



ANNO QUADRAGESIMO QUARTO

GEORGII III. REGIS.

Cap. 53.

An Act for better paving, cleansing, lighting, and watching the Streets, Lanes, and other publick Passages and Places within the Parish of *Saint Nicholas, Deptford*, in the County of *Kent*, and for removing and preventing Encroachments, Obstructions, Nuisances, and Annoyances, therein.

[29th June 1804.]

WHEREAS the Streets, Lanes, and other publick Passages and Places within the Parish of *Saint Nicholas, Deptford*, in the County of *Kent*, are not properly paved, cleansed, lighted, or watched, and are subject to various Encroachments, Obstructions, Nuisances, Annoyances, and are very incommodious and unsafe for Travellers and Passengers: And whereas it would be of great Benefit, Safety, and Convenience to the Inhabitants of the said Parish, and to all Persons resorting to or travelling through the same, if the said Streets, Lanes, and other publick Passages and Places were properly paved, cleansed, lighted, and watched, and if all Encroachments, Obstructions, Nuisances, and Annoyances therein were removed, and Provision made for preventing the like for the future: And whereas, the Provisions contained in an Act, made

[*Lec. & Per.*]

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in the Twenty-seventh Year of the Reign of His late Majesty, intituled, *An Act for the better Relief and Employment of the Poor in the Parish of Saint Nicholas, Deptford, in the County of Kent, and in the Parish of Saint Paul, Deptford, in the Counties of Kent and Surrey; and for repairing the Highways, and paving and cleansing the Streets in the said Parishes;* have been found insufficient for effectually paving and cleansing the Streets and other publick Passages and Places within the said Parish of *Saint Nicholas, Deptford*; but as the several Purposes aforesaid cannot be effected and carried into Execution 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 so much of the said recited Act as relates to the paving and cleansing the Streets within the said Parish of *Saint Nicholas, Deptford*, shall be, and the same is hereby repealed.

Repeal of former Act.

Commissioners.

II. And be it further enacted, That Sir *William Geary* Baronet, *Filmer Honywood* Esquire, Knights of the Shire for the County of *Kent*, and the Knights of the Shire for the County of *Kent* for the Time being; the Reverend *John Drake* D.D. Vicar of the said Parish, and the Vicar of the said Parish for the Time being; *John Atkins, William Barnard, Edward George Barnard, Joseph Booth, Thomas Bennett, William Baildon, Nicholas Cheminant, William Chalklen, Anthony Fisher, Richard Hughes, Robert Hill, George Hutton, Richard Hopkins, David Key, Henry Mearns,* the Reverend *Colin Milne* L.L.D. *Robert Macure, Thomas Roberts, William Rout Junior, Ralph Sandom, Jeremiah Selmes,* the Reverend *William Towne* D.D. *William Tyler, John Warrington, William Warrington, George Warrington,* and *John White,* shall be, and they are hereby appointed, Commissioners for putting this Act into Execution.

On Death, Refusal, or Removal of Commissioners out of the Parish, others to be chosen

III. And be it further enacted, That when any of the Commissioners herein-before particularly named, or hereafter to be elected, shall die or remove out of the said Parish, or shall, for the Space of One Year refuse or neglect to act (such Death, Removal, Refusal, or Neglect being declared at a publick Meeting), whereby the Number of Commissioners appointed or chosen in or by virtue of this Act shall not be Thirty, that then and in such Case the Inhabitants of the said Parish, rated and assessed by virtue of this Act, being assembled in the publick Vestry on *Easter Tuesday* in every Year, shall and may nominate, elect, and chuse such and so many fit Persons to be Commissioners, to fill up the Vacancies occasioned by Death or otherwise, as shall make up the Number of Thirty Commissioners; and every such Inhabitant so elected, after having duly qualified himself as herein-after directed, shall be and is hereby vested with the same Powers for putting this Act into Execution as if they had been appointed Commissioners in or by this Act.

Qualification.

IV. Provided always, and be it further enacted, That no Person (excepting the Knights of the Shire and the Vicar of the said Parish) shall be capable of acting as a Commissioner in the Execution of this Act, (except in administering the Oath herein-after mentioned; which Oath the said Commissioners, or any Five of them, are hereby empowered to administer at their First or any subsequent Meeting,

to be holden in pursuance of this Act,) unless he shall, at the Time of his acting, be a resident Inhabitant of the said Parish, and unless at the Time of his acting he shall be, in his own Right or in the Right of his Wife, in the actual Possession and Receipt of the Rents and Profits of a Real Estate of the yearly Value of Ten Pounds, or be in the actual Possession of a beneficial Lease of Premises, lying within the said Parish, of the annual Value of Fifteen Pounds, or shall be possessed of Real or Personal Estate of the Value of Three hundred Pounds, or be rated by virtue of this Act at Twenty Pounds, and until such Person shall have taken and subscribed an Oath to the Effect following:

‘ I *A. B.* do swear, That I am, in my own Right or in the Right of my Wife, in the actual Possession or Receipt of the Rents and Profits of a Real Estate, lying within the Parish of *Saint Nicholas, Deptford*, in the County of *Kent*, of the clear yearly Value of Ten Pounds, or in Possession of a beneficial Lease of Premises, lying within the said Parish, of the annual Value of Fifteen Pounds, or possessed of a Real or Personal Estate of the Value of Three hundred Pounds; or that I am rated at Twenty Pounds a Year, under an Act, made in the Forty-fourth Year of the Reign of King *George the Third*, for paving, lighting, and watching the said Parish of *Saint Nicholas, Deptford*, in the County of *Kent*; and that I will truly and impartially, according to the best of my Skill and Judgement, execute and perform all and every the Powers and Authorities reposed in me in pursuance of the said Act.

‘ So help me GOD.’

And if any Person hereby declared incapable of acting as a Commissioner in the Execution of this Act, shall nevertheless presume to act as such, every such Person for such Offence shall forfeit and pay the Sum of Five hundred Pounds to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, Bill, Case, Complaint, Suit, or Information, wherein no Essoign, Protection, Wager of Law, or more than One Imparlance, shall be allowed; and every Person so sued or prosecuted shall prove, that he is qualified as aforesaid; or otherwise shall pay the said Penalty without any other Proof or Evidence being given on the Part of the Plaintiff or Prosecutor, than that such Person has acted as a Commissioner in the Execution of this Act.

Penalty in
action not
qualified.

V. Provided also, That no Person shall be capable of acting as a Commissioner in the Execution of this Act during the Time he shall hold any Office under the said Commissioners (except the Office of Treasurer), or during such Time as he shall have any Share or Interest in any Contract to be performed, relating to the Execution of any of the Powers of this Act.

Commission-
ers not to act
if interested.

VI. And be it further enacted, That the said Commissioners, or any Seven of them, shall meet in the Vestry Room of the said Parish Church, on the Second *Tuesday* after the passing of this Act, between the Hours of Nine in the Forenoon and Six in the Afternoon, in order to put this Act into Execution; and shall and may, then and from Time to Time afterwards, adjourn themselves to meet at the Place aforesaid, or at any other convenient Place within the said Parish, as they or the major

Meeting of
Commission-
ers.

Notice of
Meetings.

Commission-
ers to defray
their own
Expences.
No Act valid
unless at a
Meeting.
Powers of the
Act to be ex-
ecuted by a
Majority of
Commission-
ers.

A Chairman to
be appointed
who shall have
the casting
Vote.

No Order to
be revoked if
confirmed at
a Second
Meeting of
the Commis-
sioners.

Proceedings
to be entered.

Books to be
inspected.

major Part of them present at such Meeting shall appoint; and Two Days Notice of such Adjournment shall be given to the Commissioners residing within the said Parish, by the Clerk to the said Commissioners, except in such Cases where the Adjournment shall be from Day to Day; and that in every such Notice the Time of Meeting of the said Commissioners shall be mentioned or set forth; and if it shall happen that there shall not appear at any such Meeting of the said Commissioners a sufficient Number to act or to adjourn to another Day (Three Commissioners to be deemed sufficient for the Purpose of Adjournment), or if the said Commissioners shall refuse or neglect to adjourn, or shall adjourn for any longer Time than Fourteen Days, then and in every such Case any Seven or more of the said Commissioners, or their Clerk, shall and may call a Meeting at the Place where the last Meeting was to have been holden, by public Notice to be given in the said Parish Church on the *Sunday* previous to such Meeting, at least Two Days before such Meeting; and that at all Meetings to be holden in pursuance of this Act, the Commissioners shall defray their own Expences; but no Act of the said Commissioners shall be valid unless made or done at some publick Meeting to be held by virtue of this Act; and that all Powers and Authorities by this Act granted to or vested in the said Commissioners, shall and may from Time to Time be exercised by the major Part of them present at any publick Meeting, the whole Number present at such Meeting not being less than the Number by this Act authorized to do such Business; and that a Chairman shall and may be appointed at every such Meeting; and that in all Cases the said Commissioners shall vote by Ballot in case the same is desired by any Three or more of the Commissioners then present, and in case of an equal Number of Votes upon any Question (including the Chairman's Vote), the Chairman shall have the casting Vote.

VII. Provided always, That no Order made by the said Commissioners at any of their Meetings shall be revoked or altered if such Order so made as aforesaid shall be confirmed at a Second Meeting, but that such Order or Orders so confirmed at such Second Meeting as aforesaid, shall be conclusive and final, any Thing contained in this Act to the contrary thereof notwithstanding.

VIII. And be it further enacted, That the said Commissioners shall cause to be provided and kept a proper Book or Books, and fair and regular Entries to be made therein, of the Names of all the Commissioners who shall duly qualify in pursuance of this Act; and of all their Acts, Orders, and Proceedings relative to the Execution of this Act, and of the Names of all such Commissioners as shall be present at their respective Meetings; and the Chairman of each Meeting of the said Commissioners and their Clerk shall always subscribe their Names at the End of the Proceedings of the said Commissioners at every such Meeting, and all Entries in such Books, being signed as aforesaid, shall be deemed Originals, and shall be allowed to be read in Evidence in all Cases, Suits, and Actions touching any Thing done in pursuance or by virtue of this Act; and that such Book or Books shall at any of the Meetings of the said Commissioners be open and liable to the Inspection of all and every the said Commissioners, and all and every the Persons rated and assessed for the Purposes of this Act, and

and also of all and every the Creditors and Annuitants on the Rates or Assessments hereby granted and made payable.

IX. And be it further enacted, That the said Commissioners, or any Seven or more of them, shall and may from Time to Time, whenever they shall think necessary, appoint and employ a Treasurer and Clerk, and Collector or Collectors of the Rates or Assessments herein-after mentioned; and also a Surveyor and all such other Officers and Persons for the Execution of this Act, as the said Commissioners, or any Seven or more of them, shall think proper; and from Time to Time remove him or them, and appoint others in the Room of such of them as shall be so removed, or shall otherwise relinquish or discontinue such Office, and out of the Monies to be raised by virtue of this Act, pay such Salaries, Wages, and Allowances, to the said Officers and other Persons as they, or any Seven or more of them, shall think reasonable; and the said Commissioners, or any Seven or more of them, shall and are hereby required to take such Security from such Treasurer and other Officers for the due Execution of their respective Offices as they shall think proper; and all such Officers so to be appointed shall, under their Hands, (at such Time and Times and in such Manner as the said Commissioners, or any Seven or more of them, shall direct,) deliver to the said Commissioners, or any Seven or more of them, or to such Person as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of this Act, and also of all the Monies which shall have been by such Officer and Person respectively received by Virtue and for the Purposes of this Act, and how much thereof hath been paid and disbursed, and for what Purpose, together with the proper Vouchers for such Payments, and shall pay all such Monies as shall remain due from them respectively, to the said Commissioners, or any Seven or more of them, or to such Person or Persons as they shall appoint; and all the said Officers so accounting as aforesaid shall, upon Oath, if thereunto required by the said Commissioners, or any Seven or more of them, (which Oath the said Commissioners, or any Seven or more of them, are hereby empowered and required to administer,) verify the said Accounts; and if any such Officer shall neglect or refuse to make and render, or to verify upon Oath any such Account, or to produce or deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall neglect or refuse to deliver to the said Commissioners, or any Seven or more of them, or to such Person as they shall appoint, within Thirty Days next after being thereunto required by the said Commissioners, or any Seven or more of them, by Notice in Writing, given or to be left at the last or usual Place of Abode of such Officer, all Books, Papers, and Writings in his Custody or Power, relating to the Execution of this Act, or give Satisfaction to the said Commissioners respecting the same, then and in any of the Cases aforesaid, the said Commissioners, or any Seven or more of them, may and are hereby authorized and empowered to cause an Action to be brought against the Officer so neglecting or refusing as aforesaid, in order for the Recovery of the Monies that shall remain due from him, with Costs of Suit; or if Complaint shall be made by the said Commissioners, or any Seven or more of them, or by such Person or Persons as they shall appoint for that Purpose, of any such Neglect or Refusal as aforesaid, to any Justice of the Peace in and for the County or the Place wherein such Officer so neglecting or refusing shall be or reside, such Justice may and

Commissioners may appoint Officers,

and may remove them.

