of *December, January, or February* in any Year, except by and with the express Consent of Five at least of the said Commissioners, to be testified by Writing under their Hands; and all and every new Service or other Pipes shall not consist or be made of Wood, but shall consist and be made of Iron, Lead, Copper, or other Metal; and that if any Water or Gas Light Company, or any other Person shall break or take up, or cause to be broken or taken up any such Pavement or Carriageway for the Purposes aforesaid during the Months aforesaid, without the Consent aforesaid, or shall lay or cause to be laid down any Pipe or Pipes consisting or made of any Materials in Violation of the Provisions of this Act, then and in every such Case the Company or other Person so offending shall forfeit and pay the Sum of Two Pounds for every Square Foot of Pavement which shall be so broken or taken up by them or on their Account, and the like Sum for every Foot in Length of Pipe which shall be so laid down consisting or made of any such Materials, and which said Forfeitures and Penalties shall be recoverable and applied in the same Manner in which other Forfeitures and Penalties are herein directed to be recovered and applied by virtue of this Act.

New Mains
of Water
Pipes, &c.
to be made
of Iron.

LXV. And be it further enacted, That when and so often as it shall appear to the Surveyor of the said Commissioners that any Pipe or Pipes, Stop-cock, Plug, or other Thing belonging to any Water or Gas Light Company within the Limits of this Act, is broken or damaged, it shall be lawful for such Surveyor, and he is hereby required, to give immediate Notice to the Company, to whom it may appear to him that such Pipe, or Stop-cock, Plug, or other Thing

Surveyor may
require Re-
pair of Pipes
and Drains
when defec-
tive.

doth

doth or may belong, by either giving such Notice to a Clerk or Secretary, or a Turncock of such Company, or to some or one of them, or by leaving the same at the Place or Places of Abode of some or one of them, or at the Office or Countinghouse of such Company, and shall require that such Pipe, Stop-cock, Plug, or other Thing be examined, and if needful that such Pipe, Stop-cock, Plug, or other Thing be repaired, altered, amended, or renewed by such Company; and that within Twenty-four Hours after such Notice shall be so given or left as aforesaid, the said Company to or for whom or to or for whose Officer or Servant such Notice shall have been given or left as aforesaid, shall cause to be taken up the Pavement of the Street or public Place beneath which the Pipe, Stop-cock, Plug, or other defective Thing shall be, and shall cause the Ground to be opened, and shall also cause the said Pipe, Stop-cock, Plug, or other Thing to be substantially repaired, altered, amended, or renewed, and if necessary to be substantially repaired and the Ground properly filled in with hard Rubbish or other good Materials, and rammed down, within Twenty-four Hours next after such Notice shall be given or left as aforesaid, or with all convenient Expedition, in the Judgment of the said Commissioners or their Surveyor, and to their or his Satisfaction; and also within Twelve Hours after such Pipe, Stop-cock, Plug, or other Thing shall be so substantially repaired, altered, amended, or renewed, and the Ground above the same shall be so filled in and rammed down, the said Company shall cause Notice thereof, signed by the Clerk or Secretary to such Company, to be given to the Pavior or Paviers, or other Persons then employed or appointed by the said Commissioners to pave and repair the Pavements or Carriageways within the Limits of this Act, that such Examination, and if necessary such Reparation, Alteration, Amendment, or Renewal hath been made pursuant to such Notice of the Surveyor to the said Commissioners; and that the Ground hath been refilled and rammed down, that the Pavement or Carriageway in such Street or public Place may be forthwith relaid in the Manner directed by this Act; and in case the Water or Gas Company to or for whom such Notice shall have been given or left as aforesaid, and to whom such Pipe, Stop-cock, Plug, or other Thing, referred to in such Notice shall belong, shall neglect to cause the same to be repaired, altered, or amended or renewed, as the Case may be, and the Ground to be filled in and rammed down to the Satisfaction of the said Commissioners or their Surveyor within the Time herein-before limited and appointed as aforesaid, or shall neglect to give or cause to be given Notice thereof as aforesaid to the Pavior or Paviers, or other Person or Persons appointed by the said Commissioners as aforesaid, acting under or by virtue of this Act, then the said Company shall for every such Neglect or Offence forfeit and pay any Sum not exceeding Five Pounds, to be recovered and applied in the same Manner in which the Penalties and Forfeitures are directed to be recovered and applied by this Act.

Penalty on Company to whom the Pipes belong for not repairing them.

And if such Request should not be made to the proper

LXVI. Provided always, and be it further enacted, That in case it shall happen, and it shall be discovered after any Pavement or Carriageway in any Street or public Place shall have been taken up and the Ground shall have been opened, that any Pipe, Stop-cock, Plug,

Plug, or other Thing beneath the Surface of the Pavement of any Street or public Place which shall have appeared as aforesaid to require to be repaired, altered, amended, or renewed, shall not belong to the Water or Gas Company to or for whom such Notice for the Reparation, Alteration, Amendment, or Renewal thereof as aforesaid shall have been given or left as is herein-before directed by the said Surveyor, but to some other Water or Gas Company then such Company to or for whom the said Notice of the said Surveyor shall have been given or left, within Twelve Hours after the same shall have been so given or left, shall cause a Notice signed by the Secretary or Clerk to be given in the Manner herein-before directed as to the Service of the original Notice to the Company or other Persons to whom the Pipe, Stop-cock, Plug, or other Thing shall appear to belong, which did appear to the said Surveyor to require Reparation, Alteration, Amendment, or Renewal, and shall thereby require them to obey the said original Notice, instead of the Company to whom such original Notice had been given, and that such Company or other Persons to whom such Pipe, Stock-cock, Plug, or other Thing shall belong, shall reimburse and pay, on Demand, to the first mentioned Company to or for whom the original Notice shall have been given or left, the reasonable Costs and Charges which they shall have incurred in and about taking up the Pavements and Carriageways, and opening the Ground, and shall obey, execute, and perform the said original Notice of the said Surveyor, and the Directions of this Act relating thereto, in such and the same Manner, and within such and the same Time in all respects, as if the said original Notice of the said Surveyor had been given to them, and they shall be liable to and shall incur the same Penalties and Forfeitures on Neglect so to do, as they ought to have done, or would have been liable to, and would have incurred if the said original Notice had been given to them in manner before directed; and that the Company by whom the Pavements or Carriageways shall be first taken up and the Ground opened, who shall neglect to give the Notices hereby required to the Company to whom the Pipe, Stop-cock, Plug, or other Thing which shall appear to the said Surveyor or other Person or Persons as aforesaid to require Reparation, Alteration, Amendment, or Renewal, shall appear to belong, in manner herein-before directed, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, to be recovered and applied in the same Manner in which other Penalties and Forfeitures are directed to be recovered and applied by virtue of this Act.

