



ANNO QUADRAGESIMO TERTIO

# GEORGI II. REGIS.

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## Cap. II.

An Act for amending, altering, and enlarging the Powers of an Act, passed in the Thirtieth Year of the Reign of His present Majesty, intituled, *An Act for forming and keeping in Repair, the Streets, and other publick Passages and Places, within a certain District in the Parish of Saint Luke, Chelsea, in the County of Middlesex, called Hans Town, and for otherwise improving the same.*

[24th March 1803.]

**W**HEREAS by an Act, made in the Thirtieth Year of the Reign of His present Majesty, intituled, *An Act for forming and keeping in Repair the Streets, and other publick Passages and Places, within a certain District in the Parish of Saint Luke, Chelsea, in the County of Middlesex, called Hans Town, and for otherwise improving the same,* certain Powers were given and granted to the Commissioners of the said District, for the several Purposes in the said recited Act mentioned and contained: And whereas the Commissioners of the said District, acting under the said Act, have proceeded in the Execution thereof, to the great Benefit of the said District, and of the Publick at large: But, that in order more effectually to carry the Purposes of the said Act into Execution, it is expedient that the Powers thereof should be amended, altered, and enlarged; 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 Com-

30 Geo. 3.

[Loc. & Per.]

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Commissioners authorized to cleanse the Streets.

mons, in this present Parliament assembled, and by the Authority of the same, That, from and after the Commencement of this Act, it shall and may be lawful for the Commissioners of the said District to nominate and appoint any Person or Persons, and to purchase any Number of Carts and Horses for the Purpose of cleansing the Streets, and other publick Passages and Places within the Limits of the said District, and of carrying away the Dust, Dirt, Cinders, or Ashes from any House or Houses, or other Premises within the same, or to contract with any Person or Persons for so doing.

Contractors to bring proper Carriages into the Streets, and to give Notice of their Approach.

II. And be it further enacted, That the Person or Persons employed by or contracting with the said Commissioners for cleansing the said Streets, and other publick Passages and Places as aforesaid, or those employed under such Contractor or Contractors, shall Twice in every Week or oftener, bring or cause to be brought Carts or other proper Carriages into all the Streets, and other publick Passages and Places as aforesaid, where such Carts or Carriages can pass, and at or before their Approach, by sound of Bell, or with an audible and distinct Voice, give Notice to the Inhabitants of their coming, and give the like Notice in every Court, Alley, or Place into which the said Carts or Carriages cannot pass.

Penalty on Persons collecting Dust, etc. who are not authorized to do so.

III. And be it further enacted, That if any Person or Persons, other than the Person or Persons so employed by or contracting with the said Commissioners for cleansing the Streets, and other publick Passages and Places, under their Direction, or those employed under such Contractor or Contractors, shall, on any Pretence whatsoever, go about to collect or gather, or shall ask for, receive, or carry away any Dust, Dirt, Cinders, or Ashes, from any House or other Premises within the Limits aforesaid, it shall and may be lawful to and for any Justice of the Peace for the said County of *Middlesex*, upon Complaint to him made, to grant a Warrant to bring before him such Offender or Offenders, at the Time and Place as in such Warrant shall be specified, or for any Person or Persons who shall see such Offence committed to seize, and also for any other Person or Persons to assist in seizing the Offender or Offenders, together with the Horses, Asses, Cattle, Carts, Trucks, Wheelbarrows, or other Carriages or Implements made Use of for carrying away the same, and by the Authority of this Act, and without any other Warrant to convey him, her, or them before such Justice, and such Justice shall, and he is hereby authorized and required, to examine upon Oath, the Person or Persons apprehending such Offender or Offenders, or any Witness or Witnesses who shall appear to give Information touching such Offence; and if the Party or Parties shall be convicted of going about to collect or gather, asking for, receiving, or carrying away any Dust, Dirt, Cinders, or Ashes from any House or other Premises within the Limits aforesaid, not being the Person or Persons so employed by or contracting with the said Commissioners, or acting under his or their Authority, he, she, or they shall respectively, for the First Offence, forfeit and pay the Sum of Ten Shillings, for the Second Offence the Sum of Twenty Shillings, and for the Third and every subsequent Offence the Sum of Forty Shillings; and One Moiety of every such Penalty 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 to the Purposes of the said recited Act and this Act; and if such Offender or Offenders shall not immediately on Conviction pay the said Penalty or Penalties, such Justice is hereby required