Treasurer and other Officers to give Security.

Officers to account,

and pay Balance.

Penalty on Officers refusing to account.

If Balance not paid, it may be levied by Distress.

On Failure of Distress, etc. Officer to be committed.

is hereby authorized and required to issue a Warrant under his Hand and Seal for the Officer so neglecting or refusing to be brought before him, and upon his appearing, or not being to be found, to hear and determine the Matter in a summary Way; and if upon the Complaint of the Party, or upon the Testimony of One or more credible Witnesses or Witnesses upon Oath (which Oath the said Justice is hereby empowered to administer), it shall appear to such Justice that any of the Monies that shall have been collected or raised by virtue of this Act shall remain due from such Officer, such Justice may and is hereby authorized and required, upon Nonpayment thereof, by a Warrant under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods or Chattels of such Officer; and if no Goods or Chattels of such Officer can be found sufficient to answer and satisfy the said Monies, and the Charges of distraining and selling the same, or if it shall in Manner aforesaid appear to such Justice, that such Officer shall have neglected or refused to render and give such Account, or to verify the same 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 such Officer, and he shall have neglected or refused to deliver or give Satisfaction respecting the same as aforesaid, then and in any of such Cases aforesaid, such Justice shall commit such Offender to the Common Gaol for the County where such Offender shall be or reside, there to remain, without Bail or Mainprize, until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Commissioners, or any Seven or more of them, for such Money, and shall have paid such Composition in such Manner as they shall appoint, (which Composition the said Commissioners, or any Seven or more of them, are hereby empowered to make and receive), and until he shall deliver up such Books, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof to the said Commissioners, or any Seven or more of them, as aforesaid: Provided always, that no Person, who shall be committed for want of sufficient Distress, shall be committed for any longer Space of Time than Twelve Calendar Months.

For Appointment of Officers in Cases of Death, &c.

X. Provided always, and be it enacted, That as often as any Collector or Receiver of the Monies, to be raised by virtue of this Act, shall die, or be incapable or neglect to perform his Duty, it shall be lawful for the Commissioners, or any Twelve or more of them, though not assembled at a Meeting in pursuance of this Act, by any Writing under their Hands, to appoint another Person to collect the same, who shall give such Security for the due Execution of his Office during his Continuance therein as the said Commissioners shall think proper, until the Commissioners shall, at a Meeting to be holden in pursuance of this Act, appoint a Collector or Receiver of such Monies; any Thing herein contained to the contrary notwithstanding.

Treasurer to pay Money as ordered by Commissioners.

XI. And be it further enacted, That the Treasurer to the said Commissioners shall and may, and he is hereby authorized and required, out of the Monies to be received by him by virtue of this Act, to pay all Sums of Money which the said Commissioners, or any Seven or more of them, shall, from Time to Time, draw upon him for or order him to pay; and the said Treasurer shall, and he is hereby required to keep regular and clear Entries in a Book or Books to be for that Purpose by him provided and

and kept, of all and singular his Receipts and Payments, on Account or in pursuance of this Act, and shall, on the Twenty-fifth Day of *March* yearly, or at the First Meeting of the said Commissioners then next following, lay the said Accounts before the said Commissioners, or any Seven or more of them, to be audited, passed, and allowed.

XII. And, for defraying the Charges and Expences of paving and repairing the said Streets, Lanes, and Passages, and for removing Annoyances and Incroachments therein, and for other the Purposes of this Act; be it enacted, That, from and after the Twenty-fifth Day of *June* One thousand eight hundred and four, One or more Rate or Rates, Assessment or Assessments, shall, Twice in every Year, or oftener if it shall be thought needful by the Commissioners, or any Seven or more of them, be made, laid, and assessed by the said Commissioners, or any Seven or more of them, upon all and every Person and Persons who do or shall inhabit, hold, or occupy any House, Shop, Warehouse, Wharf, Cellar, Vault, Stable, Coach House, Brewhouse, Brewing Offices, Granaries, Malthouses, Storehouses, and other Buildings, Private Dock Yards, Yards, and Gardens, within the said Parish; (save and except the Persons inhabiting, holding, or occupying, from Time to Time, the several Almshouses of and belonging to the Corporation of Trinity House, and the Ground belonging to and used with such Almshouses respectively), and in such competent Sum and Sums of Money as the said Commissioners, or any Seven or more of them, shall yearly and every Year order and direct, so as such Rates or Assessments do not exceed in the Whole the Sum of One Shilling and Sixpence in the Pound in One Year, of the yearly Rent or yearly Value of such Houses, Shops, Warehouses, Wharfs, Cellars, Vaults, Stables, Coach Houses, Brewhouses, Brewing Offices, Granaries, Malthouses, Storehouses, and other Buildings, Private Dock Yards, Yards, and Gardens, as aforesaid, such yearly Rent or Value to be ascertained by such Ways and Means as the said Commissioners, or any Seven or more of them, shall think proper: Provided always, that the said Commissioners, or any Seven or more of them, shall and may, if they think proper, at any Meeting, amend any such Rate or Assessment, Rates or Assessments, after the same shall have been made and signed, by inserting the Name of any Person who ought to have been, but has not been, rated or assessed, or by striking out the Name of any Person who hath been, but ought not to have been, rated or assessed, or by altering the Sum or Sums charged in any such Rate or Assessment, on any Person or Persons, or in any other Manner which the said Commissioners shall think proper, for making the same a just and equal Rate or Assessment, without wholly setting aside or quashing the same: Provided always, that no Person shall be subject to any Rate or Assessment who shall occupy any House or other Premises, the annual Value whereof shall not exceed Three Pounds: Provided always, and be it further enacted, that nothing in this Act contained shall extend, or be construed to extend, so as to enable the said Commissioners to make, lay, assess, or levy, any Rate or Rates, Assessment or Assessments, for or in respect of any Toll or Tolls collected or received, or to be collected or received, by virtue of an Act, made in the Forty-third Year of the Reign of His present Majesty, intituled, *An Act for building a Bridge over the River Ravensborne, at or near its Mouth or Outlet into the River Thames, in the County of Kent, and for making and maintaining proper Approaches thereto.*

Commissioners may make a Rate on Occupiers to defray the Expence of paving, &c. not exceeding 1s. 6d. in the Pound.

XIII. And

Rates to be signed by Justices, who are to grant Warrants to collect and levy the same.

Manner of Recovery.

XIII. And be it further enacted, That all Rates made by virtue of this Act shall be allowed and signed by Two Justices of the Peace acting in and for the said County of *Kent*, who are also hereby empowered and required to grant a Warrant or Warrants for collecting thereof, as also for levying of the same, by such Person or Persons as the said Commissioners, or any Seven or more of them, shall nominate or appoint, and which Warrants shall be sufficient Authorities to the respective Persons thereby authorized, for the Purposes therein mentioned; and the said Rates, after the same shall be so allowed and signed by the said Justices, shall be collected Half-yearly, or oftener if the said Commissioners, or any Seven or more of them, shall think it necessary, by the Collector or Collectors, or other Person or Persons, to be appointed as aforesaid, and be paid over by such Collector or Collectors as aforesaid, into the Hands of the Treasurer to the said Commissioners; and if any Person or Persons shall refuse, neglect, or omit to pay the Sum or Sums of Money which he, she, or they shall be rated or assessed at by virtue of this Act, for the Space of Seven Days after personal Demand made thereof, or Demand, in Writing, left at the Place of Abode or Occupation of such Person or Persons, then, and in every such Case, it shall and may be lawful to and for the said Person or Persons, who shall be authorized as aforesaid, to collect the said Rates, and he and they is and are hereby empowered and required to levy the same by Distress and Sale of the Goods and Chattels of such Person or Persons so neglecting, refusing, or omitting to pay the same, rendering the Overplus (if any), after deducting the Sum or Sums due in respect of such Rates or Assessments, and all Costs and Charges attending the Recovery thereof, to the Owners of such Goods and Chattels, upon Demand.

Receiver, or other Persons authorized by the Commissioners, are to be allowed to inspect and take Copies for Extracts from the Books of Land Tax and of Pools Rates, &c. in the Parish, gratis, in order to ascertain the said Assessments.

Penalty for Refusal.

XIV. And be it further enacted, That it shall and may be lawful for the Receiver or Receivers of the Rate or Assessment, or for any other Person or Persons authorized by the said Commissioners, or any Seven or more of them, at all convenient Times (first having an Order under the Hands of the said Commissioners, or any Seven or more of them, for that Purpose), to inspect the Books of Assessments of the Land Tax, and also the Books or Rates made for raising Money for the Relief and Maintenance of the Poor of the said Parish, in order to ascertain the Rates and Assessments to be raised by virtue hereof, and also to take Copies thereof and to make Extracts therefrom; which Inspection, Copies, and Extracts, the Clerk or other Officer or Person, having the Custody of such Book, Assessment, and Rate, Books, Assessments, and Rates, are hereby required to permit and suffer to be made, without Fee or Reward, by such Receiver or Receivers, Person or Persons, appointed as aforesaid, on their producing an Order under the Hands of the said Commissioners, or any Seven or more of them, for that Purpose; and in case any such Vestry Clerk or other such Officer or Officers, or Person or Persons, shall neglect or refuse so to do within Seven Days after such Order shall be produced and shewn to him or them, or a Copy thereof left at his or their last or most usual Place of Abode, then, and in every such Case, he or they so refusing or neglecting shall, for the first Offence, forfeit any Sum not exceeding Twenty Pounds, nor less than Ten Pounds.

Rates on Houses let to divers Tenants.

XV. And whereas, several Houses within the said Parish may be by the Landlords or Owners thereof let out into Lodgings or Tenements, to divers

divers Tenants, whereby it may be difficult to rate such Houses, and to recover such Rates and Assessments when made; for Remedy thereof be it enacted, That the said Commissioners, or any Seven or more of them, shall and may rate or assess the Landlord or Owner of any House which shall be let to or occupied by Two or more Tenants, and the Landlord or Owner of every such House shall pay the same accordingly.

nants to be
paid by the
Landlord.

XVI. Provided always, and be it further enacted, That no Person or Persons shall be liable to pay any Rate or Assessment to be made under the Authority of this Act, for or in respect of any Messuage, House, or other Building, or of any Land which shall be unoccupied during the Whole of the Quarter of a Year, in or for which the Quarterly Portion of Rate or Assessment demanded shall have become or accrued due.

Houses, &c.
unoccupied
not rateable.