Parties, subsequent information shall be given to them.

LXVII. And be it further enacted, That whenever after any Water or Gas Light Company, pursuant to the Provisions herein-before contained, shall take up or cause to be taken up any Pavement or Carriageway of any Street or public Place within the Limits of this Act, or shall place in any Street or public Place any Pipes or other Materials and Things for the Purpose of executing any Works beneath the Surface of any Street or public Place or otherwise, all and every such Works shall be executed and completed within such reasonable Time as the Commissioners acting under or by virtue of this Act shall from Time to Time direct and appoint; and also, that all such Pipes or other Materials and Things shall be and remain on the Surface of any such Street or public Place for no longer Period than

Repairs and Works by Companies, &c. to be executed with all convenient Expedition.

[*Local.*]

18 T

shall

shall be unavoidably necessary in the Judgment of the said Commissioners acting under or by virtue of this Act; and also, that the same Pipes or other Materials and Things shall be from Time to Time and at all Times removed and taken away off and from the Surface of any and every Street or public Place by the Water or Gas Light Company, or by the Officers or Servants of the Company by whom or by whose Order or by whose Officers or Servants for whose Offices or Works all or any such Pipes or other Materials or Things shall have been brought to and placed on the Surface of any Streets or public Places or any of them, and at their Costs and Charges, within Twelve Hours after such Company shall have been required to remove and take away the same by the Commissioners acting under or by virtue of this Act; by a Notice signed by Two or more of such Commissioners, and given to such Company, or left for them at the Dwelling House or Place of Abode of any Secretary or Clerk, or Turncock employed by such Company, or at the Office or Counting-house of such Company; and that in case any Company shall at any Time or Times neglect to comply with any and every such Notice, and to obey all and every the Directions which the said Commissioners acting under or by virtue of this Act or any of them are by this Act authorized and empowered to give, then and in every or any such Case such Company shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds, to be recovered and applied in the same Manner in which other Penalties and Forfeitures are directed to be recovered by virtue of this Act.

Rubbish and Obstructions occasioned in Streets by the Repairs of Pipes, &c. to be speedily removed.

LXVIII. And be it further enacted, That all Dirt Gravel, Filth, Rubbish, and other Things, which at any Time or Times after the passing of this Act shall be placed, collected, or occasioned by or by means of any Water or Gas Light Company, or of any Repairs or other Works executed and performed, or intended to be executed and performed, by their Officers or Servants, or by their Orders and Directions, or on their Account, in any Streets or public Places within the Limits of this Act, by the taking up of the Pavement or Carriageway of such Streets or public Places, or any of them, or by opening the Ground beneath the Surface of such Streets or public Places, or by the Execution of the Works of any Water or Gas Light Company, or otherwise, or which shall be in anywise consequent thereon, or incidental thereto, in the Judgment of the Commissioners acting under or by virtue of this Act, shall be from Time to Time and at all Times collected and removed and carried away, by or at the Costs and Charges of such Company, with all practicable Expedition and to the Satisfaction of such Commissioners acting under or by virtue of this Act, or any Two or more of them, and that such Company shall especially so do, whenever they shall be required so to do by any Notice from such Commissioners as aforesaid, or any Two of them, or from their Surveyor, signed by them or him, and given to such Company, or left for them at the Dwelling House or Place of Abode of any Secretary or Clerk, or Turncock employed by such Company, or at any Office or Counting-house of such Company; and that in case any such Company shall neglect to collect, carry away, and remove, or cause to be collected, carried away, and removed, from all and every such Streets and public Places,

Places, all such Dirt, Gravel, Filth, Rubbish, and other Things whatsoever, within Twelve Hours after any such Notice shall be from Time to Time given or left as aforesaid, to the Satisfaction of such Commissioners, or other Person by whom such Notice shall be signed, then the said Company shall, for every such Neglect and Offence, forfeit and shall pay the Sum of Five Pounds, to be recovered and applied in the same Manner in which other Penalties and Forfeitures are herein-after directed to be recovered and applied by virtue of this Act.

LXIX. And be it further enacted, That from Time to Time, and at all Times after the passing of this Act, all and every Water or Gas Light Company who shall take up or cause or direct the taking up of any Pavement or Carriageway in any Street or public Place within the Limits of this Act, for the Purpose of laying down or repairing any Pipe or other Thing beneath the Surface of any Street or public Place, or for executing any other Works or otherwise, from Time to Time, and at all Times from the Commencement until the Completion of all and every such Works, and from the breaking up of the said Pavement or Carriageway of any Street or public Place until the same Pavement or Carriageway shall be relaid and replaced at their Costs and Charges (unless the said Works shall be completed during the Day on which the said Works shall be commenced), shall place or cause to be placed such Posts, Rails, Bars, or Ropes, Lights in Lanthorns or Lamps, and Watchmen in any and every such Street or public Place, and adopt and execute all such other Means for the Prevention of any Accidents or Mischief to any Passengers, Horses, Cattle, or Carriages, and every other public Inconvenience, to the Satisfaction of the said Commissioners acting under or by virtue of this Act, or their Surveyor or other Officer or Person appointed by them, in the Manner and whenever from Time to Time such Company shall be required so to do by such Surveyor or other Officer or Person appointed as aforesaid, by any Notice to be signed by him or them, and given to such Company or left for them at the Dwelling House or Place of Abode of any Secretary, or Clerk, or Turncock employed by such Company, or at any Office or Counting-house of such Company; and that in case any such Company, for Twelve Hours after any such Notice as aforesaid, signed as aforesaid, be given or left as aforesaid, shall neglect to place or shall neglect to continue for the Time before limited in any Street or public Place such Posts, Rails, Bars, or Ropes, Lights in Lanthorns or Lamps, and Watchmen, or to adopt and execute any and every other Means for the Purposes aforesaid, to the Satisfaction of the said Commissioners acting under or by virtue of this Act, or their Surveyor or other Person or Persons appointed as aforesaid, by whom any such Notice shall be signed pursuant to and in the Manner directed by any such Notice as aforesaid, then and in every such Case the said Company shall for every such Neglect and Offence forfeit and pay any Sum not exceeding Five Pounds, to be also recovered and applied in the same Manner in which other Penalties are herein directed to be recovered and applied by virtue of this Act.

Bars, Rails, and other Securities against Accidents to be provided during the Repairs of Pavements.

LXX. And be it further enacted, That in case at any Time or Times hereafter any Pavement or Carriageway in any Streets or public Places

Breaches in the Pavement may be inclosed.

