



ANNO DECIMO

# GEORGII IV. REGIS.

\*\*\*\*\*

## *Cap. ci.*

An Act to alter, amend, and enlarge the Powers of Two Acts passed in the Fourteenth and Seventeenth Years of the Reign of His late Majesty King *George* the Third, for paving, repairing, lighting, cleansing, and watching the Parish of *Saint James Clerkenwell* in the County of *Middlesex*. [1st June 1829.]

**W**HEREAS an Act was passed in the Fourteenth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for paving, repairing, lighting, and watching the Streets and other public Passages and Places within that Part of the Parish of Clerkenwell called Saint James's, and removing Obstructions and Annoyances therein; for widening the Passage from Clerkenwell Green to the Parish Church; and for watching and lighting certain Highways within the said Parish*: And whereas another Act was passed in the Seventeenth Year of the Reign of His said late Majesty, intituled *An Act to explain an Act made in the Fourteenth Year of the Reign of His present Majesty, intituled 'An Act for paving, repairing, lighting, and watching the Streets and other public Passages and Places within that Part of the Parish of Clerkenwell called Saint James's, and removing Obstructions and Annoyances therein; for widening the* [Local.] 14 G.3. c.24. 17 G.3. c.63. ' Passage

*Passage from Clerkenwell Green to the Parish Church ; and for watching and lighting certain Highways within the said Parish ; for repairing the Highways in the said Parish, and cleansing the said Part of the said Parish ; for widening the Passage from Clerkenwell Close to Rosoman's Street, and from Rosoman's Street to Saint John Street ; and for building a Chapel in the said Parish.* And whereas it is expedient that the Powers and Provisions of the said recited Acts, or some of them, should be repealed, altered, and amended, and that further and additional Powers and Provisions should be granted for the Execution of the said Acts ; and it is also expedient to alter the Mode of making, collecting, and receiving the Rates and Duties now made, collected, and received under and by virtue of the said recited Acts, or one of them : But the Purposes aforesaid cannot be effected without the Aid and Authority of Parliament : May it therefore please Your Majesty that it may be enacted ; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Commencement of this Act, the said recited Acts of the Fourteenth and Seventeenth Years of the Reign of His said late Majesty, and all and every the Powers, Provisoos, Authorities, and other Matters and Things therein contained, (save and except such of them or such Part or Parts thereof as are varied, altered, or repealed,) shall remain and continue in full Force and Effect, and be as good, valid, and effectual to all Intents and Purposes for carrying this Act into execution as if the same had respectively been repeated and re-enacted in the Body of this Act.

Powers of former Acts (except such as are repealed) extended to this Act.

Repealing so much of former Acts as relates to the Appointment and Qualification of Commissioners.

II. And be it further enacted, That so much and such Parts of the said recited Acts as relate to the Mode of Appointment or Election of Commissioners for carrying into effect the said recited Acts, in the Stead of such as shall die or refuse to act, and so much and such Parts of the said recited Acts as relate to the Qualification of Persons acting as such Commissioners, and to the Penalties to be incurred by Persons acting as such Commissioners without being qualified in the Manner described in the said recited Acts, shall be and the same is and are hereby repealed.

Qualification of Commissioners.

III. And be it further enacted, That no Person who shall be appointed a Commissioner after the Commencement of this Act shall be capable of acting as a Commissioner under the said recited Acts and this Act, or any of them, unless he shall be the Occupier of Premises situate within that Part of the said Parish called *Saint James's*, and as such Occupier rated and assessed at the Sum of Thirty-six Pounds a Year at least for and towards the Rates and Assessments made or imposed for the Purposes of the said recited Acts and of this Act ; nor unless the Premises, being rated as aforesaid, shall be *bonâ fide* in the Occupation of such Person, or of such Person and his Partner or Partners ; nor unless he shall also be, in his own Right or in Right of his Wife, seised or possessed of a Real or Personal Estate of the Value of Two thousand Pounds at the least, after Payment of his Debts.