to direct such Horses, Asses, Cattle, Carts, Trucks, Wheelbarrows, or other Carriages or Implements which shall have been so seized, to be appraised and sold, and after deducting out of the Monies to arise by such Sale the Penalty or Penalties incurred, together with the reasonable Charges and Expences of such Distress and Sale, the Overplus thereof shall be returned to the Party or Parties whose Horses or 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, or other Things which shall be so appraised and sold, shall not produce a sufficient Sum of Money to pay the said Penalty or Penalties, Charges, and Expences, then if such Offender or Offenders shall not immediately upon Conviction pay the said Penalty or Penalties, or such Part or Parts of the said Penalty or Penalties, Charges and Expences which shall remain over and above the Produce of the Horses, Asses, Cattle, 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 of *Middlesex*, there to be kept to hard Labour for any Term not exceeding Thirty Days, nor less than Ten Days, unless such Penalty or Penalties, or such Part or Parts thereof as aforesaid, shall be sooner paid and satisfied.

IV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to direct all and every Person and Persons, who are by the said recited Act required to level, form, and cover with Gravel, not less than Six Inches thick, the Carriage-ways of all such Streets, and other publick Passages and Places, within the said District, in the First Place properly and effectually to fill up the same; and also to direct all and every Person and Persons, who are required to pave the Foot-ways in the whole Front of their respective Houses, Buildings, and Tenements, to set up and erect proper and sufficient Posts, at such Distances and in such Manner, as the said Commissioners shall order and direct.

Carriage  
Ways of the  
Streets to be  
covered with  
Gravel, &c.

V. And whereas there are and may be several Pieces or Parcels of Ground within the Streets, and other publick Passages and Places, already or hereafter to be set out or made within the said District, unbuilt upon, the Carriage and Foot-ways to and in the Fronts whereof are neither filled up, levelled, formed, covered with Gravel, or paved, nor Posts set up and erected, and it would be a Means of forwarding the good Purposes of the said recited Act and this Act, if Builders or others, who by Law are liable to fill up, level, form, cover with Gravel, and pave the same, were to compound with the said Commissioners; be it therefore further enacted, That it shall and may be lawful to and for the said Commissioners, or any Three or more of them, to view and inspect all Streets, and other publick Passages and Places, already or hereafter to be set out or made within the said District; and if upon such View they shall be of Opinion that the same, or any Part or Parts thereof, is or are fit and proper for the Area or Fence Walls abutting thereon to be built, and the Carriage and Foot-ways to be filled up, levelled, formed, covered with Gravel, or paved, or Posts to be set up and erected, the said Commissioners, or any Three or more of them, at any Meeting to be held in pursuance of the said recited 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 or Grounds, 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

Lessees of  
Ground to  
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Carriage  
Ways, &c.

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 to meet the said Commissioners, or any Three or more of them, at the Time and Place to be therein mentioned (not being less than Six Days from the Date of such Notice), to compound for building such Area or Fence Walls, and for filling up, levelling, forming, and covering the Carriage-ways with Gravel, not less than Six Inches thick, and paving the Foot-ways in the whole Front thereof, and for setting up and erecting Posts; and if such Lessee or Lessees shall not attend, or shall not compound and agree with the said Commissioners, or any Three or more of them as aforesaid, then it shall and may be lawful to and for the said Commissioners, or any Three or more of them, to order the said Area or Fence Walls to be built, the said Carriage and Footways to be filled up, levelled, formed, covered with Gravel, and paved, and Posts to be set up and erected forthwith, or as soon as conveniently may be, and all the Charges and Expences attending the building such Walls, filling up, levelling, forming, covering with Gravel, and paving and setting up and erecting Posts, 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 laid by virtue of the said recited Act are therein directed to be levied and recovered.