XVII. And, to the End the said Rates may be more effectually collected and received, be it further enacted, That all and every Tenant or Tenants, Occupier or Occupiers, are and shall be liable to all and every the Rates and Assessments that shall have been rated and assessed by virtue of this Act, for or in respect of the Lands, Tenements, or Hereditaments, by him, her, or them respectively occupied, and all Arrears thereof accruing and becoming due while the said Lands, Tenements, or Hereditaments, were empty and unoccupied, when no Composition shall have been made to the Collector and Collectors or other Person or Persons appointed by the said Commissioners as aforesaid, and shall be subject to such Distress as aforesaid in case of Non-payment thereof; and such Tenant or Tenants, and Occupier or Occupiers, shall be at Liberty, and is and are hereby authorized to deduct and detain, out of his, her, and their Rent, such Proportion of such Rates as he, she, or they shall respectively pay for or on Account of the several Owner or Owners, Proprietor or Proprietors, Landlord or Landlords, of such Lands, Tenements, or Hereditaments.

Tenants and
Occupiers to
pay the Rates
and Arrears
due by the
Landlord, and
deduct it out
of their Rent.

XVIII. And be it further enacted, That when any Person, who have or hath been rated and assessed by virtue of this Act, shall quit his or her Dwelling House, Warehouse, Wharf, Shop, Vault, Cellar, Dock, Dock Yard, or other Yard or Tenement; whereupon such Rate or Assessment has been made, before he or she shall have paid the same, and shall afterwards refuse to pay the same when due and demanded as aforesaid, by the Person or Persons authorized and appointed to collect and receive the same, that then and in every such Case it shall and may be lawful to and for such Person or Persons as shall be appointed by the said Commissioners, or any Seven or more of them, by Warrant under the Hand and Seal of any One or more Justices of the Peace acting in and for the said County of Kent, or for the County, Riding, Division, City, Liberty, Town, or Place, where such Person shall remove to or reside, or where any Goods or Chattels of such Person shall be found (which Warrant such Justice is hereby required to grant, upon Proof made of the Sum so due before him, upon the Oath of One or more credible Witness or Witnesses), to levy such Rate or Rates by Distress and Sale of the Goods and Chattels of such Person so neglecting or refusing, rendering the Overplus (if any such shall be), after Payment of the Money due in respect of such Rate or Assessment, and the reasonable Charges and Expences of such

Occupier
quitting with-
out paying
Rates may be
followed.

Distress and Sale, unto the Person whose Goods and Chattels shall have been so distrained and sold.

Agreements
between
Landlords and
Tenants not
to be affected.

XIX. Provided always, and be it further enacted, That nothing in this Act contained shall be deemed or taken to make void any Contract, Covenant, or Agreement, between any Landlord and Tenant, or between any Bodies Politick or Corporate, and any other Person or Persons, touching or concerning the paving or repairing the said Streets, Lanes, Passages, and Places, or any Part thereof; but that every Person, Body Politick or Corporate, who is or are now, by virtue of any such Contract or Covenant, obliged to pave or keep in Repair any of the said Streets, Lanes, Passages, or Places, shall in lieu thereof be obliged to pay the Sums of Money hereby directed to be paid and levied, or so much thereof as shall, by the said Commissioners, or any Seven or more of them, be deemed just and reasonable according to the true Meaning of such Contract, Covenant, or Agreement, for and during such Time as such Contract, Covenant, or Agreement shall remain in Force; and in case any Dispute shall arise concerning such Contract, Covenant, or Agreement, the said Commissioners, or any Seven or more of them, shall and they are hereby authorized and required to hear and finally determine the same.

Rates appor-
tioned between
Occupiers
quitting and
coming into
any House, &c.

XX. Provided also, and be it further enacted, That in all Cases where any Person or Persons shall remove from or quit any House, Building, Garden, Tenements, or Hereditaments, rated or assessed, or liable to be rated or assessed by virtue of this Act, such Person or Persons shall be liable to pay such Rate or Assessment in proportion to the Time that he, she, or they occupied the same respectively, in like Manner, as if such Person or Persons had not removed or quitted the same; and in all Cases, where any Person or Persons shall come into or occupy any House, Building, Garden, Tenements, or Hereditaments, rated or assessed, or liable to be rated or assessed as aforesaid, out of or from which any other Person, who shall have been rated or assessed for the same, shall have removed, or which at the Time of making any such Rate or Assessment, was empty or unoccupied, the Person or Persons coming into or occupying the same shall be liable to pay such Rate or Assessment in Proportion to the Time that such Person or Persons occupied the same, in like Manner as if he, she, or they had been originally rated or assessed for such House, Building, Garden, Tenements, or Hereditaments, which said respective Proportions, in case of Dispute, shall be settled and ascertained by the said Commissioners, or any Seven or more of them.

Churches,
Church Yards,
Meeting
Houses, Dead
Walls, and
void Spaces of
Ground, &c.
may be rated.

XXI. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, and they are hereby required at such Times as the Rates hereby directed shall be made, to rate and assess, for the Purposes aforesaid, all Churches, Church Yards, Meeting Houses, and other Places of Publick Worship, or intended for that Purpose, with the Ground belonging thereunto, Hospitals, Prisons, and all other Publick Buildings whatsoever, (save and except the several Alms Houses of and belonging to the Corporation of Trinity House, and the Ground belonging to and used with such Alms Houses), and all void Spaces of Ground fenced in, or otherwise situate and being in the said Parish, to be rated as aforesaid, at such Rate as the
said

said Commissioners, or any Seven or more of them, shall judge reasonable, but not exceeding Two Shillings for every Yard running Measure upon every such Church, Church Yard, Meeting House, and other Place of Publick Worship, with the Ground thereunto belonging, Prison and other Publick Building, Dead Wall and void Space of Ground, situated by the Sides of any of the Streets, Lanes, and Passages, directed to be paved; and such Rate or Rates, Assessment or Assessments, so to be from Time to Time made, shall be paid by the respective Persons following, (that is to say,) for every Church and Church Yard by the Churchwardens thereof; for every Dead Wall and vacant Piece of Ground by the Owner or Owners, or Proprietor or Proprietors thereof; for every Meeting House and other Place of Publick Worship, with the Ground thereunto belonging, by the Proprietor or Proprietors, Trustee or Trustees, or their Treasurer, Minister, or Deacon, or other Person officiating therein; and for every Hospital, Prison, or other Publick Building, (save and except the said Alms Houses and Ground belonging to the Corporation of Trinity House), by the Person or Persons who are now liable to pay for paving or keeping in Repair the Pavements in the Front thereof; and in case any of the Persons aforesaid shall refuse or neglect to pay the said last mentioned Rates to the said Collector or Collectors, upon personal Demand thereof made, or in Writing left at the usual Place of Abode of the Person or Persons required to pay the same, then and in every such Case the same shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of any One or more of the respective Officers or Persons respectively charged, in the same Manner as if such Officers or Persons were actual Owners and Occupiers of such Property, and were or had been charged as such; and all such Officers or Persons respectively may charge the Sum or Sums to be so rated, assessed, and charged on them respectively, after Payment thereof, to or in their respective Accounts.

XXII. Provided also, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves, aggrieved by any Rate or Assessment, which shall be made in pursuance of this Act, such Person or Persons may apply to the said Commissioners, or any Seven or more of them, at any Meeting to be holden within Fourteen Days next after Demand of such Rate or Assessment, but if no Meeting shall be held within such Time, then at the next Meeting which shall be held then after; and the said Commissioners, or any Seven or more of them, are hereby authorized and empowered, if they shall think such Person or Persons aggrieved, to give such Relief in the Premises as to them shall seem reasonable.

Persons aggrieved may apply to the Commissioners.

XXIII. And be it further enacted, That all and every Person or Persons paying the Rates and Assessments hereby authorized to be levied within the said Parish, shall be, and they and every of them is and are hereby exempted and discharged from all other Charges and Expences of paving, lighting, watching, or cleansing any Part or Parts of the said Parish, and also from all Penalties which may be incurred by reason or means of their neglecting to pave or repair, light, watch, or cleanse the same respectively, any Law, Statute, or Usage, to the contrary notwithstanding: Provided nevertheless, that nothing in this Act contained shall affect the annual Sum of Ten Pounds now payable to the Trustees of the *Rotherhithe* Turnpike Road by the said Parish.

Persons paying the said Rate exempted from all other Expences of paving.

XXIV. And

XXIV. And be it further enacted, That no Person or Persons shall gain any legal Settlement in the said Parish by Reason only of his, her, or their being rated and assessed to or paying any Rate or Assessment to be made as aforesaid, or by Reason only of his or their being appointed to or accepting or holding any Office or Place of Employment whatsoever under or by virtue of this Act.

XXV. And be it further enacted, That where any Part or Parts of the Pavements of the said Streets, Lanes, Yards, Courts, Alleys, or Passages or Highways, within the said Parish, hath or have been accustomed, or ought to be paved or repaired by any particular Parish or Parishes, Bodies Politick or Corporate, or by the Trustees of any Turnpike Road, and not by the Owners or Occupiers of Lands or Houses, or other Buildings within the said Parish, the same shall be paved and repaired at the Expence of the respective Parish or Parishes, Bodies Politick or Corporate, or Trustees, as afore-said.

XXVI. Provided always, That it shall and may be lawful for the said Commissioners, or any Seven or more of them, from Time to Time, to compound and agree for the same with any such Parish or Parishes, or Bodies Politick or Corporate, or Trustec, for a certain Sum of Money, as the said Commissioners, or any Seven or more of them, shall think reasonable.

XXVII. And, for the more effectually enabling the said Commissioners to execute the Purposes of this Act, be it further enacted, That it shall be lawful for the said Commissioners, or any Seven or more of them, and they are hereby authorized and empowered, from Time to Time, when they shall judge necessary, to borrow and take up at Interest any Sum or Sums of Money, upon the Credit of the Rates or Assessments herein-before granted or authorized to be raised, and by any Writing or Writings under their Hands and Seals, to mortgage, demise, grant, or assign over the said Rates or Assessments, or any Part or Parts thereof, to the Person or Persons who shall advance or lend such Money, or his or their Trustee or Trustees, as a Security or Securities for the Money so to be borrowed, together with Interest for the same; and every such Mortgage or Assignment shall be in the Words or to the Effect following, *videlicet* :

“ BY virtue of an Act of Parliament, passed in the Forty-fourth Year
“ of the Reign of His Majesty King George the Third, intituled, [*Here*
“ *insert the Title of the Act,*] We

' of the Commissioners appointed by virtue of the said Act, in Consideration
' of the Sum of advanced and lent by A. B. upon the
' Credit and for the Purposes of the said Act, do grant, bargain, sell, and
' demise unto the said A. B. 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 may at any Time be borrowed or become due and
' owing, or charged upon the Credit of the said Act, to be had and holden
' from this Day of in the Year

' until

‘ until the Sum of _____ with Interest, at
 ‘ *per Centum per Annum* for the same shall be repaid and
 ‘ satisfied. In Witness whereof, we have hereunto set our Hands and Seals,
 ‘ this _____ Day of _____ in the Year of our
 ‘ Lord _____

And every such Assignment shall be good, valid, and effectual; and all Persons to whom such Mortgages or Assignments shall be made, or who shall be entitled to the Money 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 any such Money, or the Dates of any such Mortgages or Assignments. No Preference in respect of Priority.

XXVIII. And be it further enacted, That in case the said Commissioners, or any Seven or more of them, shall think it adviseable or more advantageous to raise all or any Part of the Money necessary for the Purposes of this Act, by granting of Annuities for Lives, instead of Assignments as aforesaid, then it shall be lawful for the said Commissioners, or any Seven or more of them, and they are hereby authorized and empowered, by Writing under their Hands and Seals, to grant 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 Contributor, or the natural Life of such Person as 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, so as that no such Annuity do exceed the Rate of Ten Pounds for One hundred Pounds for a Year, and so that the whole Money to be raised upon Mortgage, and by the granting of Annuities as aforesaid, do not exceed the Sum of Six thousand Pounds; and the Grant of every such Annuity shall be in the Words or to the Effect following: Money may be raised by Annuities,
not exceeding 10l. per Cent.
The whole Monies to be taken up at Interest and on Annuities not to exceed 6000l.

‘ WE

Form of the Grant of Annuities.