Places within the Limits of this Act shall by the breaking or falling in or Decay of any Drain, Cesspool, or Watercourse, or any Pipe or Pipes, Stop-cock, Plug, or other Thing, become broken or irregular, so as to be dangerous or hazardous to Passengers or Carriages, it shall and may be lawful to and for the said Commissioners, or any Two or more of them, or their Surveyor, to cause and direct such Part of the Pavement or Carriageway of any Streets or public Places as he shall deem so dangerous or hazardous, to be forthwith inclosed in such Manner, by such Persons, and with such Materials as he may direct, and as may be needful to prevent such Danger and Hazard to Passengers or Carriages; and that the Costs and Charges incurred thereabout shall be ascertained and determined by him, and shall be paid and discharged by the Water or Gas Company or other Person or Persons to whom the Drain, Cesspool, or Watercourse, Pipe or Pipes, Stop-cock, Plug, or other Thing so broken, fallen in, or decayed, and by the Breach, falling in, or Decay whereof, such Breach or Irregularity of the Pavement or Carriageway as aforesaid may have been occasioned, and shall and may be certified to them or him, and be paid by them or him within the Time, and shall and may be recovered from them or him in such and the same Manner as is by this Act directed, limited, and authorized, as to any Monies to become due from any Persons whomsoever for the Costs and Charges of repairing, or paving, or repaving any Pavements or Carriageways of any Streets or public Places, by the said Commissioners acting under or by virtue of this Act.

Stand Cocks placed during Frost regulated.

LXXI. And be it further enacted, That no Water Company whose Mains or Pipes shall be laid beneath the Surface of any Street or public Place within the Limits of this Act, shall place or set up, or cause to be placed or set up, any Stand Cock, or Pump, or other Instrument, Machine, or Thing for the Supply of Water in Times of Frost or otherwise, in any public Street or Place within the Limits of this Act, which shall be furnished with any other than a Metal Cock and Spout, to be to the Satisfaction of the said Commissioners or their Surveyor for the Time being; and that any Water Company who shall set up or cause to be set up any other Stand Cock, Pump, or other Instrument, Machine, or Thing, furnished with any other than a Metal Cock and Spout, in any Street or public Place, and which shall not be to the Satisfaction of the said Commissioners or their Surveyor, shall forfeit and shall pay for every such Offence the Sum of Forty Shillings, to be recovered and applied in the same Manner in which other Penalties and Forfeitures are herein-after directed to be recovered and applied by virtue of this Act.

Works neglected by Companies, &c. may be executed by the Commissioners, at the Cost of such Companies, &c.

LXXII. And be it further enacted, That in case any Water or Gas Light Company, at any Time or Times, shall neglect to take up the Pavement or Carriageway in any Street or public Place within the Limits of this Act, or to open any Ground beneath the Surface of such Street or public Place, or substantially to repair, alter, amend, or renew any Pipe, Plug, Stop-cock, or other Thing, as the Case may be, or to give the Notices required by this Act to any other Company, or to any Pavors, Surveyors, or other Persons, or to remove or take away any Pipes or other Materials or Things from any Street or public Place

Place, or to collect and carry away or remove all Dirt, Gravel, Filth, Rubbish, and other Things from any Street or public Place, or to place and continue Posts, Rails, Bars, or Ropes, Lanthorns, and Watchmen in any Street or public Place, or to do and execute all and every such Works and Things, and all or any other Works and Things directed and required by this Act to be done and executed by any such Company, and pursuant to any Notice given or left as herein directed by the said Commissioners acting under or by virtue of this Act, or their Surveyor or other Person or Persons appointed by them as aforesaid, and to their respective Satisfaction, and within the several Times and Periods specified and directed by this Act, then and in every or any of such Cases, and at all Times afterwards, it shall and may be lawful to and for the said Commissioners, or their Surveyor, and they or he are hereby empowered and required forthwith to cause all and every such several Works, Matters, and Things which shall not be executed and perfected by every such Company, or which shall not be well, substantially, and effectually executed and performed to his or their Satisfaction, within the Times and Periods limited by this Act, to be well, substantially, and effectually performed to their or his Satisfaction, or to the Satisfaction of such other Person or Persons appointed by them as aforesaid as herein provided, at the Costs and Charges of such Company who shall have so neglected well, substantially, and effectually to perform and execute the same and every of them, and every Part thereof, and such Costs and Charges and every of them shall be reimbursed and paid by every such Company so making Default to such Surveyor, or to the Person or Persons employed by him or them to perform and execute any or every of such Works, or to the said Commissioners, or their Treasurer or other Person whom they may appoint to receive the same; and the Amount of such Costs and Charges and of the Monies so to be paid, being directed by the said Commissioners, shall be ascertained and notified and certified and recovered (over and above all and every the Penalties and Forfeitures which may be incurred for any such Neglect by virtue of this Act,) in the same Manner in which any Costs and Charges which may be incurred, and any Monies which may become due, for and about and in respect of the relaying and repairing of any Pavements hereafter broken or taken up in any Streets or public Places, by or by the Direction or on account of any Company or other Persons, are to be ascertained, and notified and certified, and may be recovered by virtue of this Act.

LXXIII. And be it further enacted, That it shall be lawful for the said Commissioners acting under or by virtue of this Act, from Time to Time to order, direct, and appoint such and so many Paviers, Artificers, Workmen, Labourers, Carters, and others in the respective Works mentioned in this Act, as they shall judge necessary for the due Execution of such Works.

Paviers, Carters, &c. to be appointed.

LXXIV. And be it further enacted, That the said Commissioners for putting this Act into Execution may and are hereby authorized and empowered from Time to Time to appoint such Number of Watchmen and Patrol, to be employed within the Limits of this Act, for so long Time, under such Regulations, and for such Wages as they

Watchmen to be appointed.

think proper, and to provide them with proper Arms, Ammunition, Weapons, and Clothing for the Discharge of their Duty; and if any Watchman or Patrol appointed as aforesaid shall refuse or neglect to perform his Duty, or shall in anywise misbehave himself in the Execution of his Office, he shall forfeit and pay any Sum not exceeding Twenty Shillings for every such Offence.

Duty of
Watchmen.

LXXV. And be it further enacted, That the Watchmen and Patrols to be appointed and employed as aforesaid shall, during the Time of their being upon Duty, use their utmost Endeavours to prevent any Mischief by Fire, and also any Burglaries, Robberies, Affrays, or other Outrages and Disorders within the Limits of this Act; and that it shall be lawful for the said Watchmen or any of them, and they are hereby respectively authorized and required while on Duty to stop and prevent all and every Person and Persons from removing Goods from any of the Houses or Premises, and to apprehend and secure all Malefactors, Rogues, Vagabonds, Night Walkers and other disorderly Persons within the Limits of this Act, who shall disturb the public Peace, or whom they shall have cause to suspect of any evil Design, and to secure and keep in safe Custody every such Person, in order that he or she may be conveyed as soon as conveniently may be before some Justice of the Peace for the County of *Middlesex*, to be examined and dealt with according to Law.