IV. And

IV. And be it further enacted, That no Licensed Victualler, Inspector, Supervisor, Collector, Surveyor, or Receiver of any Taxes or Assessments, shall be capable of acting as a Commissioner under the said recited Acts and this Act, or any of them; nor any Person who shall become bankrupt or insolvent; nor any Person who shall cease to be the *bond fide* Occupier of Premises situate within that Part of the said Parish called *Saint James's*; nor any Person who shall hold any Office or Place of Profit under the said recited Acts and this Act, or any of them, or have any Share or Interest directly or indirectly in any Contract for Work to be done, or for the Supply of any Article whatever, under or in pursuance of the said recited Acts and of this Act, or in anywise relating thereto; nor any Person who shall not have attended Two Meetings of the said Commissioners at the least within the Space of Twelve consecutive Calendar Months (unless prevented by Illness from so doing); nor shall any Person having acted as a Commissioner in the Execution of the said recited Acts and this Act, or any of them, be capable of holding any Office or Place of Profit under the said recited Acts and this Act, or any of them, or of doing any Work, or supplying any Article, or of contracting for or of having any Share or Interest in any Contract for Work to be done, or for the Supply of any Article whatever, under or in pursuance of the said recited Acts or of this Act, or in anywise relating thereto, unless he shall have previously ceased to be such Commissioner for the Space of Six Calendar Months.

Disqualifica-  
tions.

V. And be it further enacted, That no Person who may be appointed a Commissioner after the Commencement of this Act shall be capable of acting as a Commissioner in the Execution of the said recited Acts or of this Act, unless he shall have taken and subscribed an Oath or Affirmation to the following Effect; which Oath or Affirmation any Justice of the Peace for the said County of *Middlesex*, or any One of the said Commissioners, is hereby authorized to administer; that is to say,

Commission-  
ers to take  
an Oath.

‘ I *A. B.* do swear, [*or being one of the People called Quakers, do* solemnly affirm,] That I will truly, faithfully, impartially, and honestly, to the best of my Skill and Ability, execute the several Powers and Authorities reposed in me as a Commissioner by virtue of the several Acts of Parliament passed for paving, lighting, cleansing, and watching that Part of the Parish of *Clerkenwell* called *Saint James's*; and that I will judge and determine upon all Matters and Things which shall be brought before me as such Commissioner, without Favour or Affection, Prejudice or Malice, to any Person or Persons whatever: And I do further swear, [*or being one of the People called Quakers, do* solemnly affirm,] That I am seised or possessed, in my own Right [*or in Right of my Wife, as the Case may be,*] of a Real [*or Personal, as the Case may be,*] Estate of the Value of Two thousand Pounds at the least, after Payment of my Debts.

Oath.

So help me GOD.’

VI. And be it further enacted, That if any Person, not being qualified as aforesaid, or being disqualified as aforesaid, or not having taken and subscribed the Oath or Affirmation herein-before mentioned,

Penalty on  
Commission-  
ers acting  
without being  
qualified.

Acts of dis-qualified Commissioners good until Conviction.

Present Commissioners to be reduced to Thirty-six.

tioned, shall act as a Commissioner in the Execution of the said recited Acts and this Act, or any of them, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds, together with full Costs of Suit, to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster* by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed; and in all such Cases the Proof of the Qualification shall be on the Person claiming the same: Provided always, that all Acts and Proceedings of all and every Person and Persons acting as a Commissioner or Commissioners in the Execution of the said recited Acts and this Act, or any of them, (though not duly qualified as aforesaid, or though disqualified as aforesaid,) previous to his or their being convicted of such Offence, shall, notwithstanding such Conviction, be as valid and effectual as if such Person or Persons had been duly qualified, or had not been disqualified according to the Provisions of this Act.

VII. And whereas it is expedient that the Number of Commissioners for executing the said recited Acts and this Act shall be gradually reduced to Thirty-six; be it therefore further enacted, That on the *Monday* next before *Easter Sunday* in the Year One thousand eight hundred and thirty the said Commissioners shall and they are hereby required to assemble and inquire into, ascertain, and declare the Number of Vacancies (if any) which may have occurred by the Death, Disqualification, or Refusal to act of any of the said Commissioners; and if on such Inquiry it shall appear that the Number of Vacancies caused by the Death, Disqualification, or Refusal to act of any of the said Commissioners shall not amount to Nine, then a sufficient Number of the said Commissioners to make the Number of Vacancies amount to Nine (to be selected from those who shall have attended the General Board Meetings of the said Commissioners the fewest Number of Times during the preceding Year) shall cease to be Commissioners; and if on such Inquiry it shall appear that no Vacancy has occurred by the Death, Disqualification, or Refusal to act of any of the said Commissioners, then in such latter Case Nine of the said Commissioners (to be selected as aforesaid) shall cease to be Commissioners; and on the *Monday* next before *Easter Sunday* in the Year One thousand eight hundred and thirty-one the said Commissioners shall and they are hereby required to assemble and inquire into, ascertain, and declare the Number of Vacancies, if any, which may have occurred in the preceding Year by the Death, Disqualification, or Refusal to act of any of the said Commissioners; and if on such last-mentioned Inquiry it shall appear that the Number of Vacancies caused by the Death, Disqualification, or Refusal to act of any of the said Commissioners during the preceding Year shall not amount to Nine, then a sufficient Number of the said Commissioners to make the Number of Vacancies amount to Nine (such last-mentioned Nine Commissioners to be selected from those who shall have attended the General Board Meetings of the said Commissioners the fewest Number of Times during the preceding Year) shall cease to be Commissioners; and if on such last-mentioned Inquiry it shall appear that no Vacancy has occurred by the Death, Dis-