‘ of the Commissioners appointed by or in pursuance of an Act of Parliament, made in the Forty-fourth Year of the Reign of King George the Third, intituled, [*Here set forth the Title of the Act,*] in Consideration of the Sum of _____ paid by
 ‘ _____ to _____ the Treasurer,
 ‘ appointed in pursuance of the said Act, do hereby grant unto the said
 ‘ _____ Executors, Administrators, and Assigns, an Annuity or yearly Sum of _____ out of the Rates or Assessments granted or arising by virtue of the said Act, which Annuity or
 ‘ yearly Sum of _____ shall be paid to the said
 ‘ _____ Executors, Administrators, and Assigns, at
 ‘ _____ upon the
 ‘ in every Year during the natural Life of _____ and the
 ‘ [Loc. & Per.] 10 2 ‘ first

‘ first Payment thereof shall be made upon the next
‘ ensuing the Date of these Presents.

‘ In Witness whereof, we have hereunto set our Hands and Seals,
‘ the Day of in the Year of our
‘ Lord

Interest Money and Annuities to be paid Quarterly.

And every such Grant shall be good, valid, and effectual in the Law; and every Annuity so to be granted as aforesaid shall be and is hereby charged upon, and shall be payable and paid out of the said Rates or Assessments, and the Purchaser of every such Annuity, his or her Executors, Administrators, and Assigns, shall have, receive, and be entitled to such Annuity out of the said Rates or Assessments during the Term of the natural Life of the Person for whose Life such Annuity shall be granted; and every such Annuity, and also the Interest arising on every Mortgage or Assignment to be made by virtue of this Act, shall be payable and paid by the Treasurer to the said Commissioners at or in the said Parish by equal Quarterly Payments, the First Payment thereof respectively to be made at the Expiration of Three Calendar Months next after the Date of the respective Securities.

**Securities for
Monies lent
and Annuities
may be trans-
ferred.**

XXIX. And be it further enacted, That it shall be lawful for the Persons entitled to any of the Securities for the Money borrowed or raised by Mortgage, and for the Annuities granted as aforesaid, and their respective Executors, Administrators, or Assigns, at any Time by Writing under their Hands and Seals, to transfer such Securities to any Person or Persons whomsoever; which Transfer may be in the Words or to the Effect following:

Form of the
Transfer.

[illegible]

Transfers entered and
Books examined.

And Copies of all Mortgages or Assignments, and Grants of Annuities, which shall be made in pursuance of this Act, and Extracts or Memorials of all Transfers thereof, shall be entered in a Book to be kept for that Purpose by the Clerk to the said Commissioners, which Extracts or Memorials shall specify and contain the Dates, Names of the Parties, and the Sums of Money thereby transferred ; 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, the said Clerk shall be paid, by the Person to whom such Transfer shall be made, the Sum of Three Shillings and Sixpence, and no more ; and after such Entry made of any such Transfer, every such

such Transfer so entered shall entitle the Person to whom the same shall be made, and his, her, or their respective Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred.

XXX. Provided always, and be it further enacted, That if at any Time after the said Commissioners shall have so borrowed or raised the said Sum of Six thousand Pounds, the same, or any Part thereof, shall be paid off and discharged, it shall and may be lawful for the said Commissioners, or any Seven or more of them, again to borrow and take up the same, or any other Sum or Sums of Money, so as that the Sum or Sums of Money to be so borrowed or raised shall not, at any Time, exceed in the Whole the said Sum of Six thousand Pounds.

When any Part of the originl Debt is paid off Commissioners may borrow more.

XXXI. 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 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 low Rate as aforesaid, and to pay off and discharge the Assignments or Securities bearing a higher Rate of Interest according to the Directions and Regulations herein prescribed for paying off Assignments or Securities.

Power to borrow Money at a lower Interest to discharge Securities at a higher Rate.

XXXII. And, in order that no Preference may be given to any of the Persons who shall have advanced and lent Money upon the Credit of the Rates or Assessments to be made and raised respectively by virtue of this Act, be it further enacted, That the said Commissioners (if there shall be more Creditors than One) shall cause the Numbers of all Assignments or Securities granted and then in force for securing the principal Monies lent and advanced upon the Credit of the said Rates or Assessments, 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 shall be rolled up in the same Form as near as may be, and be put into a Box or Wheel, and the Number or Numbers of the said Assignments or Securities shall be drawn separately out of the said Box or Wheel by the Clerk to the said Commissioners; and after every such Ballot the said Commissioners shall cause Notice, signed by their Clerk, to be given to or left at the last or usual Place of Abode of the Person or Persons who shall be entitled to the Money to be paid off pursuant to such Ballot, and where there is only One Creditor, to give Three Calendar Months Notice to such Creditor, of the said Commissioners Intention to pay him or her as aforesaid; and every such Notice shall express the Sum to be paid off, together with the Interest due thereon, and that the same shall be paid on a Day and at a Place to be specified in such Notice, such Day not being sooner than Three Calendar Months after the Day of giving or leaving such Notice as aforesaid; and the Interest of the principal Money to be so paid off shall, from and after the Day to be so specified, cease, and be no longer paid or payable, unless such 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 Day to be so specified, shall nevertheless be payable on Demand.

Provision for the Payment of Creditors by Ballot.

XXXIII. And

Pavements
vested in Com-
missioners,

who may
bring Actions.

Old Materials
to be sold.

Certain Al-
lowance to
Inhabitants.

Commission-
ers may order
the Streets to
be paved.

Penalty on
Persons ob-
structing the
Works.

No Person to
make any Al-
teration in the
Form of the
Pavement.

XXXIII. And be it further enacted, That the Property of all the present and future Pavements in the Streets, Lanes, and other publick Passages and Places within the said Parish, as well in the Foot Paths as Carriage Ways, and of all Lamps, Lamp Irons, and Posts, which shall be erected or fixed by virtue of this Act, and of all Materials, Implements, and other Things, which shall be purchased for the Purposes of this Act, shall belong to, and the same are hereby vested in, the said Commissioners; and they, or any Seven or more of them, are hereby authorized and empowered to cause an Action to be brought, or a Bill of Indictment to be preferred (as the Case shall require), against any Person or Persons who shall steal, take, or carry away, detain, spoil, injure, or destroy, any Part thereof; and the said Commissioners, or any Seven or more of them, are hereby authorized and empowered to sell and dispose of all or any Part of the old Materials, to any Person or Persons who shall be willing to purchase the same (except such Broad Stones which the Occupier of any House or Tenement shall have laid down, at his or her own Costs and Charges, in the Foot Path along the Front of such House or Tenement, for which said Broad Stones he or she shall be allowed a fair and reasonable Price by the said Commissioners, or any Seven or more of them), and the Money arising by such Sale shall be applied to the Purposes of this Act.

XXXIV. And be it further enacted, That it shall be lawful for the said Commissioners, or any Seven or more of them, from Time to Time, and at all Times, when and so often as they shall think proper, to cause, order, and direct, all or any of the present or future Pavements in the said Streets, Lanes, Passages, and Places, as well in those Parts used by Carriages as those used by Foot Passengers, to be taken up, and the said Streets, Lanes, Passages, and Places, to be paved, relaid, repaired, raised, lowered, or altered, in such Manner as they shall think proper; and all such Foot Paths as are practicable, to be paved with Flag Stones or smooth Pavement, and all the Horse Ways and Carriage Ways with good Rag Stones, Pebbles, or such other Materials as the said Commissioners, or any Seven or more of them, shall think proper; and also to cause, order, and direct the said several Streets, Lanes, Passages, and Places to be cleansed, lighted, and watched, and all Annoyances, Obstructions, Nuisances, and Incroachments, to be removed, and proper Drains, Sinks, Gutters, and Watercourses to be made, for conveying the Water off and from the said several Streets, Lanes, Passages, and Places, and the several Houses and other Buildings within the said Parish, in such Manner as the said Commissioners, or any Seven or more of them, shall think proper; and the Persons to be appointed and authorized by them, for the Purposes aforesaid, shall have full Power and Authority to do the same accordingly.

XXXV. And be it further enacted, That if any Person or Persons shall, at any Time, obstruct, hinder, or molest any Surveyor or other Officer, Workman, or Person employed by virtue of this Act, in the Performance or Execution of his Duty, every Person so offending shall, for every such Offence, forfeit any Sum not exceeding Ten Pounds nor less than Five Pounds.

XXXVI. And be it further enacted, That no Person shall, at any Time, make, or cause to be made, any Alteration in the Form of the Pavement

ment of any Street, Lane, or other publick Passage or Place, within the said Parish, without the Consent and Approbation of the said Commissioners, or any Seven or more of them, assembled at some of their Meetings first had and obtained, upon Pain of forfeiting for every such Offence any Sum not exceeding Ten Pounds nor less than Five Pounds.

XXXVII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to enter into any Contract or Contracts for paving, repairing, cleansing, and lighting the several Streets, Lanes, Passages, and Places within the said Parish, or any of them, or for furnishing Materials, or any other Matters or necessary Things whatsoever, or for any other the Purposes of this Act; but before any such Contract or Contracts shall be entered into, Seven Day's Notice at the least shall be given in some publick Newspaper, circulated in the said Parish, and by Writing affixed on the Church Door of the said Parish, expressing the Purpose or Purposes of such Contract or Contracts, in order that any Person or Persons willing to undertake the same, may make Proposals for that Purpose, to be offered to the said Commissioners at a certain Time and Place, in such Notice to be mentioned; and the said Commissioners shall, and they are hereby required to take Security from every such Contractor for the due Performance of his or her Contract.

Commissioners may contract.

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

Contracts not to be entered into for more than 3 Years.

XXXIX. And be it further enacted, That every such Contract or Contracts shall specify the several Works to be done, and the Prices to be received or paid for the same, and the Time or Times when the said Works shall be completed, and the Penalties to be suffered in case of Non-performance thereof, and shall be signed by the said Commissioners, and also by the Person or Persons contracting to perform such Works respectively, which Contract or Contracts shall be entered in a Book or Books to be kept for that Purpose, by the Clerk to the said Commissioners.

Contracts to be signed by the Commissioners.

XL. And be it further enacted, That it shall and may be lawful for the said Commissioners, or any Seven or more of them, and they are hereby directed to cause all and every the Works done in pursuance of this Act, to be inspected by their Surveyor and Surveyors, or by such other Person or Persons as they shall from Time to Time appoint.

Surveyors to inspect the Works.

XLI. And be it further enacted, That the several Occupiers of Houses and other Tenements within the said Parish shall, as soon as the Foot Pavement in Front of or adjoining such Houses and other Tenements respectively are by virtue of this Act made and completed, sweep and cleanse, or cause to be swept and cleansed, the said Foot Pavement before their respective Houses, Tenements, and Walls, every Day between the Hours of Seven and Ten of the Clock in the Forenoon, (*Sundays excepted*) upon Pain of forfeiting any Sum not exceeding Ten Shillings.

Foot Paths to be swept daily.

XLII. And be it further enacted, That the Person or Persons employed by, or contracting with the said Commissioners for cleansing the several
[Loc. & Per.] 10 R Streets,

For regulating Scavengers.

Streets, Lanes, publick Passages and Places, within the said Parish; or the Person or Persons employed by, or acting under the Direction of such Person or Persons so contracting with the said Commissioners, shall, Twice in every Week, (that is to say), on every *Wednesday* and *Saturday* between such Hours of those respective Days, and also on such other Days, and at or between such Hours as the Commissioners aforesaid shall from Time to Time appoint, sweep and collect together, all Dust, Dirt, Filth, or Rubbish, in such Streets, Lanes, publick Passages and Places, where such Cart or other Carriage can pass, and shall, at or before his or their Approach, by Sound of Bell, Voice, or otherwise, give Notice to the Inhabitants of his or their coming, and give the like Notice in every Court, Passage, or Place, into which such Cart or Carriage cannot pass; and such Person or Persons aforesaid shall immediately take the Dust, Dirt, Rubbish, Cinders, Ashes, and other Filth (except Filth from any Privy or Necessary House) from the respective Premises, in such several Streets, Lanes, publick Passages and Places, and put the same into such Cart or Carriage; all which Dust, Dirt, Rubbish, Cinders, Ashes, and Filth, (except as aforesaid), as well as all such Dust, Dirt, Dung, Ashes, and Filth, as shall be swept up and collected together as aforesaid; such Person or Persons shall then immediately, or as soon as may be, carry away, or cause to be carried away, to the Place or Places appointed for depositing the same, upon pain of forfeiting any Sum not exceeding Forty Shillings, for every Offence or Neglect therein, and the Person or Persons so employed as aforesaid, shall cause the Words *Scavenger's Cart* to be painted in large Roman Letters on the Front, or on some other conspicuous Part of every Cart or Carriage used for the Purposes aforesaid, on pain of forfeiting any Sum not exceeding Twenty Shillings for every Neglect therein; and if any such Person so employed as aforesaid shall sweep or throw any Dust, Dirt, Ashes, or Filth, into any Creek, Fleet, Drain, Sewer, Sink, or Watercourse, within the said Parish, every Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds.