Penalty on
Victuallers
allowing
Watchmen
to be in their
Houses dur-
ing the Time
of Duty.

LXXVI. And be it further enacted, That if any Victualler, or Keeper of any Public House, shall knowingly harbour or entertain any Watchman to be employed within the Limits of this Act, or permit or suffer any such Watchman to be and remain in his House during any Part of the Time appointed for his being on Duty, every such Victualler or Keeper of such Public House shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Watchmen,
&c. vested
with the
Powers of
Constables.

LXXVII. And be it further enacted, That all Watchmen to be appointed under the Authority of this Act, shall be sworn in as Constables before any Justice or Justices of the Peace within the said County of *Middlesex*, and act as such while in the Execution of the Powers and Authorities of this Act, and they are hereby invested with and shall have and enjoy the like Powers and Authorities, Privileges and Immunities, as any Constable or Constables is or are invested with, or have and enjoy by Law.

Commission-
ers may ap-
point Watch
House Keep-
ers and give
Rewards for
Apprehension
of Offenders.

LXXVIII. And for the better Security of the Inhabitants within the Limits of this Act, be it further enacted, That the said Commissioners shall and may appoint and employ such a Number of Watch House Keepers, Serjeants of the Night, and other Persons, to guard and protect the Inhabitants within the Limits aforesaid, and allow such Salaries, and also give such other Rewards and Gratuities to the several Persons so employed, as they shall think proper; and also shall and may offer and give, as well to the said Persons, as to any others not especially employed by them, such Gratuities and Rewards for apprehending Felons and other Offenders within the Limits aforesaid, as to them shall seem proper, and shall and may defray the Expences of prosecuting any such Felons and Offenders as they shall think

think proper, and the said Salaries, Rewards, and Gratuities, and the Costs of such Prosecutions, and also the Costs of any Proceedings taken against any such Watchmen and Patrol for any Act or Thing done by them in the Execution of their Duty, and all other Expences that may be incurred by the said Commissioners, for the Guard and Protection of the Inhabitants, shall and may be paid by the said Commissioners, or their Treasurer for the Time being, out of the Money arising from the Rates directed to be raised by this Act.

LXXIX. And for raising Money to enable the said Commissioners appointed or to be appointed by virtue of this Act, to carry the several Purposes of this Act into Execution; be it further enacted, That One or more Rate or Rates, Assessment or Assessments, shall for the Purpose of paving, repairing, cleansing, lighting, watering, and watching of the said Streets, and other public Passages and Places which shall be within the Limits of this Act, be laid and assessed by the said Commissioners Once in every Year, or oftener if they shall judge it needful, upon all and every Person or Persons who do or shall inhabit, hold, use, occupy, possess, or enjoy any Land or Ground, House, Shop, Warehouse, Coach House, Stable, Cellar, Vault, Building, Tenement, or Hereditaments, in any of the said Streets or other public Passage and Places within the Limits of this Act, in such Sum or Sums of Money as the said Commissioners shall order and direct, but so nevertheless as that such Rate or Rates, Assessment or Assessments do not exceed in the whole, in any One Year, the Rate of Five Shillings in the Pound, according to the yearly Rent or Value of such Land, Ground, House, Shop, Warehouse, Coach House, Stable, Cellar, Vault, Building, Tenement, or Hereditament, which are or shall be situate within the Limits of this Act, in the making of which Rate or Assessment the Stables, Coach Houses, Erections, and other Buildings which shall belong to or shall be respectively held and occupied with any of the Houses erected and to be erected or situate in any of the Streets and other public Passages and Places, shall be respectively rated together and along with such Houses, and not as separate Buildings, and that the said Commissioners shall cause Accounts to be kept of the Produce of the said Rate and Assessment, and of the Application thereof.

Rates to be
laid on
Houses.

LXXX. Provided always, and be it further enacted, That when and as often as the said Rates or Assessments shall be more than sufficient for the Purposes of this Act, then and so often as the same shall happen it shall be incumbent upon the said Commissioners, and they are hereby required to reduce the said Rates or Assessments to such Amount as will be sufficient for the said Purposes, until it shall be again necessary to increase the said Rates or Assessments, but so that the same shall not at any Time be increased beyond the Amount of the Rates or Assessments hereby made payable.

Rates to be
reduced if
necessary.

LXXXI. And be it further enacted, That the annual Value of all such Houses, Shops, Warehouses, Coach Houses, Stables, Cellars, Vaults, Buildings, Tenements, and Hereditaments so to be respectively rated and assessed as aforesaid, shall be settled and ascertained according to the real Rack Rent or yearly Value thereof, as the said

How the
yearly Value
of Houses,
&c. are to
be ascer-
tained.

Com-

Commissioners shall think proper; and the first Year for which such Rates or Assessments as aforesaid shall be made, shall commence for or in respect of such Houses or other Buildings as now are or shall be then erected, built, and tiled, slated, or covered in, within the Limits of this Act, and the Pavement and Carriageway be made in the Front thereof, as far as the Middle of the Street or Place on which they shall respectively abut, from the Twenty-fifth Day of *December* One thousand eight hundred and twenty-four, and for and in respect of all such Houses or Buildings hereafter to be erected or built within the Limits of this Act, which shall not be tiled, slated, or covered in, and the Pavements and Carriageway made in Front thereof as aforesaid, on the said Twenty-fifth Day of *December* One thousand eight hundred and twenty-four, shall commence from the next Quarter after the same shall be so tiled, slated, or covered in, and the Pavement and Carriageway made in Front thereof as aforesaid; and the Money so rated and assessed under or in pursuance of this Act, shall from Time to Time be paid to the Collectors to be appointed as aforesaid, at such Time and Times in every Year, and in such Manner as the said Commissioners shall order and direct, and be paid over by such Collector into the Hands of the Treasurer to the said Commissioners, or such Banker or other Person or Persons as they shall order or direct for that Purpose.

Empty
Houses to
be charged
with Half
Rates.

LXXXII. Provided always, That when any of the said Houses or other Buildings shall at the Time of making any of the said Rates or Assessments be empty or unoccupied, then and in every such Case it shall be lawful for the said Commissioners to rate and assess such Premises respectively at One Half only of such Rates or Assessments, and no more, during the Time such Premises shall be empty or unoccupied: And also, in case any such Premises after the making of any such Rate or Assessment shall be or become empty or unoccupied, One Half only of such Rates or Assessments shall be charged on such Premises respectively for and during so long Time as the same shall be and remain unoccupied, and then and in every such Case the said Rates or Assessments, and all Arrears due thereon, shall be paid by the Person or Persons for the Time being entitled to the said Premises.

Proportion
of Rates to
be paid by
Persons
removing.