Disqualification, or Refusal to act of any of the said Commissioners, then in such latter Case Nine of the said Commissioners (to be selected in manner aforesaid) shall cease to be Commissioners; and from and after the said *Monday* next before *Easter Sunday* in the Year One thousand eight hundred and thirty-one the total Number of Commissioners shall continue to be Thirty-six, any thing contained in the said recited Acts or either of them to the contrary notwithstanding; provided that if on the said *Monday* next before *Easter Sunday* in the Year One thousand eight hundred and thirty-one it shall appear that more than Eighteen of the said Commissioners shall in the Two Years preceding have died, become disqualified, refused to act, or from any other Cause whatever shall have ceased to be Commissioners, then a sufficient Number of Persons, duly qualified under this Act, to make the total Number of Commissioners Thirty-six, shall be forthwith appointed by the Inhabitants of that Part of the said Parish called *Saint James's*, in the Manner herein-after directed and appointed for filling up Vacancies in the said Commission: Provided also, that the said Provisions herein-before set forth for the Reduction of the Number of the said Commissioners shall be deemed to extend and apply to all the said Commissioners, whether appointed by virtue of any Office or otherwise; and provided also, that no Person shall be entitled to become a Commissioner under the said Acts by virtue of any Office, or in consequence of any Appointment such Person may fill or hold, unless such Person shall be appointed a Commissioner in the Manner directed by this Act, and be duly qualified in conformity thereto, any thing in the said recited Acts or either of them to the contrary notwithstanding.

VIII. And be it further enacted, That on the *Monday* next before *Easter Sunday* in every Year after the Year One thousand eight hundred and thirty-one the said Commissioners shall and they are hereby required to assemble and inquire into, ascertain, and declare the Number of Vacancies (if any) which may have occurred in the preceding Year, by the Death, Disqualification, or Refusal to act of any of the said Commissioners; and if on such Inquiry it shall appear that the Number of Vacancies caused by the Death, Disqualification, or Refusal to act of any of the said Commissioners shall not amount to Six, then a sufficient Number of the said Commissioners to make the Number of Vacancies amount to Six (such last-mentioned Commissioners to be selected from those who shall have attended the General Board Meetings of the said Commissioners the fewest Number of Times during the preceding Year) shall cease to be Commissioners; and if on any such last-mentioned Inquiry it shall appear that no Vacancy has occurred by the Death, Disqualification, or Refusal to act of any of the said Commissioners, then in such latter Case Six of the said Commissioners, to be selected as aforesaid, shall cease to be Commissioners; and the Vacancies caused by such last-mentioned System of Rotation, as well as by the Death, Disqualification, or Refusal to act of any of the said Commissioners, shall be annually filled up in the Manner herein-after directed: Provided always, that if upon any of the Occasions on which it is directed by this Act that those of the said Commissioners who have attended the fewest Number of Times shall go out of

Six of the Commissioners to go out of Office annually after 1831.

Office it shall appear that any of the said Commissioners shall have attended an equal Number of Meetings, the Chairman of the said Commissioners shall immediately proceed to determine by Lot as to which of the said Persons who shall have attended an equal Number of Meetings shall go out of Office: Provided also, that all Persons who shall go out of Office in Rotation as aforesaid shall be immediately eligible to be re-elected.

How future  
Vacancies  
are to be  
filled up.