Publick Buildings and Dead Walls to be rated.

VI. And for as much as it is reasonable that all publick Buildings and all dead Walls and void Spaces of Ground within the said District should be rated and assessed in a due Proportion for the several Purposes of the said recited Act and this Act, be it therefore further enacted, That it shall and may be lawful to and for the said Commissioners at their Discretion, and they are hereby required from Time to Time to rate and assess towards the Purposes of the said recited Act and this Act, all Chapels, Meeting Houses, Markets, Warehouses, and all other publick Buildings whatsoever, within the said District, which now is, or are, or hereafter may be built, and which are not charged in respect of any Dwelling House by the Pound Rate, or otherwise by virtue of the said recited Act; at a Rate not exceeding Two Shillings in the Pound, according to the Directions of the said recited Act; and where the annual Value cannot be fully ascertained, then and in either of the said Cases the same shall be charged and assessed at a Rate not exceeding Nine-pence *per* Square Yard in any One Year of the Pavement and Road paved, gravelled, or repaired, and not exceeding One Shilling *per* Square Yard of the Foot-way and Carriage-way paved, lighted, and watched, repaired, and gravelled, under the Direction of the said Commissioners, and situate, lying, and being in any of the said Streets or other publick Passages and Places, and belonging to or lying before such Chapel, Meeting House, Warehouse, or other publick Building; and the said Commissioners shall also at their Discretion, yearly or oftener, (if needful) assess all Burying Grounds, dead Walls, except such dead Walls as are situate in the Return of Streets; and all Garden Walls bounding or abutting on any Mews or Lanes), and void Spaces of Ground, towards the Purposes aforesaid, and which are not charged in respect of any Dwelling House or other Building by the Pound Rate, or otherwise, by virtue of the said recited Act, so that in the whole such Rate or Assessment shall not in any One Year exceed the Sum of Nine-pence for every Square Yard of Pavement and Road paved, gravelled, or repaired, nor the Sum of One Shilling for every Square Yard of Foot-way and

and Carriage-way paved, lighted, and watched, repaired, and gravelled, under the Direction of the said Commissioners, situate as aforesaid, or belonging to or lying before such Burying Grounds, dead Walls, or void Spaces of Ground; and all Rates and Assessments to be made and paid for all such Burying Grounds, Chapels, Meeting Houses, Markets, Warehouses, or other publick Buildings, dead Walls, or void Spaces of Ground respectively, shall be paid by the respective Owner or Owners, Lessee or Lessees, Occupier or Occupiers thereof, and shall be charged and chargeable on the said Premises, and be recovered and applied in such Manner as other Rates and Assessments are directed to be recovered and applied by the said recited Act.

VII. And be it further enacted, That every Occupier of every House or Tenement within the said District, and in respect to Inmates, every House Owner shall, Once in every Day, between the Hours of Eight and Ten of the Clock in the Forenoon of each Day, scrape, sweep, and cleanse the Footway all along the Front of their respective Houses and Tenements, or cause the same to be scraped, swept, and cleansed, and in Default thereof shall, for every such Offence, forfeit and pay the Sum of Five Shillings, to be levied by Warrant under the Hand and Seal of any Justice of the Peace for the said County of *Middlesex*, upon the Oath of Two or more credible Witnesses; which Oath such Justice is hereby required and empowered to administer.

Occupiers of Houses to cleanse the Footways Once a Day.

VIII. And be it further enacted, That if any Person or Persons whomsoever shall dig any Earth, or leave any Hole in any Street, or other publick Passage or Place, before any House or Tenement built or in building within the said District, for the Purpose of making Vaults, or any other Purposes 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 shall keep up such Inclosure longer than the said Commissioners shall think absolutely necessary, or shall not well and sufficiently fence or rail before the Area or Areas fronting to any Street, or publick Passage or Place, every Person or Persons guilty of any of the Offences aforesaid, shall forfeit and pay the Sum of Twenty Shillings, and the Sum of Forty Shillings for every Week that such Nuisance shall be continued.