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

LXXXIV. And be it further enacted, That it may be lawful to and for the Commissioners acting under or by virtue of this Act, to include in any Rate or Assessment to be made under or by virtue of this Act, and from Time to Time to rate and assess thereby any Chapels, Meeting Houses, Places for Religious Worship, Hospitals, public Schools, and all other public Buildings within the Limits of this Act, Parochial Churches and Chapels of Ease excepted, which now are or is or hereafter may be built, at a Rate not exceeding in any One Year the Sum of One Shilling for every Square Yard of the Foot and Carriageway contained in One Half of the entire Width of as much of any and every Street or public Place as shall or may lay before or at the Sides or Rear of, or abut upon, or join to such Chapels, Meeting Houses, Places for Religious Worship, Hospitals, public Schools, and other public Buildings, or Place or Places respectively, or before, upon, or to the Areas or Ground in the Front of or surrounding or belonging to the same, or any Part or Parts thereof, or the Entrance to the same; and also to rate and assess thereby all and every the Cemeteries, or other Burying Places, (except Parochial Churchyards), dead Walls, and void Spaces of Ground within the Limits of this Act, and which are not charged to such Rate or Assessment, in respect of any Messuage or other Building whereunto they may be appurtenant, at a Rate not exceeding in any One Year the Sum of Nine-pence for every Square Yard of the Foot and Carriageway contained in One Half of the entire Width of as much of any and every such Street or public Place as shall or may lay before, or at the Sides or Rear of, or abut upon, or adjoin to such Cemeteries, or other Burying Places, dead Walls, and void Spaces of Ground, or any Part or Parts thereof, and that every of the said Rates or Assessments so made from Time to Time shall be paid for such Chapels and Meeting Houses, Places for Religious Worship, Hospitals, public Schools, and other public Buildings, Churchyards, Cemeteries, or other Burying Places, dead Walls, and void Spaces of Ground, by the Persons following; (that is to say), the Rates or Assessments of and for any Hospitals by the Stewards or Housekeepers of such Hospitals for the Time being, and the Rates or Assessments of or for any public Schools by the Masters or Mistresses of such public Schools for the Time being, and the Rates or Assessments of and for any other public Buildings by the Housekeeper or other Keepers, or other Person or Persons having the Care of such other public Buildings as aforesaid for the Time being; and that such Rates or Assessments of and for any Cemeteries or Burial Places not being Parochial, shall be paid by the Owners or Proprietors thereof respectively, or by the Persons who for the Time being shall receive the Money which shall be paid for the Interment of the Dead therein; and such Rates or Assessments of and for any Chapels or Meeting Houses, and Places for Religious Worship (not being Parochial), shall be paid by the Owner or Owners, Proprietor or Proprietors, Occupier or Occupiers thereof respectively, or any Person or Persons who shall receive or collect any Money for the Seats or Pews therein, or any other Money arising therefrom; and such Rates or Assessments of and for such dead Walls or void Spaces of Ground shall be paid by the Owner or Owners, Proprietor or Proprietors, Occupier or Occupiers thereof respectively, or the Person or Persons claiming to be the Owner or Owners, Proprietor

Public Buildings to be rated.

or Proprietors of any void Spaces of Ground, when there shall be no actual Occupier or Occupiers thereof respectively, as the Commissioners shall from Time to Time direct; and that all and every such Persons respectively shall be charged with and shall pay such Sums of Money as shall from Time to Time be rated, assessed, or imposed on, or in respect of or for the said Premises respectively.

For better
Recovery of
Rates on
Houses let
at small
Rents.

LXXXV. And be it further enacted, That when the Yearly Rent of Value of any Houses, Warehouses, or other Buildings or Tenements within the Limits of this Act shall not amount to Twenty Pounds, or where any Houses, Warehouses, or other Buildings or Tenements (whatever the Yearly Rent or Value may be) shall be let to any Weekly or Monthly Tenants, the Rent whereof shall become payable at any shorter Period than Quarterly, or shall be let out either in the whole or in part in Lodgings or in separate Apartments, then and in every such Case it shall and may be lawful to and for the said Commissioners in and by any such Rate or Rates, Assessment or Assessments so to be made as aforesaid, at their Discretion, to rate and assess the Landlord or Landlords, Owner or Owners of all and every or any such House or Houses, Warehouse or Warehouses, or other Buildings or Tenements, for the Payment of the Rate or Rates, Assessment or Assessments, for the Purposes of this Act; and in all and every such Cases the Landlord or Landlords, Owner or Owners of all and every such Houses, Warehouses, or other Buildings or Tenements, shall from thenceforth, and until the Expiration of the current Year for which such Rates or Assessments shall be made, be deemed and taken to be for the Purposes of this Act only the Occupier or Occupiers of such Premises, and shall thereupon be rated to and from Time to Time shall pay or cause to be paid the Rates or Assessments charged upon the same respective Premises for the Purposes of this Act; and upon Nonpayment thereof the Collector or Collectors authorized and appointed by virtue of this Act to receive the same, or any of them, is and are hereby authorized to levy the same by Distress and Sale of the Goods and Chattels of such Landlord or Landlords, Owner or Owners, wheresoever the same may be found respectively: Provided always, that the Goods and Chattels of all and every Person or Persons renting or occupying any such House, Warehouse, or other Building or Tenement, or any Part or Parts thereof, the Rate or Rates, Assessment or Assessments whereof the Landlord or Landlords, Owner or Owners, is and are hereby made liable and subject to as aforesaid, shall be liable at all Times to be distrained and sold for Payment of so much of the said Rates or Assessments, and of all Arrears thereof, as became due upon the said Premises during the Time of his, her, or their Occupancy only; but no such Occupier or Occupiers shall at any Time be required to pay or be subject or liable to pay any greater Sum for or towards the Discharge of the said Rates or Assessments, or any of them, and Arrears thereof, than the Amount of the Rent actually due by such Occupier or Occupiers to the Landlord or Landlords, Owner or Owners of the Premises so occupied by him or them: Provided also, that each and every such Occupier who shall pay any such Rate or Rates, Assessment or Assessments, or any Arrear thereof, or upon

whom the same shall be levied, shall and may from Time to Time deduct the same from the Rent then or at any Time thereafter due from him, her, or them to the respective Landlords or Owners of the Premises, and the Receipt for such Payment shall be a good and sufficient Discharge to such Occupier or Occupiers to his, her, or their Landlord or Landlords, for so much Money as he, she, or they shall pay in the Manner directed by this Act.