Preventing
Ashes or Dirt
being thrown
into the
Streets.

XLIII. And be it further enacted, That if any Person or Persons whosoever shall throw, cast, or lay, or cause to be thrown, cast, or laid, any Dust, Dirt, Dung, Offal, Rubbish, Ashes, or other Filth whatsoever, into any Street, Lane, or other publick Passage or Place within the said Parish, (except the Dust, Dirt, Ashes, and Filth to be collected and put together, and placed as aforesaid, and except as is next herein-after mentioned), every such Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Twenty Shillings; or if any Person or Persons whosoever shall throw or cast any such Dust, Dirt, Dung, Offal, Rubbish, Ashes, or other Filth or Thing whatsoever, into any Creek, Fleet, Sewer, Drain, Sink, or Watercourse, under the Direction of the said Commissioners within the said Parish, every such Person shall, for every such Offence, forfeit and pay any Sum not exceeding Twenty Shillings.

No Person to
carry away
Soil but Con-
tractors;

XLIV. And be it further enacted, That no Person shall take or carry away any Ashes, Dust, Muck, Dung, or Manure, out of the said Streets, Lanes, Passages, and Places, other than the Persons contracting or to be appointed or employed by or under the Authority of the said Commissioners, or any Seven or more of them, for such Purposes as aforesaid, upon pain of forfeiting and paying the Sum of Twenty Shillings for every such Offence: Provided always, that nothing herein contained shall extend to any Ashes,

Ashes, Dust, Dirt, Filth, Dung, or Rubbish, which any of the Inhabitants of the said Parish shall think fit to reserve and keep within their respective Houses, Yards, or Gardens, but the same shall respectively belong to the Person or Persons so reserving the same, so as such Ashes, Dust, Dirt, Filth, Soil, Dung, or Rubbish, be not laid down or placed in any of the said Streets, Lanes, Passages, or Places, for any longer Time than shall be necessary for the loading and carrying away the same; but in case the Person or Persons so reserving such Ashes, Dust, Dirt, Filth, Dung, or Rubbish, shall thereby annoy any of the said Inhabitants, and shall not remove the same for the Space of Seven Days after Notice in Writing given to him or them under the Hands of the said Commissioners, or any Seven or more of them, or left at such Person's Dwelling House to remove the same, such Person or Persons shall forfeit and pay the Sum of Ten Shillings for every Day such Annoyances shall be permitted to remain, next after such Notice given as aforesaid.

but remove
same on No-
tice.

XLV. Provided always, and be it enacted, That nothing herein contained shall extend, or be construed to extend, so as to subject any Person whomsoever to any Penalty by this Act inflicted, for or on account of any Rubbish or Dirt being laid or placed in any such Street, Lane, publick Passage or Place as aforesaid, occasioned by the building, pulling down, altering, or repairing his or her House or other Building, so as there be full and sufficient Space, in the Opinion of the said Commissioners, or of their Surveyor for the Time being, left in or at the Side of the Street, Lane, publick Passage, or Place, where such Rubbish or Dirt shall lie or be placed, for Carriages to pass and repass, and a sufficient Way kept clean for Foot Passengers, by the Person or Persons laying or causing such Rubbish or Dirt to be laid or placed, and so as a sufficient Light be at his, her, or their own Expence, set and maintained at the Place where such Rubbish or Dirt shall be so laid or placed, from Sunset to Sunrise, to prevent any Mischief happening to Passengers or Cattle, and so as the same be inclosed and fenced about, in such Manner and within such Time as the said Commissioners shall, by any Notice to be by their Order given to or left with such Person or Persons, direct and appoint, and so as such Rubbish or Dirt be removed, at the Expence of the Person or Persons so laying or causing the same to be laid, within a Time to be expressed in a Notice to be in like Manner given by the said Commissioners.

Penalty
not to extend
to Rubbish or
Dirt occasion-
ed by build-
ing or repair-
ing Houses.

XLVI. And be it further enacted, That if any Person or Persons shall run, drive, carry, or place on any of the Foot Paths, in any of the said Streets, Lanes, Passages, and Places, any Wheel, Sledge, Wheelbarrow, Handbarrow, Truck, or Carriage, or shall roll any Cask, for the Space of Forty Yards, or wilfully ride, drive, or lead any Horse or other Beast or Cattle, on any of the Foot Paths aforesaid, or shall kill, slaughter, singe, scald, dress, or cut up any Beast or Swine, Calf, Sheep, Lamb, or other Cattle, in any of the said Streets, Lanes, Passages, or Places, or shall hoop, cleanse, wash or scald any Cask, or hew or saw, or cause to be hewed or sawn, any Stone, Wood, or Timber, or bind, make, or repair the Wheel of any Carriage, or shoe, bleed, or farrier (except in case of Accidents), or turn or drive loose any Horse, or ride or lead any Horse, for the Purpose of exercising or airing such Horse, in any of the said Streets, Lanes, Passages, or Places, or shall place or expose to Sale, or cause, permit, or suffer to be set, placed, or exposed to Sale, any Goods, Wares,

Penalty on
causing An-
noyances in
the Streets.

or

or Merchandize, either on the Foot Paths or Carriage Ways of any of the said Streets, Lanes, Passages, and Places, or shall hang up or expose to Sale, any Goods, Wares, or Merchandize; or any other Matter or Thing, upon any Flap Window or otherwise, so as to obstruct or incommode the Passage of any Foot Path or Carriage Way, or shall leave open any Cellar Window in the Evening or in the Night, without the same being sufficiently lighted to prevent Accidents happening therefrom; or shall make or assist in the making any Fire or Fires commonly called *Bonfires*, or set up or throw at any Cock or Fowl, in the Manner called *Cock-throwing*, or shall set fire to, or let off or throw any Squib, Serpent, Cracker, or Firework whatsoever, within the said Streets, Lanes, Passages, or Places; every Person offending in any of the Cases aforesaid, shall, for every such Offence, forfeit and pay the Sum of Twenty Shillings.

Penalty on
Carriages left
in the Streets;

on Swine or
other Cattle
wandering in
the Streets;

on Timber,
Bricks, Stones,
Hay, Straw,
&c. being
left in the
Streets.

XLVII. And be it further enacted, That if any Waggon, Cart, Dray, or other Carriage, shall be left to stand or remain in any of the said Streets, Lanes, Passages, or Places, with or without Horses or other Cattle, for any longer Time than shall be necessary for the loading or unloading thereof; or if any Stage Coach, Diligence, Post Chaise, or other Carriage let to Hire, shall be left to stand or remain in any of the said Streets, Lanes, Passages, and Places, as aforesaid, without Horses, any longer Time than shall be necessary for the taking up or setting down the Passengers, and for loading or unloading their Baggage; or if any Swine or other Beast or Cattle shall be permitted to wander or be in or about any of the said Streets, Lanes, Passages, and Places; or if any Timber, Bricks, Lime, Mortar, Sand, Stone, Slates, Hay, Straw, Wood, Faggots, Tiles, Coals, Boards, Tubs, Goods, Wares, Merchandize, or other Materials or Things whatsoever, shall be laid or placed, and left to remain in any of the said Streets, Lanes, Passages, and Places, for any longer Time than shall be necessary for moving and housing the same; or if any Coal Ashes (except in the Time of Frost only, and to prevent Accidents), or any Wood Ashes, Rubbish, Dust, Dirt, Dung, Filth, or any other Nuisance or Annoyance whatsoever, be thrown, cast, or laid in any of the said Streets, Lanes, Passages, or Places; then and in every such Case the Owner or Driver of every such Waggon, Cart, Dray, Coach, Diligence, Post Chaise, or other Carriage, and the Owner of any such Swine, or other Beast or Cattle, and of any such Bricks, Goods, Wares, Merchandize, Materials, or Things, which shall be left or suffered to remain in any of the said Streets, Lanes, Passages, or Places, and the Person or Persons who shall so throw, cast, or lay, or cause to be thrown, cast, or laid, any Coal Ashes, Wood Ashes, Rubbish, Dirt, Dung, Filth, or other Annoyance whatsoever, as aforesaid, shall, for every such Offence, forfeit and pay any Sum not exceeding Twenty Shillings nor less than Ten Shillings.

No Cart to be
drawn faster
than a Foot-
pace, or Horse
turned out
loose without
being halter-
ed, nor Tim-
ber to be
drawn without
a Nib or Car-
riage.

XLVIII. And be it further enacted, That if any Person shall wilfully drive any Waggon, Wain, Cart, Dray, Truck, or other Carriage, for the Conveyance of Goods, in, upon, or through any of the Streets, Lanes, or publick Passages in the said Parish, without some Person on Foot leading the Shaft Horse by a Halter or Rein affixed to the Head of such Horse, or shall turn out or drive any Horse or Horses in any of the said Streets, Lanes, or publick Passages, without being haltered, and having some Person to lead the same, or shall draw any Timber, Block or
Block.

Blocks of Wood or Stone, or other heavy Material, in, upon, or through any of the said Streets or publick Passages, without any Nib or Carriage, every such Person, for every such Offence, shall forfeit and pay any Sum not exceeding Twenty Shillings, nor less than Ten Shillings.

XLIX. And be it further enacted, That if any Person or Persons shall cause any Privy or Necessary House within the said Parish to be emptied at any Time except between the Hours of Ten of the Clock in the Night, and Five of the Clock in the Morning, or shall lay or cause to be laid the Soil thereof in any of the said Streets, Lanes, Passages, or Places, or shall wilfully or negligently spill or throw down any such Soil in any of the said Streets, Lanes, Passages or Places, every Person offending in any of the Cases aforesaid, shall, for every such Offence, forfeit and pay any Sum not exceeding Twenty Shillings, nor less than Ten Shillings.

Regulations
for emptying
Necessary
Houses.

L. And be it further enacted, That if any Hog Stye, Lay Stall, Cow House, Slaughter House, or Necessary House, in the said Parish, shall, by the said Commissioners, or any Five or more of them, be deemed a Nuisance to any of the Inhabitants thereof, or Persons residing therein, the same shall be deemed a Nuisance and an Offence against this Act; and it shall and may be lawful to and for the said Commissioners, or any Five or more of them, upon Complaint thereof to them made by any Person or Persons, to order the Person or Persons keeping such Hog Stye, Cow House, Slaughter House, Lay Stall, or Necessary House, to remove the same within Seven Days next after due Notice of such Order; and in case the same shall not be removed in that Time, then the Person or Persons offending therein shall forfeit and pay the Sum of Ten Shillings for every Day that the same shall continue unremoved after the Expiration of the said Seven Days, but subject to Appeal in Manner herein-after mentioned.

Annoyances
by Hog Styes,
etc. to be re-
moved.