Penalty on Persons digging Earth, or leaving Holes in the Streets.

IX. And be it further enacted, That if any Person or Persons shall within any Street, or other publick Passage or Place already or hereafter to be set out or made within the said District, beat or dust any Carpet or Carpets, or drive any Carriage or Carriages for the Purpose of breaking Horses, or ride, lead, or drive any Horse for the Purpose of exercising or airing such Horse, (otherwise than by passing through such Street, or other publick Passage or Place); then and in every such Case it shall and may be lawful to and for any Justice of the Peace for the said County of *Middlesex*, upon Complaint to him made by One or more credible Witnesses or Witnesses, to issue a Warrant, requiring such Offender or Offenders to appear before him, at such Time and Place as shall be in such Warrant specified; and every such Offender or Offenders shall for every such Offence, being thereof duly convicted upon the Oath of any credible Witness or Witnesses, (which Oath such Justice is hereby authorized and required to administer), forfeit and pay any Sum not exceeding Forty

Penalty on beating Carpets, etc. in the Streets.

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Shillings nor less than Five Shillings; and in case the Person who shall beat or dust such Carpet or Carpets, or drive such Carriage or Carriages for the Purpose of breaking Horses, or ride, lead, or drive any Horse for the Purpose of exercising or airing such Horse, (otherwise than as aforesaid) cannot be apprehended, that then a like Penalty of Forty Shillings nor less than Five Shillings shall be forfeited by the Owner of such Carpet or Carpets, Carriage or Carriages, or Horse or Horses.

Penalty on driving Carriages, or riding or leading Horses, etc. on the Foot Pavements.

X. And be it further enacted, That if any Person or Persons shall run, drive, or draw, or cause to be run, driven, or drawn, on any of the Foot Pavements within any of the Streets, or other publick Passages and Places, within the said District, any Wheel or Wheels, Sledge, Wheelbarrow, Truck, or any Carriage whatsoever, or shall wilfully ride, lead, or drive any Horse, Cow, Ais, or other Cattle, Coach, or other Carriage whatsoever, upon any Part of the said Foot Pavements; then and in any such Case, it shall and may be lawful to and for any Justice of the Peace for the said County of *Middlesex*, upon Complaint to him made by One or more credible Witness or Witnesses, to issue a Warrant, requiring such Offender or Offenders to appear before him at such Time and Place as shall be in such Warrant specified; and it shall and may be lawful to and for any Person or Persons who shall see such Offence committed to seize, and also for any other Person or Persons to assist in seizing the Offender or Offenders, and they are hereby required so to do by the Authority of this Act, and without any other Warrant to convey and deliver him, her, or them into the Custody of a Peace Officer, in order to be secured and conveyed before such Justice of the Peace; and the Party or Parties accused being so brought before such Justice, such Justice shall proceed to examine upon Oath any Witness or Witnesses who shall appear or be produced to give Information touching such Offence, (which Oath the said Justice is hereby authorized and required to administer); and if the Party or Parties accused shall be convicted of such Offence, either by his, her, or their own Confession, or upon Information as aforesaid, he, she, or they so convicted of any such Offences respectively, shall forfeit the Sum of Ten Shillings, over and above the Expences of repairing any Damage that may be occasioned thereby, the Amount of which shall be ascertained by the said Justice, for the First Offence, the Sum of Twenty Shillings for the Second Offence, and the Sum of Forty Shillings for the Third and every other subsequent Offence; and in case such Offender or Offenders shall not upon such Conviction pay such Forfeitures by him, her, or them incurred as aforesaid, the Justice before whom such Offender or Offenders shall be convicted, is hereby required to commit him, her, or them to the House of Correction for the said County, there to be kept to hard Labour for any Space of Time not exceeding Thirty Days nor less than Five Days.

Penalty on obstructing Officers.