LXXXVI. Provided always, That no Owner or Owners, nor any Person or Persons, shall be charged with or liable to pay for and in respect of any increased Rent reserved or made payable to him or them for or on account of any Agreement made by such Owner or Owners or Person or Persons, with the actual Occupier or Occupiers of such Messuages or Hereditaments, that such Owner or Owners or other Person or Persons would pay the several Rates or Assessments theretofore chargeable upon the Occupier or Occupiers of such Messuages or Hereditaments respectively: And provided also, that if the Owner or Owners of any Messuages or Hereditaments, the Yearly Value whereof shall not exceed Twenty Pounds, and which shall be let to One Tenant only, at a Rent which shall become payable and be collected only by Quarterly Payments, shall be rated and assessed as the Occupier or Occupiers of any such Messuage or Hereditament, then upon Request in Writing under the Hand or Hands of any such Owner or Owners, and a true and full Statement in Writing of the Name of the actual Tenant or Occupier of every such Messuage or Hereditament, and such other Information relating thereto as the said Commissioners shall from Time to Time direct and require, and to their Satisfaction, the said Commissioners shall compound with any such Owner or Owners of such Messuage or Hereditament for Payment of the said Rates or Assessments for and in respect of every such Messuage or Hereditament at such reduced Yearly Rental as such Commissioners shall think reasonable, not being more than Two Third Parts nor less than One Half of the Rack Rent or Annual Value of each of such Messuages or Hereditaments respectively, or shall remit to such Owner or Owners such Part of such Rate or Assessments as such Commissioners shall think reasonable, not being less than One Third Part nor more than One Half of such Rates or Assessments to which such Owner or Owners shall be rated or assessed in respect of each of such Messuages or Hereditaments respectively; and also that it may be lawful for the said Commissioners, if they shall think proper, to compound with any Owner or Owners of any Messuages or other Hereditaments within the Limits of this Act which shall be let to Weekly or Monthly Tenants, or which shall be let furnished, or in Lodgings, or in separate Apartments, or at Rents which shall become payable or to be collected at any shorter Period than Quarterly, for Payment of the said Rates or Assessments for or in respect of such Messuages or Hereditaments, at such reduced Yearly Rental as the said Commissioners shall think reasonable, not being less than Two Third Parts of the Rack Rent or Annual Value of such Messuages or Hereditaments respectively, or to remit to the Owner or Owners of any such Messuages or Tenements respectively last-mentioned, such Part of such Rate or Assessment as such Commissioners shall think proper, not being more than One Third Part of the

Owners of
small Tenements may
compound
for Rates.

the Rates or Assessments to which such Owner or Owners shall be rated or assessed in respect of such last-mentioned Messuages or Hereditaments respectively, or otherwise to collect from such Owner or Owners the whole of such Rates or Assessments as they shall think proper; and also that the said Commissioners may vary, discontinue, or renew either or any of such Compositions as they shall from Time to Time deem expedient.

Settling Disputes respecting the designating Owner or Landlord.

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

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

LXXXVIII. And be it further enacted, That every Rate or Assessment which shall be laid or assessed by virtue of this Act, for or in respect of any House, Building, Coach House, Stable, or Tenement, which any Ambassador, Resident, Agent, or other public Minister of any Foreign Prince or State, or the Servant of any such Ambassador, Resident, Agent, or any other public Minister, or any other Person not liable by Law to pay such Rate or Assessment, shall hereafter inhabit, shall be paid by and recoverable from the Landlord or Proprietor of every such House, Building, Coach House, Stable, or Tenement, who shall for that Purpose be deemed the Occupier thereof.

Houses partly within and partly without the Limits of this Act.

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

apportion and settle at how much and what Proportion of the Rent of such House and Premises the same shall be assessed.

Xc. Provided always, and be it further enacted, That nothing in this Act contained shall be construed, deemed, or taken to impeach, alter, or make void any Agreement made between any Landlord and Tenant, in any Lease now granted or hereafter to be granted, pursuant to any Contract or Agreement now existing, any thing in this Act contained to the contrary notwithstanding.

No Agree-
ment be-
tween Land-
lord and
Tenant to
be affected
by the Act.

Xci. And be it further enacted, That if it shall appear to the said Commissioners at any Time or Times after any Rate or Assessment shall have been duly made by virtue of this Act, that the Name or Names of any Person or Persons who ought to be included in such Rate or Assessment hath or have been omitted therein, or that the Name or Names of some Person or Persons hath or have been inserted in such Rate or Assessments as Inhabitants, Holders, or Occupiers of any Messuages or Hereditaments, for or in respect of which some other Person or Persons ought to have been rated or assessed, or that any other Alteration or Amendment of such Rate or Assessment may be necessary, then and in any or either of such Cases it shall be lawful for the said Commissioners to add or insert, or cause to be added or inserted, to or in such Rate or Assessment, the Name or Names of the Person or Persons so omitted, together with the Sum or Sums for which he or they ought to be rated and assessed, and the Amount of such Rate or Assessment in respect thereof, and also to insert and substitute, or cause to be inserted and substituted, the Name or Names of such Person or Persons as may be Inhabitants, Holders, or Occupiers of any Messuages or Hereditaments, instead of and for the Name or Names of the Person or Persons incorrectly inserted in such Rate or Assessment as the Inhabitants, Holders, or Occupiers of any Messuage or Hereditaments and otherwise, and from Time to Time to alter and amend the said Rate and Assessment as they may from Time to Time deem necessary; and every such Addition, Insertion, Alteration, and Amendment to or in any such Rate or Assessment, shall be valid and effectual in Law to all Intents and Purposes, and the Monies charged to any Person or Persons in consequence thereof, shall and may be demanded, received, and recovered in the same Manner as if the Name or Names of such Person or Persons, or other Alteration or Amendment, had been inserted and made in such Rate or Assessment, at the Time of or previously to the original making thereof.

Commis-
sioners may
rectify
Omissions
and amend
Rates.

Xcii. And for the better enforcing the Payment of the Rates or Assessments to be made by virtue of this Act, be it further enacted, That if any Person or Persons liable to pay any of the said Rates or Assessments shall refuse or neglect to pay the Money rated or assessed upon him, her, or them, and all Arrears due thereon, or if any Person or Persons liable to pay any of the said Rates or Assessments shall at any Time begin to remove his, her, or their Goods or Furniture from the House or Premises in his, her, or their Occupation, within the Limits of this Act, or to sell or dispose of such Goods or Furniture therein by public Auction, or sell, dispose of, or carry

Arrears of
Rates how
to be re-
covered.

[Local.]