LI. And be it further enacted, That the said Commissioners shall cause all Signs which now are, or at any Time hereafter shall be placed or hung in any Part or Parts of the said Streets, Lanes, Passages, or Places, to be fixed and placed close to or on the Front of such Houses respectively, whereunto the same shall belong, and shall and may cause all Signs, Sign Irons, Sign Posts, Pent Houses, Areas, Spouts, Shop Windows, Shew Glasses, Shew Boards, and Cellar Windows, or any other Windows or other Encroachments or Obstructions, Projections or Annoyances, in or upon the said Streets, Lanes, Passages, or Places, or any of them, to be removed, filled up, or altered in such Manner as they shall think fit; and shall and may cause all Water to be conveyed from the Roofs, Cornices, and Pent Houses, by proper and sufficient Gutters, Pipes, or Trunks, to be affixed on the Fronts or Sides of the Houses, Shops, Warehouses, or other Buildings whereunto the same belong, and to be brought down to the Pavement; and in case the Owner or Occupier of any House, Shop, Warehouse, or other Building in the said Parish, to which any Sign, Sign Iron, Sign Post, Pent House, Area, Spout, Shop Window, Shew Glasses, Shew Boards, or Cellar Window, or other Encroachment, now or hereafter may belong, shall not, at the Costs and Charges of such Owner or Occupier (as the case may be), within Seven Days after Notice in Writing shall be given to them respectively, or left at their respective Dwelling Houses, under the Hands of the said Commissioners, or any Seven or more of them,

Penalty on
entering the
form of the
Signs, and for
removing Ob-
structions.

[Loc. & Per.]

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remove,

remove, fill up, or alter every such Sign, Sign Iron, Sign Post, Pent House, Spout, Shop Window, Shew Glasses, Shew Boards, Cellar Window, and other Encroachments and Annoyances, in such Manner as in such Notice shall be expressed, it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, to cause the same to be done, and to levy or cause to be levied, the Costs and Charges attending the same by Distress and Sale of the Goods and Chattels of the Owner, Tenant, or Occupier of every such House, Shop, Warehouse, or other Building, to which the same may be attached or belonging, by Warrant, under the Hand and Seal of any Justice of the Peace of the said County of *Kent*, rendering the Overplus, (if any,) when demanded, to the Person whose Goods and Chattels shall have been so distrained and sold; or it shall and may be lawful to and for such Tenant or Occupier to fix up Pipes and Trunks of sufficient Length, and also to remove all such Annoyances, Projections, and Encroachments, and to deduct and retain the Charges and Expences thereof, and also any Money which shall or may be levied upon the Goods and Chattels of any such Tenant or Occupier as aforesaid, out of his or her Rent; and every Owner, Proprietor, or Landlord, is hereby required to allow the same accordingly: Provided always, that nothing herein contained shall extend, or be construed to extend, so as to enable any Tenant or Tenants for any Life or Lives, or for any Term of Years, whose Term remaining in his, her, or their Lease or Leases shall be equal to or exceed Seven Years, to make any such Deduction or Deductions out of his, her, or their Rent or Rents, for or on account of any such Purposes as aforesaid.

Commissioners may purchase and set up Lamps.

Penalty for taking away or damaging Lamps, &c.

Persons accidentally damaging Lamps to make good the Damage.

LII. And be it further enacted, That it shall be lawful for the said Commissioners, or any Seven or more of them, and they are hereby authorized and empowered, from Time to Time, and at any Time or Times hereafter, to purchase, provide, affix, set up, alter, take down, and renew, such and so many Lamps of such Sizes and Sorts in such Places, and in such Manner, and to cause the same to be lighted at such Seasons of the Year, and such Hours of the Evening, as to them shall seem necessary or proper for the well and sufficiently lighting of all or any of the said Streets, Lanes, Passages, and Places; and if any Person or Persons shall wilfully throw down, take, carry away, spoil or damage any such Lamps, or any of the Irons, Posts, or other Furniture thereof, or wilfully extinguish the Light of any such Lamp, every Person so offending shall forfeit and pay any Sum not exceeding Ten Shillings for each Offence, One Moiety of which shall go to the Informer, and the other to the said Commissioners for the Purposes of this Act, or to the Contractor who shall have furnished such Lamps; and such Offender shall make full Satisfaction to the said Commissioners, or to such Contractor, for the Damage done thereby; such Damage to be recovered in like Manner as any Penalty is herein-after authorized or directed to be recovered; 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 immediately upon Demand make Satisfaction for the Damage done thereto, then and in such Case it shall be lawful for any Justice of the Peace for the County of *Kent*, upon Proof thereof made by the Oath of One or more Witnesses or Witnesses, or on the Confession of the Party, to award such Sum of Money, by way of Satisfaction for such Damage, as such

such Justice shall think reasonable; and in case of Refusal or Neglect to pay such Sum of Money upon Demand, to cause the same to be levied and recovered in like Manner as the Rates or Assessments can or may be levied and recovered.

LIII. And be it further enacted, That the said Commissioners, or any Seven or more of them, may and are hereby authorized from Time to Time, to establish and appoint such and so many honest and able bodied Watchmen as they shall judge necessary and proper to be kept and employed in the said Streets, Lanes, Passages, and Places for that Service, and shall likewise order and direct, in Writing, how, where, and in what Manner they shall be stationed and armed, and how often they shall go their Rounds, how long they shall continue on Duty, and under what Allowance or Wages for their Attendance; and may also erect, hire, or otherwise provide a proper Place or Places for the Reception of the Watchmen; and that it shall be lawful for the said Commissioners, or any Seven or more of them, to remove any One or more of such Watchmen on Misbehaviour or Neglect of Duty, and to impose any Fine or Sum of Money, not exceeding Twenty Shillings, for every Neglect or Misbehaviour of such Watchman, such Fine to be deducted out of his Wages or Allowance; and also to make such further Orders and Regulations for the better Government and Direction of the said Watchmen as they shall think proper.

Watchmen to be appointed.

LIV. And be it further enacted, That it shall be lawful for the said Watchmen, or any of them, and they are hereby respectively authorized and required, during the Time of their keeping Watch and Ward, to apprehend and secure in the Watch House or Watch Houses, all such Malefactors, Disturbers of the King's Peace, and all such suspected Persons who shall be found wandering or misbehaving themselves, and to carry such Person or Persons as soon as conveniently may be, before some Justice of the Peace for the said County, to be examined and dealt with according to Law.

Watchmen empowered to apprehend suspected Persons.

LV. And be it further enacted, That if any Victualler or Keeper of a Publick House or Cellar, shall knowingly and willingly harbour or entertain any Watchman employed by the said Commissioners, or permit or suffer any such Watchman to remain in such his or her Publick House or Cellar, during any Part of the Time appointed for their being on Duty as aforesaid, every such Victualler or Keeper of a Publick House or Cellar shall, for the First Offence, being thereof duly convicted, forfeit and pay any Sum not exceeding Ten Shillings, and for the Second and every other Offence any Sum not exceeding Twenty Shillings.

Victuallers not to suffer Watchmen, &c. to be in their Houses during the Hours of Duty.

LVI. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to give such Rewards in Money to Watchmen as may be disabled, wounded, or hurt, in the Execution of their Duty, as they the said Commissioners shall think reasonable, such Money to be paid out of any Money to be raised for the Purposes of this Act.

Commissioners may reward Watchmen.

LVII. And be it further enacted, That the said Commissioners, or any Seven or more of them, may order and direct the Houses within the said Streets, Lanes, Passages, and Places, or any of them, to be numbered

Houses may be numbered.

bered with Figures, placed or painted on the Door of every such House, or on such other Part thereof as the said Commissioners, or any Seven or more of them, shall think proper; and may also order and direct to be engraved, painted, or otherwise described, on a conspicuous Part of some House or other Building, at or near the End or Corner of every such Street, Lane, Passage, and Place, the Names by which such respective Streets, Lanes, Passages, and Places aforesaid, are usually or properly called or known; and if any Person shall wilfully destroy, obliterate, or deface any such Number, Figure, Name, or Description, or any Part thereof, or cause or procure the same to be done, every Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Twenty Shillings, nor less than Ten Shillings.

Commissioners may make Sewers, Drains, &c.

LVIII. And be it further enacted, That the said Commissioners, or any Seven or more of them, shall and may cause such and so many new Sewers, Drains, and Vaults, as they may think sufficient and necessary, to be dug and made in, along, or across any of the said Streets, Lanes, Ways, Passages, and Places; and also any of the Sewers, Drains, and Vaults which now are or hereafter shall be made, within the said Streets, Lanes, Ways, Passages, and Places, to be enlarged, widened, raised, altered, removed, repaired, cleansed, or scoured, when and as often as to them shall seem meet; and also shall and may cause such and so many Grates or Openings to be made therein, for the conveying and carrying off the Filth, foul and other Waters, from the Houses built, or to be built, in or adjoining to such Streets, Lanes, Ways, Passages, or Places, into the said Sewers, Drains, and Vaults, as the said Commissioners, or any Seven or more of them, shall and may think necessary and expedient for that Purpose; and all Costs, Charges, and Expences, in and about the making, enlarging, widening, raising, altering, removing, repairing, cleansing, or scouring such Sewers, Drains, and Vaults, shall be borne and defrayed out of the Monies to be raised by the Rates or Assessments to be made by virtue of this Act.

Private Drains to be cleansed.

LIX. And be it further enacted, That all private Drains which now are, or which shall hereafter be made within any of the Streets, Lanes, Ways, Passages, or Places, within the said Parish, and which do or shall issue into any of the publick Sewers, Drains, or Vaults, shall be repaired and cleansed, under the Inspection and Direction of the Surveyor or other proper Officer, to the said Commissioners, at the Costs and Charges of the Owner or Owners, Occupier or Occupiers of the Lands or Tenements to which the said private Drains do and shall respectively belong.

Damage done by Water Pipes to be repaired.

LX. And be it further enacted, That wherever any of the said Streets, Lanes, and Passages, within the said Parish of *Saint Nicholas, Deptford*, shall be broken up for the Purpose of laying, altering, or repairing any Pipe or Aqueduct, Pipes or Aqueducts, or the Plug or Plugs thereof, the Person or Persons breaking up the same, and the Person or Persons for whom or by whose Order the same shall be so done, shall, and they are hereby required, at their own proper Costs and Charges, to alter, lay, or repair such Pipe or Aqueduct, Pipes or Aqueducts, Plug or Plugs, without the least Delay or Intermision, and forthwith afterwards to amend and repair the Streets, Lanes, or Passages so broken up, in a good and substantial Manner, to the Satisfaction of the said

said Commissioners, or their Surveyor, appointed for the Purpose of this Act; and in case of Default, it shall be lawful for the said Commissioners, or any Seven or more of them, to order any Person or Persons, to repair, amend, and make good the said Street, Lane, or Passage, and the Charges thereof shall be paid to such Person or Persons, by the Person or Persons for whom or by whose Order the said Street, Lane, or Passage, was so broken up; and in Default of Payment thereof for the Space of Seven Days next after Demand shall be made for the same, such Charges, together with a Sum not exceeding Twenty Shillings nor less than Ten Shillings, shall and may be recovered, and levied by Distress and Sale of the Goods and Chattels of the Person or Persons making Default, by Warrant, under the Hand and Seal of any Justice of the Peace for the County of *Kent*, rendering the Overplus (if any) to the Owner or Owners of such Goods and Chattels, after deducting the reasonable Charges of such Distress and Sale.

LXI. And, for the better preventing Damage by Fire within the said Parish, be it further enacted, That if any Person shall erect or build, or cause to be erected or built, any House or other Building adjoining to any other House or Houses, Building or Buildings, within the said Parish, unless the End or Side of such new House or other Building which shall adjoin any such other House or Building shall consist of a Party or Division Wall of Brick or Stone, of the Thickness of Nine Inches at the least, the Owner of every such House or other Building shall forfeit and pay any Sum not exceeding Five Pounds for every Month such House or other Building shall continue without such Party or Division Wall or Walls as aforesaid.

New Buildings
to have Party
Walls of a
certain Thick-
ness.