XI. And be it further enacted, That if any Person or Persons shall at any Time or Times obstruct, hinder, or molest any Surveyor or Surveyors, or other Officer or Officers, Person or Persons whomsoever, who are or shall be employed by the said Commissioners in the Execution of the said recited Act or this Act, every Person or Persons so offending, shall for the First Offence, forfeit the Sum of Twenty Shillings, for the Second Offence the Sum of Forty Shillings, and for the Third and every other Offence the Sum of Three Pounds.

XII. And

XII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to cause to be dug, carted, and carried out of, or brought into the said several Streets and other publick Passages and Places already or hereafter to be set out or made, or any of them, or any Part or Parts thereof, such Gravel, Stones, and other Materials as they shall judge necessary, and may likewise cause the Ground thereof to be raised or lowered, the Course of the Channels running in or through the same to be turned or altered, new Grates to the Common Sewers to be added or replaced, and in what Numbers or Places they shall think proper, and the Water Pipes which now lie or hereafter shall be laid under Ground to be taken up and new laid in such Places, Manner, and Form, as they shall judge best, the Charges and Expences of taking up, altering, and relaying such Pipes to be borne and paid by the said Commissioners, but the said Commissioners shall not remove or cause to be removed any Water Pipes, without giving Notice to and advising with the Inspector or Supervisor of the Water Company, to which such Pipes belong; and that the said Commissioners may likewise cause such Number of Posts to be set up and erected in or upon any of the said Streets, and other publick Passages and Places, at such Distances and in such Manner as they shall think proper, and may cause all or any of the Posts and Rails already erected, set up, and affixed, or hereafter to be erected, set up, and affixed, to be painted or repaired, and new Posts and Rails to be set up, erected, and affixed, in the Place of such of them as shall be decayed or rendered useless.

Commissioners to repair the Streets, &c.

XIII. And be it further enacted, That when and so often as any Main or Mains, Pipe or Pipes belonging to any Water Company, who now furnish, or shall hereafter furnish the Inhabitants of the said District with Water, and which now lie, or shall hereafter be laid under Ground in any of the said Streets, or other publick Passages or Places, shall happen to break, burst, or decay, so as to require Reparation, the Surveyor or Surveyors of the said Commissioners for the Time being, or such other Person or Persons as the said Commissioners shall appoint for that Purpose, shall forthwith give, or cause to be given, Notice thereof, in Writing, to the Paviour or Supervisor of every such Water Company; and the Paviour or Supervisor of such Water Company, to whom the said Main or Mains, Pipe or Pipes shall belong, is and are hereby required to take up the Pavement and open the Ground, and cause or procure the said Main or Mains, Pipe or Pipes to be repaired, and afterwards to fill up the said Ground, ram down, and make good the same with Gravel, in all Cases where the same shall not have been paved, within Two Days next after such Notice to be given, and as soon as such Main or Pipe shall have been so repaired, and the Ground so filled up, rammed down, and gravelled, he or they shall give or cause to be given Notice thereof in Writing, to the Surveyor or Surveyors for the Time being of the said Commissioners; and if the Paviour or Paviours, Supervisor or Supervisors, of any such Water Company, to or for whom such Notice shall be given or left at his or their last Place or Places of Abode, shall, by the Space of Two Days next after the giving or leaving such Notice as aforesaid, refuse or neglect to take up such Pavement, and open such Ground, and cause or procure such Main or Mains, Pipe or Pipes to be amended and repaired, or afterwards to fill up the Ground so taken up, or to give such immediate Notice of his having so done to the Surveyor or Surveyors of the said Commissioners for the Time being, then and in every such

Respecting Water Pipes.