18 Y

away

away his, her, or their Goods or Furniture as aforesaid, without paying all Arrears then due or rated in respect of such House (in which the current Quarter shall be considered as due), that then and in any of the said Cases it shall be lawful for the Collector for the Time being to the said Commissioners to collect and levy such Rates or Assessments and all Arrears due thereon, and the Rate or Assessments for such Quarter wherein such Removal or Sale shall begin to be made as aforesaid, (although previously to the Time for Payment of the Rate or Assessment for such Quarter), by Warrant under the Hand and Seal or Hands and Seals of any One or more Justice or Justices of the Peace for the County of *Middlesex*, by Distress and Sale of the Goods and Chattels of the Party so neglecting or refusing, or beginning to remove, take away, or sell any such Goods or Furniture as aforesaid; and if within Five Days after such Distress shall be made, the said Rates or Assessments, and all Arrears due thereon, together with the reasonable Charges of taking and keeping the said Distress shall not be paid, the said Collector shall cause the said Goods and Chattels to be appraised and sold, or such Part thereof as shall be sufficient to pay such Rates or Assessments, together with all Arrears due thereon, and the reasonable Charges of taking such Distress, and of keeping and selling the same, returning the Overplus (if any) to the Owner or Owners of such Goods and Chattels respectively.

Rates may
be recovered
before Quar-
ter Day.

XCIII. And be it further enacted, That in order to avoid the Loss that frequently happens by Tenants or Occupiers of Houses or Tenements quitting or removing from such Houses or Tenements before the Quarter Day on which the Rates and Assessments charged by virtue of this Act on the said Houses or Tenements become due and payable, it shall and may be lawful to and for the Collector or Collectors to the said Commissioners to demand and receive, Twenty Days before every such Quarter Day, or at any subsequent Time, the respective Rates and Assessments which would be due and payable on such Quarter Day; and in case of Nonpayment thereof, to enforce the Payment of such Rates and Assessments in the same Manner and with the same Powers as he or they could or might by virtue of this Act, in case of Nonpayment of the said Rates or Assessments upon the Quarter Day on which the same became due and payable.

On Appeal
from Rate,
the Quarter
Sessions
may amend
it without
quashing it,
&c.

XCIV. 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 all 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, or 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 should be wholly quashed, then the said Court may quash the same, and order a new one to be made.

XCV. And

XCV. And whereas it may be reasonable to excuse some Persons from the Payment of the said Rates or Assessments, on account of their Poverty or otherwise, be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, to grant to such Person or Persons such Relief in the Payment of any Rate or Assessment as they the said Commissioners shall think proper, so as such Reduction do not exceed One Half of the Assessment payable by such Person or Persons.

Power for Commissioners to remit a Part of the Rates.

XCVI. And be it further enacted and declared, That the Books of Rates, and all Entries made therein by the Collector or Collectors of such Rates, shall be received as Evidence of the Rates imposed by virtue of this Act, and of the Payment of such Rates, or such of them, or any Part thereof, as shall by such Entries appear to have been paid to such Collectors.

Books to be admitted in Evidence.

XCVII. And for the more speedy raising Money for the Purposes of this Act, be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered from Time to Time to borrow and take up at Interest any Sum or Sums of Money upon the Credit of the Rates or Assessments herein-before granted, and by Writing under their Hands and Seals to mortgage or assign over the said Rates or Assessments, or any Part thereof, to the Person or Persons who shall advance or lend such Monies, or his or their Trustee or Trustees, as a Security for the Money so to be borrowed, together with Interest for the same, and every such Mortgage or Assignment may be according to the Form following; (*videlicet*),

Commissioners may borrow Money.

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

Form of Assignment.

And every such Assignment shall be good, valid, and effectual in the Law, and shall be numbered commencing at Number One, and so proceeding in arithmetical Progression ascending, whereof the common Excess or Difference shall always be One.

XCVIII. Provided always, and be it further enacted, That in case the said Commissioners shall think it advisable to raise all or any

Monies may be raised by Annuities.

any Part of the Money necessary for the Purposes of this Act, by the granting of Annuities for the Life or Lives of any Person or Persons, then it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, by any Writing or Writings under their Hands and Seals, to grant any Annuity or Annuities to any Person or Persons who shall contribute, advance, and pay into the Hands of the Treasurer to the said Commissioners any Sum or Sums of Money for the absolute Purchase of any Annuity or Annuities, to be paid and payable during the natural Life of every such Contributor, or the natural Life of every such Person who shall be nominated by or on the behalf of such Contributor, at the Time of the Payment of his or her Contribution or Purchase Money.

Rates of Annuities to be made according to 48 G. 3. c. 142. and 52 G. 3. c. 129.

XCIX. And for preventing any improvident Grants of Annuities, be it further enacted, That the Amount of every Annuity to be granted by virtue of this Act shall be regulated according to the Price of the Three Pounds *per Centum* Consolidated Bank Annuities at the Time of granting the same, in the Manner and according to the Rate prescribed by Two several Acts, one made in the Forty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to enable the Commissioners for the Reduction of the National Debt to grant Life Annuities*; and the other made in the Fifty-second Year of His said Majesty, intituled *An Act for amending Two Acts passed in the Forty-eighth and Forty-ninth Years of His present Majesty, for enabling the Commissioners for the Reduction of the National Debt to grant Life Annuities*.

Commissioners may cause Bonds and other Securities to be given for the Payment of such Annuities.

C. And be it further enacted, That the said Commissioners shall cause a Bond, or Note, or other Security in Writing, under the Hands and Seals of Seven or more of them, to be delivered to every Person advancing any Part of the said Monies for Payment of such Annuities in respect thereof, which Bonds, Notes, or other Securities shall be assignable by Indorsement; which said several Annuities so to be purchased shall be and are hereby charged upon, and shall be paid out of the Rates or Assessments herein-before mentioned, and shall be made payable and be paid Quarterly during the natural Lives of such Contributors respectively, or the natural Life or Lives of such other Person or Persons as shall be nominated by such respective Contributors, and a proportionable Part of each Annuity shall be paid from the last Quarterly Day of Payment, to the Day of the Death of the Annuitant, or his Cestuique vie.

Commissioners exempted from personal Liability.

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

Money borrowed not to exceed 20,000l.

CII. Provided nevertheless, That no greater Sum in the whole than Twenty thousand Pounds shall be raised by Loan or Mortgage, and by the Sale or granting of Annuities as aforesaid; and that before any such Money shall be borrowed, or Annuity granted, Seven Days Notice

at the least shall be given in some Newspaper, published in *London* or *Westminster*, signifying the Intention of borrowing such Money or granting such Annuities.

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

Mode of transferring Securities.

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

Form of Transfer.

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

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

CIV. And be it further enacted, That all the Money to arise by or from the said Rates or Assessments, and which may be borrowed and advanced upon, or received for the Purchase of any Annuities, or the Credit or Security thereof, shall be applied, in the first Place, in paying and discharging the Expences attending the obtaining and passing this Act, and afterwards from Time to Time in paying the Interest of the Principal Money to be borrowed, and the Annuities to be granted as aforesaid, and in defraying the Expences of paving the Footways, and paving or making the Carriageways, and of repairing, cleansing, lighting, watching, and watering the said Streets and other public Passages and Places, and of making such Purchases

Application of the Rates and Money.

as aforesaid, and in paying Salaries, and all other the Purposes necessary for carrying this Act into Execution, and in paying off the said Principal Money in such Manner as the said Commissioners shall think proper.