IX. And be it further enacted, That the said Commissioners shall, within Two Days next after such Meeting to be held on the *Monday* next before *Easter Sunday* One thousand eight hundred and thirty as aforesaid, give Notice to the Vestry Clerk of the said Parish for the Time being of the Names of the Persons then ceasing to be Commissioners as aforesaid; and the said Commissioners shall, within Two Days next after such Meeting to be held on the *Monday* next before *Easter Sunday* One thousand eight hundred and thirty-one, in like Manner give Notice to the said Vestry Clerk of the Names of the Persons then ceasing to be Commissioners as aforesaid; and the said Commissioners shall, within Two Days next after every such Meeting to be held on the *Monday* next before *Easter Sunday* in every Year after the said Year One thousand eight hundred and thirty-one, in like Manner give Notice to the said Vestry Clerk of the Number of Vacancies, to be ascertained in manner aforesaid, and of the Names of the Persons from Time to Time ceasing to be Commissioners as aforesaid; and the Inhabitants of the said Part of the said Parish called *Saint James's*, duly rated to the Amount of Twenty Pounds or upwards for and towards the Rates and Assessments directed to be made for the Purposes of the said recited Acts and this Act, and who shall have paid the said Rates and all Arrears thereof up to the Quarter Day immediately preceding, shall and they are hereby authorized and required to assemble and meet together in the Vestry Room, or some other convenient Place within the said Part of the said Parish, on the *Wednesday* following *Easter Sunday* in every Year after the said Year One thousand eight hundred and thirty-one, or within Fourteen Days thereafter, Notice of the Time and Place of such Vestry Meeting having been first given in each and every of the Churches and Chapels of Ease which now are or hereafter shall be erected in the said Part of the said Parish, on the *Sunday* next preceding such Meeting, and which Notice the Clerks for the Time being of such Churches and Chapels of Ease are hereby respectively required to read or cause to be read; and the said Inhabitants, being so assembled as aforesaid, shall then and there nominate and propose fit and proper Persons to fill up all such Vacancies as last aforesaid: Provided that if on the *Monday* next before *Easter Sunday* in the Year One thousand eight hundred and thirty-one aforesaid, the Number of Commissioners shall, by Death, Disqualification, or Refusal to act, or any other Cause or Causes whatsoever, have become reduced below Thirty-six, then and in such Case the said Inhabitants of the said Part of the said Parish called *Saint James's*, duly rated as aforesaid, who shall have paid the said Rates and all Arrears thereof up to the Time aforesaid, shall and they are hereby authorized and required to assemble and meet together in manner aforesaid on the *Wednesday* next after the said *Easter Sunday* in the Year One thousand

Inhabitants  
to nominate.

sand eight hundred and thirty-one, or within Fourteen Days thereafter, Notice of the Time and Place of such last-mentioned Vestry Meeting having been first given in manner aforesaid, and shall then and there nominate and propose fit and proper Persons to fill up all such last-mentioned Vacancies, so that the Number of Commissioners shall be thereupon completed to the Number of Thirty-six.

X. And be it further enacted, That within Seven Days after every such Meeting to be held in manner aforesaid, the said Inhabitants rated as aforesaid shall in like Manner assemble in Vestry as aforesaid, and shall then and there proceed to a Ballot for the Purpose of filling up all such Vacancies as aforesaid, such Ballot to be opened at Nine of the Clock in the Forenoon and finally closed at Three of the Clock in the Afternoon of the same Day, and the Persons in favour of whom the Majority of Votes shall be given at such Ballot shall be deemed duly elected Commissioners for putting into execution the said recited Acts and this Act: Provided always, that no Person shall be eligible to be a Candidate, or to be voted for at such Ballot, unless he shall have been nominated or proposed at the previous Meeting of the Inhabitants to be held as herein-before directed; provided also, that from and after the Commencement of this Act no Person shall be elected or appointed a Commissioner for executing the said recited Acts and this Act in any other Manner than by Nomination and Ballot as herein directed; provided also, that no such Election shall be vitiated or in any way affected by reason of any Person or Persons not duly qualified having attended the Nomination or voted in the said Ballot.

Ballot for  
the Elec-  
tion of Com-  
missioners.

XI. And be it further enacted, That if it shall happen that on casting of the Ballot for any of the Persons nominated to fill up such Vacancies as aforesaid the Numbers shall be equal, then and in every such Case it shall be lawful for the Chairman at each such Meeting to have a second or casting Vote; provided always, that no other Business shall be transacted at such last-mentioned Meeting as aforesaid than such Ballot in manner aforesaid; and the Collectors of the said Rates already appointed or who may hereafter be appointed by the said Commissioners shall attend whenever required to do so, with their Books, for the Purpose of shewing the Right of Persons to be present or vote at such Elections.

Regulating  
Proceedings  
at such  
Elections.

XII. And be it further enacted, That at all Meetings of the said Commissioners for executing the said recited Acts and this Act it shall be lawful for the said Commissioners to appoint a Chairman; and in all Cases where there shall be an Equality of Votes upon any Question (including the Vote of the Chairman) such Chairman shall have the decisive or casting Vote.