such Case, the Person or Persons so respectively refusing or neglecting shall, for every such Offence, forfeit and pay the Sum of Five Pounds; and if any Main or Mains, Pipe or Pipes, not belonging to any Water Company, shall happen to break, burst, or decay as aforesaid, in any of the said Streets, or other publick Passages and Places, then and in every such Case, the respective Owner or Owners thereof shall forthwith cause the Ground over the same to be opened, and such Main or Mains, Pipe or Pipes to be repaired, and Notice thereof in Writing to be given to the Surveyor or Surveyors for the Time being of the said Commissioners; or in case of Refusal or Neglect so to do, shall, for every such Offence, forfeit and pay the Sum of Five Pounds; and if any Pavement shall be broken or taken up for the Purpose of making, repairing, or altering any Main, Pipe, Vault, or Drain, then and in every such Case, the Person or Persons so breaking or taking up the said Pavement, or causing the same to be so broken or taken up, shall, as soon as the Nature of the Work will permit, cause the Ground to be filled in or rammed down, and Notice thereof in Writing to be given to the Surveyor or Surveyors, for the Time being, of the said Commissioners; or in case of Refusal or Neglect so to do, shall, for every such Offence, forfeit and pay the Sum of Forty Shillings; and if such Surveyor or Surveyors, to whom any such Notice as aforesaid shall be so given, shall, by the Space of Two Days next after the giving of such Notice to him or them as aforesaid, refuse or neglect to relay and repair, or cause to be relaid and repaired, the Pavement so broken up, then and in every such Case, he or they shall forfeit and pay the Sum of Twenty Shillings for every Day such Pavement shall be neglected to be relaid or repaired after the Expiration of the said Two Days: Provided always, that if it shall so happen, that at any Time there shall be no regular or fixed Appointment of a Pavour or Surveyor of any such Water Company, then and in such Case such Notice shall be delivered to or left at the Office of the Clerk or Secretary of such Company, and considered as sufficient Notice for the Purposes aforesaid.

How the Expences of relaying the Pavement opened for laying down or repairing Water Pipes shall be paid.

XIV. Provided always, and be it further enacted and declared, That the Charges and Expences of relaying the Pavement or gravelling the Ground which shall be broken, taken up, or opened for the Purposes of laying down, repairing, or amending any such Main or Mains, Pipe or Pipes, shall be reimbursed and paid to the said Commissioners, or to such Person as they shall appoint to receive the same, by the Clerk or Treasurer, for the Time being, of any such Water Company to whom such Main or Mains, Pipe or Pipes shall belong, or if the same shall not belong to any such Water Company, then by the respective Owner or Owners thereof; and if such Clerk or Treasurer to any such Water Company, or the respective Owner or Owners of such Main or Mains, Pipe or Pipes, liable to reimburse and pay such Charges and Expences, shall refuse or neglect to pay the same within Ten Days next after Demand thereof in Writing, signed by the Clerk of the said Commissioners, and left at their respective Dwelling Houses or last Places of Abode, or at the Office of such Company, together with a Bill to be annexed to such Demand, containing an Account of such Charges and Expences, then and in every such Case, the Money so expended shall and may be recovered by the said Commissioners of and from the Company, or Person or Persons so liable thereto, by Action or Actions of Debt, Bill, Plaint, or Information,



tion in any of His Majesty's Courts of Record at *Westminster*, to be commenced within Three Calendar Months next after such Demand respectively, in which Action or Actions, Suit or Suits respectively, no Essoign, Protection, or Wager of Law, or more than One Imparance, shall be allowed.

XV. And be it further enacted, That in order to discharge the Principal Money and Interest already advanced and lent, or which may be hereafter advanced and lent upon the Credit of the Rates or Assessments made by virtue of the said recited Act, it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and directed, yearly and every Year, to deduct, appropriate, and set apart, the Sum of One Penny in the Pound of the Total Amount of the yearly Rent or Value of the several Houses and other Buildings, Lands, and Grounds within the said District; and the said Sum or Sums of Money so to be set apart and appropriated, shall be, from Time to Time, taken and deducted from and out of the Rate and Assessment levied and collected for forming and keeping in Repair the Streets, and other publick Passages and Places within the said District, and for otherwise improving the same: Provided always, that such Sum or Sums of Money so to be deducted, set apart, and appropriated as aforesaid, shall not at any Time exceed the Proportion of One-twentieth Part of such Rates or Assessments as shall have been actually levied and collected, and shall only be so deducted, set apart, and appropriated at such Time or Times as the said Rate or Assessment shall not exceed the full Sum of Two Shillings in the Pound in any One Year.