LXII. And be it further enacted, That, for the Purpose of making the narrow Parts of the said Streets, Lanes, and other publick Passages and Places, safe and commodious for Carriages and Passengers, and for altering, widening, and improving the present Communications between the said Streets, Lanes, and other publick Passages and Places, or any of them, and for otherwise improving the said Parish, in Manner by this Act directed, it shall be lawful for the said Commissioners, or any Seven or more of them, to contract and agree with such Person or Persons, or Body or Bodies Politick or Corporate respectively, as shall be or be deemed to be Owners of or interested in any Lands, Buildings, Tenements, or other Hereditaments within the said Parish, which the said Commissioners, or any Seven or more of them, shall think necessary to purchase, for the Purposes of this Act; and to take down or alter all or any of such Buildings, Houses, or Tenements to be so purchased, or any Part or Parts of the same respectively; and to appropriate all or any of the Ground or Sites thereof respectively; and also to appropriate all or any of the Lands to be so purchased, for all or any of the Purposes aforesaid, as they the said Commissioners, or any Seven or more of them, shall think fit.

Power for
Commission-
ers to pur-
chase Lands.

LXIII. And be it further enacted, That it shall and may be lawful to and for all Bodies Politick, Corporate, or Collegiate, and all Corporations whether Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Husbonds, Guardians, Committees of or for Lunatics and Idiots, or other Trustees whomsoever, not only for and on Behalf of their respective *Cestuique* Trusts, whether Infants or Issue unborn, Luna-

Power for
Bodies Politick
to sell.

[*Loc. & Per.*]

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ticks,

ticks, Idiots, or Femes Covert; and also to and for all Femes Covert who are or shall be seised, in their own Right; and to and for all Persons, whether Tenants for Life or Tenants in Tail, General, or Special; and to and for all and every Person or Persons whomsoever, who are or shall be seised, possessed of, or interested in any Lands, publick Buildings, Houses, or other Buildings, Waste Grounds, void Spaces of Ground, or other Hereditaments, or any Part thereof, which the said Commissioners, or any Seven or more of them, are by this Act enabled to purchase, for any of the Purposes of this Act, to treat, contract, and agree with the said Commissioners, or any Seven or more of them, for the Sale thereof, or any Part thereof, and to sell and convey all or any Part thereof, and all Estate, Right, Title, and Interest whatsoever of, in, and to the same, to the said Commissioners, or any Seven or more of them, and their Successors, or to such Persons and their Heirs, for ever, as the said Commissioners, or any Seven or more of them, shall direct, in Trust for them the said Commissioners, or any Seven or more of them, for any of the Purposes of this Act; and that all Contracts, Agreements, Bargains, Sales, and Conveyances, which shall be so made, by virtue and in pursuance of this Act, shall, without any Fine or Fines, Recovery or Recoveries, or other Conveyances or Assurances in the Law whatsoever, be good, valid, and effectual, to all Intents and Purposes, not only to convey the Estate and Interest of the Person and Persons conveying, but also to convey all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever, of their said several and respective *Cestuique* Trusts, and all claiming or to claim, by, from, or under them, any Law, Statute, Usage, or any other Matter or Thing whatsoever, to the contrary thereof notwithstanding; and all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Husbans, Guardians, Committees, Trustees, and all other Persons, are and shall be hereby indemnified for what they shall do by virtue and in pursuance of this Act.

Directing the Application of Compensation Money, when exceeding 200/.

LXIV. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands or Hereditaments purchased, taken, or used by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Body Politick, Corporate, or Collegiate, Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee, for or on Behalf of any Infant, Lunatick, or other *Cestuique* Trust, or to any Person whose Lands or Hereditaments are limited in strict or other Settlement, or any Person under any Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to 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 *ex parte* the Commissioners for executing 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 the Rents and Profits of the said Lands or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands or Hereditaments, or affecting other Lands or Hereditaments standing settled therewith,

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 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 Lands and 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 Purpose 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 Lands and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

LXV. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to 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 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 in 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 Seven or more of the said Commissioners for executing this Act (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 said Court of Chancery.

Application
of Compensation
Money
when less than
20 £. and
above 20 £.

LXVI. 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 to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands or Hereditaments so purchased, taken, or used, for the Purposes of this Act, in such Manner as the said Commissioners, or any Seven or more of them, shall think

When less
than 20 £.

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.

In case of not making out Titles;

or if Persons cannot be found, Purchase Money to be paid into the Bank;

subject to the Order of the Court of Chancery, on Motion or Petition.

LXVII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands or Hereditaments to be purchased by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises, to the Satisfaction of the said Trustees; or in case the Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid, cannot be found; or if the Person or Persons entitled to such Lands or Hereditaments be not known or discovered; then and in every such Case, it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, to order the said Sum or Sums of Money so awarded as aforesaid, to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account, to the Credit of the Parties interested in the said Lands, or Hereditaments (*describing them*), subject to the Order, Controul, and Disposition of the said Court of Chancery; which said Court of Chancery, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered in a summary Way of Proceeding, or otherwise as to the same Court shall seem meet, to order the same to be laid out and invested in the publick Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest, of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Where any Question shall arise touching the Title to Money to be paid, the Person who shall be in Possession of the Lands, &c. at the Time of such Purchase, shall be deemed entitled thereto according to such Possession.

LXVIII. And be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, in pursuance of this Act, for the Purchase of any Lands or Hereditaments, or of any Estate, Right, or Interest in any Lands or Hereditaments, to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands or Hereditaments, at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear, to the said Court that such Possession was a wrongful

wrongful Possession; and that some other Person or Persons was or were lawfully entitled to such Lands or Hereditaments, or to some Estate or Interest therein.

LXIX. Provided always, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court, and to be applied in the Purchase of other Lands or Hereditaments to be settled to the like Uses, in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases, from Time to Time to be made in pursuance of this Act, or so much of such Expences as the Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Commissioners, who shall, from Time to Time, pay such Sums of Money for such Purposes as the said Court shall direct.

The Court may order reasonable Expences of Purchases to be paid by the Commissioners.

LXX. Provided also and be it further enacted, That if it shall at any Time or Times appear to the said Commissioners that any Houses, Buildings, Lands, Tenements, or Hereditaments whatsoever, which, by any Means became vested in them for the Purposes of this Act, are no longer necessary for those Purposes, it shall and may be lawful to and for the said Commissioners at any Time or Times to sell or dispose of such Lands, Houses, Tenements, or Hereditaments, or any Part thereof, to any Person or Persons, to and for such Use and Uses as they shall think proper, giving preference to the Person or Persons of whom the same may have been purchased, and to his, her, or their Heirs, Executors, and Administrators, and the Money arising by such Sale shall be applied to the Purposes of this Act.

Commissioners may at any Time sell any Houses which appear to be no longer necessary for the Purposes of this Act.

LXXI. And whereas there are certain Streets and other publick Passages and Places, One Side of which lies within the said Parish of *Saint Nicholas, Deptford*, and the other Side thereof lies within the Parish of *Saint Paul, Deptford*; and it would be of material Benefit to both the said Parishes if the same were properly paved, and it is equitable and just that both the said Parishes should contribute thereto in equal Proportions; be it therefore enacted, That whenever the said Commissioners, or any Seven or more of them, shall have determined that it will be expedient to pave, amend, or repair any Streets, Passages, and Places so intersected, and remove Nuisances, Annoyances, and Encroachments therefrom, the said Commissioners shall cause Notice of such Determination to be given to the Churchwardens and Overseers of the Poor of the said Parish of *Saint Paul*; and it shall then be lawful for the said Commissioners to remove such Nuisances, Annoyances, and Encroachments, and also to contract with the said Churchwardens and Overseers for the paving such Parts of the said Streets, Passages, and Places, as are situate in the said Parish of *Saint Paul*, upon the Terms and Conditions in such Contract to be expressed; but if such Contract shall not be entered into within Twenty-one Days after such Notice by the Churchwardens and Overseers aforesaid, then it shall be lawful for the said Commissioners, or any Seven or more of them, to order the Whole of such Streets, Passages, and Places to be paved, repaired, and amended,

For repairing Streets intersecting others.

[Loc. & Per.]

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and all Nuisances, Annoyances, and Encroachments therein to be removed; and in case any Difference or Dispute shall arise between the said Commissioners, and the said Churchwardens and Overseers, as to the Extent of Pavement in any of such Streets, Passages, and Places which the said Parish of *Saint Paul* may be liable to pave or repair, or relative to the Expence or Execution of all or any of the Works aforesaid, in any of such Streets, Passages, and Places, the same shall be heard and determined by any Two of His Majesty's Justices of the Peace for the said County, (not being Parishioners in either of the said Parishes, or otherwise interested in the Matter in Dispute,) and who are hereby authorized and empowered to determine the same: Provided always, that if in either case the Expences of such Works shall not be paid within Twenty-one Days after the same shall be demanded of such Churchwardens and Overseers, then it shall be lawful for the said Commissioners, or their Treasurer or Clerk, to make Application to the Justices of the Peace for the said County of *Kent*, assembled at the next or any General Quarter Sessions of the Peace for the said County, who are hereby authorized and required upon Proof of such Notice having been given, and such Works having been performed by the said Commissioners, and that the Expences thereof have not been paid within the Period herein-before limited, to order and direct such Expences to be paid within such reasonable Time not exceeding Fourteen Days as the said Justices shall think proper, together with reasonable Costs of the said Application; and if the same shall not be paid accordingly, it shall be lawful for any Justice of the Peace for the County of *Kent* (not interested as aforesaid), upon Proof thereof upon Oath, to grant a Warrant for Recovery thereof and such Expences, by Distress and Sale of the Goods and Chattels of such Churchwardens and Overseers, or either of them, and the Overplus (if any), of the Money arising by such Distress and Sale, shall be returned upon Demand to such Churchwardens and Overseers, or either of them (as the Case may be), and the said Churchwardens and Overseers shall be allowed in their Accounts all such Sum and Sums of Money as shall or may be paid by or recovered from them in pursuance of this Act, together with all Sums of Money that they may expend for or by reason or in consequence thereof: Provided also, that nothing herein contained shall extend, or be construed to extend, to enable the said Commissioners to demand or recover from the Churchwardens and Overseers of the Poor of the said Parish of *Saint Paul* more than the Sum of Two hundred and fifty Pounds in any One Year, for all or any of the Purposes aforesaid; any Thing herein-before contained to the contrary notwithstanding.

Accounts to
be made up
yearly for
Inspection.

LXXII. And be it further enacted, That some Time between the First Day of *June* and the Twenty-fifth Day of *March* in every Year, a fair and just Account shall be made and wrote out of all Monies received and paid by virtue or in pursuance of this Act, and how and to whom, and for what Purposes the same shall have been laid out, paid, and expended; and a Copy or Duplicate of such Account, signed by Seven or more of the said Commissioners, shall be deposited with the Clerk to the said Commissioners, who shall permit any Person so rated as aforesaid, or any other Person or Persons on his or her Behalf, to inspect the same at seasonable Times, paying One Shilling for such Inspection, and shall upon Demand forthwith give Copies of the same, or any Part thereof, to any such Person,

son, paying at the Rate of Sixpence for every One hundred Words, and so in Proportion for any less Number of Words.

LXXIII. And be it further enacted, That whenever any Action or Suit shall be brought by the Order of the said Commissioners, or any Seven or more of them, against any Person or Persons by virtue or in pursuance of this Act, the same may be brought in the Name of their Treasurer or Clerk on Behalf of the said Commissioners; and no such Action or Suit shall abate or be discontinued by the Death or Removal of such Treasurer or Clerk, or by any Act or Default of such Treasurer or Clerk done or suffered, without the Consent or Direction of the Commissioners for the Time being, but the Treasurer or Clerk to the Commissioners for the Time being shall always be deemed Plaintiff or Defendant in such Action or Suit (as the case may be): Provided always, that all Costs and Expences to be incurred by or on Behalf of the said Commissioners, or any Person or Persons employed by them in prosecuting or defending any Action or Suit, touching the Execution of this Act, shall be defrayed out of the Money arising by virtue of this Act, unless such Action or Suit shall arise in consequence of the wilful Neglect or Default of such Treasurer or Clerk, or unless it shall have been brought, commenced, or defended, without the Order or Direction of the said Commissioners.

Actions may be brought in the Name of the Treasurer or Clerk.