Creditors to
be paid by
Ballot.

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

Notice to
be given to
Persons
whose Prin-
cipal Money
is to be paid
off, &c.

CVI. And be it further enacted, That the said Commissioners shall cause a Notice signed by their Clerk to be given to or left at the usual Place of Abode of the Person or Persons whose Principal Money shall be intended to be paid off, which Notice shall express the Sum to be paid off, together with the Interest due thereon, and that the same will be paid at the Place to be mentioned in such Notice, at the Expiration of Three Calendar Months from the Day of giving or leaving such Notice as aforesaid, and the Interest of the Principal Money so to be paid off shall, from and after the End of the said Three Calendar Months, cease and be no longer paid or payable, unless such Principal Money shall be demanded pursuant to such Notice, and not paid; but the Principal Money in respect whereof such Notice shall be given, and also the Interest thereof to the End of the said Three Calendar Months, shall nevertheless be payable on Demand.

Commission-
ers may
borrow Mo-
ney at a
lower Rate
of Interest
to pay off
Securities of
a higher.

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

CVIII. And

CVIII. And be it further enacted, That all such Commissioners as are or shall be Justices of the Peace, may act as Justices in all Matters under the Authority of this Act, notwithstanding their being Commissioners.

Commissioners may act as Justices.

CIX. And be it further enacted, That in all Actions, Prosecutions, Informations, Causes, and Proceedings whatsoever, relating to or concerning the Execution of this Act, no Person residing within the Limits of this Act shall be disqualified from giving Evidence by reason of such Person being charged with and liable to pay any Rate or Assessment by virtue of this Act.

Inhabitants may be Witnesses.

CX. And be it further enacted, That if any Person or Persons shall assault, interrupt, or hinder, or cause to be assaulted, interrupted, or hindered, any Surveyor, Officer, Watchman, or other Person employed in the Execution of this Act, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Penalty on obstructing Officers in the Execution of this Act.

CXI. And be it further enacted, That all Penalties, Forfeitures, and Fines, by this Act inflicted or authorized to be imposed (the Manner of levying and recovering of which is not herein otherwise particularly directed), shall upon Proof of the Offences respectively before any One or more Justice or Justices of the Peace of the County or Place where the Offence or Offences shall be committed, either by Confession of the Party or Parties offending, or by the Oath of One or more Witness or Witnesses, be levied by Distress and Sale of the Goods and Chattels of the Party or Parties so offending, by Warrant or Warrants under the Hand and Seal or Hands and Seals of such Justice or Justices (which Warrant or Warrants such Justice or Justices is and are hereby authorized and required to grant for those Purposes, and to administer such Oath *gratis*); and the Overplus, after such Penalties, Forfeitures, and Fines, and the Charges of such Distress and Sale are deducted, shall be returned on Demand to the Owner or Owners of such Goods and Chattels; and all Penalties, Forfeitures, and Fines, when so paid and levied (if not directed to be otherwise applied by this Act), shall from Time to Time be paid to the said Commissioners or to their Treasurer or Treasurers for the Time being, and shall be laid out and applied in putting this Act in Execution, save and except the Penalties to be incurred by the said Commissioners, or the Body or Bodies, Person or Persons contracting to light the Streets and other Places within the Limits of this Act with Gas, which shall be paid to the Overseers of the Poor of the said Parish of *Saint Pancras*; and in case such Penalties, Forfeitures, and Fines shall not be forthwith paid, then it shall and may be lawful for such Justice to order the Offender or Offenders so convicted to be detained in safe Custody, until Return can be conveniently made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice, for his or their Appearance before him on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Three Days from the Time of taking any such Security, and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant or Warrants, it shall

Penalties and Forfeitures, how to be recovered and applied.

shall appear that no sufficient Distress can be had thereupon, or in case it shall appear to the Satisfaction of such Justice or Justices, by the Confession of the Offender or Offenders or otherwise, that he, she, or they hath or have not sufficient Goods and Chattels whereon such Penalties, Forfeitures, Fines, and Charges can be levied if a Warrant of Distress were issued, such Justice or Justices shall not be required to issue such Warrant; and thereupon it shall be lawful for such Justice or Justices of the Peace, and he and they is and are hereby authorized and required, by Warrant or Warrants under his or their Hand and Seal or Hands and Seals, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction for the County of *Middlesex*, there to remain, without Bail or Mainprize, for any Term not exceeding Three Calendar Months, unless such Penalties, Forfeitures, Fines, and all reasonable Charges, shall be sooner paid and satisfied.

Appeal.

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

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

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

CXIV. Pro-

CXIV. Provided always, and be it further enacted, That no Plaintiff shall recover in any Action for any Irregularity, Trespasses, or wrongful Proceedings made or committed in the Execution of this Act, if sufficient Tender of Amends shall be made by or on the Behalf of the Party or Parties who shall have committed or caused to be committed any such Irregularity, Trespass, or wrongful Proceedings before such Action brought; and in case no such Tender shall have been made, it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he or they shall see fit, whereupon such Proceedings or Order and Judgment shall be had, made, or given by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Plaintiffs shall not recover after Tender of sufficient Amends.

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

Distress not unlawful for Want of Form.

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

Limitation of Actions.

CXVII. 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

[Local.]

19 A—B

Rights,

Saving Rights of Commissioners of Sewers.

Rights, Powers, or Authorities vested in the Commissioners of Sewers for the Limits of *Holborn* and *Finsbury* Divisions, in the Parish of *St. Leonard Shoreditch*, and the Liberty of *Norton Falgate*, in the County of *Middlesex*, and the Borders and Confines of the same, but all the Rights, Powers, and Authorities vested in them shall be as good, valid, and effectual as if this Act had not been made.

Rights of Vestrymen, Directors, and Church Trustees of Saint Pancras not to be affected.

CXVIII. Provided always, and be it further enacted, That nothing herein contained shall in anywise prejudice, abridge, lessen, or defeat any of the Powers, Privileges, or Duties of the Vestrymen or Directors of the Poor of the said Parish of *Saint Pancras*, nor the Trustees for building a new Parish Church and Parochial Chapel for the said Parish, and for other Purposes relating thereto, nor to constitute the Limits aforesaid a separate District, Division, or Jurisdiction, for any Purpose or Purposes whatever not expressly mentioned in this Act.

Public Act.

CXIX. And be it further enacted, That this Act shall be deemed and taken to be a Public Act; and shall be judicially taken Notice of as such by all Judges, Justices, and others, without being specially pleaded.

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