For Payment of Principal Money and Interest advanced on Credit of the Rates.

XVI. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and empowered, from Time to Time, when and as often as the Surplus of the said Rate (if any), shall, together with the Produce of One Penny in the Pound, so to be set apart and appropriated, amount to the Sum of One hundred Pounds or upwards, to pay off and discharge the Money borrowed and to be borrowed on the Credit of the said Rate, in such Manner as the said Commissioners shall think proper, and a separate Account shall be kept of the Sums of Money paid off and discharged by the Surplus of the said Rate, distinct from those which shall be paid off and discharged by the Sum so appropriated as aforesaid by virtue of this Act.

Respecting Surplus of Rate.

XVII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Buildings, Lands, or Hereditaments purchased, taken, or used by virtue of the Powers of the said recited Act and this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatick, or Person or Persons under any other Disability or Incapacity, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the Commissioners for executing the said Act and this Act, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition, to be preferred in a summary Way, by the Person or Persons who would have been entitled to

Application of Compensation where amounting to 200 £.

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the Rents and Profits of the said Buildings, Lands, and Hereditaments, in the Purchase or Redemption of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Parts thereof, as the said Court shall authorize to be paid, affecting the same Lands or Hereditaments, or affecting other Buildings, Lands, or Hereditaments standing settled therewith, to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Buildings, Lands, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Buildings, Lands, or Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement, shall be existing undetermined and capable of taking Effect; and in the mean Time and until such Purchase shall be made, the said Money shall, by Order of the Court of Chancery, upon Application thereto, be invested by the said Accountant General, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time and until the said Bank Annuities shall be ordered by the said Court to be sold, for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities, shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Buildings, Lands, or Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application where the Money does not exceed 200 *l.* nor less than 20 *l.*

XVIII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Buildings, Lands, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases, the same shall (at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Buildings, Lands, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified by Writing under their respective Hands), be paid into the Bank, in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise the same shall be paid (at the like Option), to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Three or more of the said Commissioners (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends arising thereon, may be applied in any Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application where Money is less than 20 *l.*

XIX. Provided also, and be it further enacted, That where such Money, so agreed or awarded to be paid as next before mentioned, shall be less than Twenty Pounds, then and in all such Cases, the same shall be applied

applied to the Use of the Person or Persons who would, for the Time being, have been entitled to the Rents and Profits of the Buildings, Lands, or Hereditaments so purchased, taken, or used for the Purposes of the said Act and this Act, in such Manner as the said Commissioners, or any Three or more of them, shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

XX. And be it further enacted, That it shall and may be lawful for the said Commissioners to pay and discharge the Expences attending the obtaining and passing this Act, by and out of such Monies as they may think fit to borrow by virtue of the Power and Authority given to them in and by the said recited Act, or by and out of any of the Rates or Assessments by the said recited Act granted.

Forpaying the  
Expences of  
the Act.

XXI. And be it further enacted, That all Penalties and Forfeitures by this Act imposed (the Manner of recovering whereof is not hereby otherwise directed), shall be levied and recovered in such Manner and Form in all Respects, as the Penalties and Forfeitures are directed to be levied and recovered by the said recited Act.

Recovery of  
Penalties.

XXII. And be it further enacted, That the Commissioners acting under or by virtue of the said recited Act, shall be Commissioners for carrying into Execution the several Powers and Authorities given by this Act, and that the said Commissioners shall have as full and ample Powers of rating, assessing, and levying all such Sums of Money as they shall deem necessary for the Purposes of this Act, as are given to them in and by the said recited Act; and that all other the Provisions of the said recited Act (except such as are hereby varied or altered), shall be extended to this Act, in as full, large, and ample Manner, to all Intents and Purposes, as if the same were repeated and re-enacted in the Body of this present Act.

Powers of  
former Act  
extended to  
this Act.

XXIII. And be it further enacted, That this Act shall be deemed, adjudged, and taken to be a publick Act, and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

Publick Act.