LXXIV. And be it further enacted, That all Penalties and Forfeitures by this Act imposed, the Manner of levying and recovering whereof is not hereby otherwise particularly directed, shall be levied and recovered by Distress and Sale of the Offender's Goods and Chattels by Warrant under the Hand and Seal of any Justice of the Peace for the County of Kent, which Warrant such Justice is hereby empowered to grant upon the Confession of the Party or Parties, or upon the Evidence of any One or more credible Witness or Witnesses upon Oath, and the Overplus (if any) of the Money arising by such Distress and Sale, shall be returned upon Demand to the Owner of such Goods and Chattels, after deducting the Costs and Charges of such Distress and Sale, and the Penalties and Forfeitures when recovered (if not herein-before directed to be otherwise applied) shall be paid to the Treasurer to the said Commissioners, and be applied towards the Purposes of this Act; and in case sufficient Distress shall not be found, or such Penalties and Forfeitures shall not be paid forthwith, it shall be lawful for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause the Offender or Offenders to be committed to the Common Gaol or House of Correction, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months nor less than Twenty-eight Days, unless such Penalties and Forfeitures, and all reasonable Charges attending the same, shall be sooner fully paid and satisfied.

Recovery of Penalties by Distress and Sale;

or Offenders may be committed.

LXXV. And be it further enacted, That it shall be lawful for the said Commissioners, or any Seven or more of them, from Time to Time to compound and agree with any Person or Persons against whom any Action or Suit shall be brought, commenced, or prosecuted, for any Penalty contained in any Contract to be entered into as aforesaid, for any Breach or Non-performance thereof, for such Sum of Money as the said Commissioners, or any Seven or more of them, shall think proper, and also to mitigate, compound, or lessen, any of the Forfeitures, incurred under this

Commissioners may compound for Penalties.

this Act, so as the Sums so compounded and agreed for be not less than the Injury or Damage sustained by Breach or Non-performance of any such Contract, and all the Costs and Expences which shall be occasioned thereby, and so as the Mitigation of the said Forfeitures as aforesaid do not extend to remit above Half of the said Forfeitures respectively.

Commissioners empowered to make Bye Laws.

LXXVI. And be it further enacted, That the said Commissioners, or the major Part of them, at any Meeting, not being less than Ten assembled, shall or may make, ordain, and constitute such and so many Bye Laws, Rules, and Ordinances, as to them shall seem meet and convenient, for the effectually carrying into Execution the Purposes of this Act; and to alter, change, revoke, repeal, or make void the same, from Time to Time, and as often as the said Commissioners, or the major Part of them, not being less than Ten assembled as aforesaid, shall judge necessary and convenient; and to fix and appoint reasonable pecuniary Penalties, not exceeding Five Shillings, for the Non-observance or other Breach of any of such Bye Laws, Rules, and Ordinances, or any Part of them; and the said Commissioners shall cause the said Bye Laws, Rules, and Ordinances, to be printed and distributed, and stuck up or placed upon some conspicuous Places in the said Parish; and such Bye Laws, Rules, and Ordinances so made, printed, distributed, and stuck up, shall be binding upon and observed by all Persons whomsoever, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act under the same: Provided that such Bye Laws, Rules, and Ordinances be not contrary or repugnant to the Provisions and Directions in this Act contained, or to the Laws of that Part of the United Kingdom of *Great Britain and Ireland* called *England*, and shall be subject to Appeal as herein-after mentioned.

Act not to affect Grand Surrey Canal.

LXXVII. Provided always and be it enacted, That nothing in this Act contained shall extend, or be construed to extend, to prejudice or derogate from the Rights, Interests, Privileges, and Authorities, granted to the Company of Proprietors of the Grand Surrey Canal, in and by an Act of Parliament, made and passed in the Forty-first Year of the Reign of His present Majesty King George the Third, intituled, *An Act for making and maintaining a Navigable Canal from the River Thames, at or near a Place called Wilkinson's Gun Wharf, in the Parish of Saint Mary at Rotherhithe, in the County of Surrey, to the Town of Mitcham, in the Parish of Mitcham, in the said County; and also divers Collateral Cuts or Branches communicating from the same to certain Parishes and Places within the Counties of Surrey and Kent; or to defeat, alter, or diminish, any Power or Authority given to the said Company of Proprietors, by virtue of the said Act, nor to authorize or empower the said Commissioners to purchase any of the Lands or Grounds belonging to the said Company of Proprietors, or which has been marked out by them for the Purposes of the said Canal, without their Consent first had and obtained for that Purpose, nor to levy any Rate or Assessment on the Tolls or Rates to be collected on account of the said Canal.*

Form of Conviction.

LXXVIII. And be it further enacted, That all and every Justice and Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act, shall and may cause the Conviction

tion to be drawn in the following Form, or to the like Effect; (that is to say),

‘ Parish of *St. Nicholas, Deptford,* } BE it remembered, That on the
 ‘ in the County of *Kent.* } Day of
 ‘ in the Year of the Reign of His Majesty
 ‘ *A. B.* is convicted before of His Ma-
 ‘ jesty’s Justices of the Peace for the said County, by virtue of an Act of
 ‘ Parliament made in the Year of the Reign of His
 ‘ Majesty King *George* the Third, intituled, [*set forth the Title of the Act,*
 ‘ *and specify the Offence and the Time and Place when and where the same*
 ‘ *was committed, as the Case shall be*].
 ‘ Given under our Hands and Seals [*or, my Hand and Seal*] the Day
 ‘ and Year aforesaid.’

LXXIX. And be it further enacted, That in all Cases where the said Com-
 missioners, or any Justice or Justices of the Peace, are by this Act au-
 thorized or required to examine any Person or Persons on Oath, it shall
 be lawful for such Commissioners, or any Five or more of them, and
 Justice or Justices respectively, to administer such Oath; and that if any
 Person or Persons shall, upon his or her Examination upon Oath before
 the said Commissioners, or Justice or Justices respectively, wilfully and
 corruptly give false Evidence, such Person or Persons so offending, and
 being thereof duly convicted, shall be, and is and are hereby declared to
 be subject and liable to such Pains and Penalties, as by any Law now in
 being Persons convicted of wilful and corrupt Perjury are subject and
 liable to: Provided always, that no Person or Persons shall be subject or
 liable to the Payment of any Penalty or Forfeiture imposed by this Act
 for any Offence against this Act, unless Information shall be given of the
 Offence within Six Calendar Months next after such Offence shall have
 been committed.

Power to ad-
 minister
 Oaths.

Provid. for
 limiting the
 Time for In-
 formation of
 Offences.

LXXX. And be it further enacted, That in all Actions, Prosecutions,
 Informations, Causes, and Proceedings whatsoever, relating to or con-
 cerning the Execution of this Act, no Inhabitant of the Parish aforesaid
 shall be deemed to be an incompetent Witness, by reason of his or her
 being charged with and liable to pay any Rate or Assessment by virtue
 of this Act.

Power for In-
 habitants to
 be Witnesses.

LXXXI. Provided always, and be it further enacted, That it shall and
 may be lawful for the Justice of the Peace before whom any Offender
 shall be convicted of any Offence against this Act, if he shall think fit,
 to deduct, allow, and pay any Part of the Fine, Penalty, or Forfeiture,
 which shall be imposed and received of any such Offender, convicted
 before him of any such Offence as aforesaid, unless herein otherwise
 directed (not exceeding One Moiety or Half-part thereof), to the Informer
 or Informers, Witness or Witnesses, against such Offender, in such Shares
 and Proportions as to such Justice shall seem meet.

Power for
 Justices to
 make Allow-
 ances to In-
 formers and
 Witnesses.

LXXXII. Provided always, and be it further enacted, That if any Person
 or Persons shall think himself, herself, or themselves aggrieved by any
 Bye Law or any Rate or Assessment which shall be made or be demanded in
 pursuance of this Act, such Person or Persons may appeal to the said Com-
 missioners, at their First Meeting which shall be holden after the Expiration of
 Twenty-one Days from the Time of demanding such Rate or Assessment;

Appeal.

[*Loc. & Per.*]

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and

and the said Commissioners, or any Seven or more of them, at such Meeting, are hereby authorized and empowered, if they shall think such Person or Persons aggrieved, to give such Relief in the Premises as to them shall seem reasonable; and if any Person or Persons shall be dissatisfied with the Determination of the said Commissioners therein, or if any Person or Persons shall think himself, herself, or themselves aggrieved by any other Order, Judgement, or Determination of the said Commissioners, or by any Penalty imposed, or by any Conviction made, or by any other Thing done in pursuance of this Act (save and except in such Cases where any Order, Judgement, or Determination is herein directed to be final or conclusive, and save and except in such Cases for which any particular Method of Relief is herein appointed), such Person or Persons may appeal to the Justices of the Peace, at any General Quarter Session of the Peace, to be holden for the Western Part of the County of Kent, within Six Calendar Months next after the Cause of Complaint shall have arisen, or at any Adjournment of such Session, the Person or Persons appealing first giving, or causing to be given, to the Clerk to the said Commissioners, Fourteen Days Notice, in Writing, of his, her, or their Intention to bring such Appeal, and of the Cause or Matter thereof, and within Fourteen Days next 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 to abide the Order of, and to pay such Costs as shall be awarded by the Justices at such Session or Adjournment thereof; and the Justices, at the said Session or Adjournment thereof, upon due Proof of such Notice having been given, and of such Recognizance having been entered into as aforesaid, shall hear and finally determine every such Appeal in a summary Way, and award such Costs to the Party appealing or appealed against, as the said Justices shall think proper, and shall and may, at their Discretion, discharge or mitigate all or any of the Penalties or Forfeitures incurred by the Party or Parties appealing; and the Determination of the said Justices, in their said General Quarter Session or Adjournment thereof, shall be final, binding, and conclusive, to all Intents and Purposes whatsoever.

Distress not
unlawful for
Want of Form.

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

Plaintiff not
to recover af-
ter Tender of
Amends.

LXXXIV. Provided always, That no Plaintiff or Plaintiffs shall recover upon any such Action for Irregularity, or for any Trespass or other wrongful Proceeding, unless Notice, in Writing, shall be given Fourteen Days before such Action shall be commenced, of such intended Action, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in such Action; if Tender of sufficient Amends hath been made to him, her, or them, or his, her, or their Attorney, by or on the Behalf of the Defendant or Defendants before such Action brought; and in case no such Tender shall have

have been made, it shall be lawful for the Defendant or Defendants, in any such Action, by leave of the Court, after such Action shall have been brought, at any Time before Issue joined, to pay into Court such Sum of Money as he or they shall think fit; whereupon such Proceedings, Order, and Judgement shall be made and given, in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

LXXXV. And be it further enacted, That no Order, Verdict, Assessment, Judgement, or other Proceeding, made, touching or concerning any of the Matters aforesaid, or touching or concerning the Conviction of any Offender or Offenders against this Act, shall be quashed or vacated for Want of Form only, or be removed or removable by *Certiorari*, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*, any Law or Statute to the contrary hereof in anywise notwithstanding.

Proceedings
not to be
quashed for
Want of
Form, nor
removable
by *Certiorari*.

LXXXVI. Provided always, and be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, until Fourteen Days Notice be thereof given to the Treasurer or Clerk to the said Commissioners, or after sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, or after Six Calendar Months next after the Fact committed, and every such Action or Suit shall be brought and tried in the County of *Kent*, and not elsewhere; and the Defendant or Defendants in every such Action or Suit shall or may at his or their Election plead specially or the General Issue, and give this Act and the special Matter in Evidence at any Trial 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 Fourteen Days Notice shall be given as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County than as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit, after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgement shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover Treble Costs, and have such Remedy for the same as any Defendant or Defendants hath or have in other Cases by Law.

Limitations of
Actions.

Treble Costs.

LXXXVII. And be it further enacted, That the Charges and Expences of procuring and passing this Act, shall be paid and defrayed out of the Rates and Assessments hereby granted, or out of any Money borrowed on the Credit thereof.

Expences of
the Act.

LXXXVIII. 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 the same being specially pleaded.

Publick Act.