At all Meet-  
ings Chair-  
man to be  
appointed.

XIII. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to continue or appoint the Person who has been or may be appointed the Clerk in the Execution of the said recited Acts and this Act, or any of them, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, the Treasurer for the Purposes

Treasurer  
and Clerk  
not to be the  
same Person.

Purposes of the said recited Acts and this Act, or any of them, or to continue or appoint any Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, the Clerk to the said Commissioners; and if any Person shall act in both the Offices of Clerk and Treasurer for the Purposes of the said recited Acts and this Act, or any of them, or if any Person being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, shall act as Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, shall act as Clerk in the Execution of the said recited Acts and of this Act, or any of them, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk; or if any such Treasurer shall hold or accept any Office or Place of Profit or Trust under the said Commissioners other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Accounts to  
be kept of  
Receipts and  
Disburse-  
ments.

XIV. And be it further enacted, That the said Commissioners shall and they are hereby required, from Time to Time and at all Times, to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended for and on account of this Act, and of the several Articles, Matters, and Things for which any Sums of Money shall have been disbursed, laid out, and paid; which Book or Books shall at all seasonable Times be open to the Inspection of the said Commissioners, or any Creditor or Creditors on the Rates or Assessments granted by the said recited Acts and this Act, or any of them, without Fee or Reward; and the said Commissioners and Creditors shall and may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and in case the said Clerk shall refuse to permit or shall not permit the said Commissioners or such Creditors, or any of them, to inspect the same at all seasonable Times, or take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum not exceeding Five Pounds.

Accounts to  
be audited.

XV. And be it further enacted, That the said Commissioners shall prepare or cause to be prepared, in the Month of *February* in every Year, a full Statement of their Receipts and Disbursements up to the Thirty-first Day of *December* then last, and also of the Particulars and Amount of the Funds then remaining in hand, and of the Debts owing by the said Commissioners; which Statement shall be examined and compared with the Accounts and Vouchers from which the same shall have been drawn, by any Number not exceeding Five of the  
rated

rated Inhabitants of that Part of the said Parish called *Saint James's* (not being Commissioners), who shall be annually appointed for that Purpose by the said Inhabitants at any Vestry Meeting; and a true Copy of every such Statement shall, within Seven Days after the same shall have been so examined and agreed to as aforesaid, be delivered by the said Commissioners, or by the said Auditors, to the said Vestry Clerk for the Time being, to be by such Vestry Clerk laid before the Inhabitants of the said Parish at the first Vestry Meeting which shall be holden after the Receipt of such Copy by the said Vestry Clerk; and all the Books, Accounts, and Vouchers from which the said Statement shall be drawn up as aforesaid, and all Books and Papers in any Manner relating thereto, shall lie open for Inspection at the Office of the said Commissioners, or at some convenient Place within the said Parish, for the Space of Fourteen Days next after the holding of such Vestry as last aforesaid; and it shall be lawful, during the Time aforesaid, for all Persons paying or liable to pay the Rates and Assessments made in pursuance of the said recited Acts and this Act, or any of them, or in any way interested therein, to inspect the said Books, Accounts, Vouchers, and Papers, and to take Extracts therefrom, without Fee or Reward.

XVI. And be it further enacted, That so much of the said recited Act of the Fourteenth Year of the Reign of His said late Majesty as enacts that the Treasurer or Treasurers, Collector or Collectors, and other Officers, shall deliver to the said Commissioners a true Account upon Oath of all Matters and Things committed to their Charge, and as empowers the said Commissioners to administer such Oath, shall be and the same is hereby declared to be repealed.

Repealing  
so much of  
14 G. 3. as  
directs that  
Officers shall  
account upon  
Oath.

XVII. And whereas it is in and by the said recited Act of the Seventeenth Year of the Reign of His said late Majesty provided and enacted, that all Sums of Money borrowed by the said Commissioners, and all Sums of Money received by their Treasurer for the Time being, when amounting to the Sum of Five hundred Pounds, shall be paid into the Bank of *England* in the Name and on the Account of such Commissioners, and the same shall be disposed of by the Order of such Commissioners, or of any Seven or more of them: And whereas the said Provisions of the said Act are contrary to the Regulations of the Bank of *England*, and it is therefore expedient that the same should be repealed; be it therefore enacted, That the same shall be and is hereby declared to be repealed.

So much of  
17 G. 3.  
as directs  
Monies  
to be paid  
into Bank of  
*England*,  
repealed.

XVIII. And be it further enacted, That all Monies to be received by the said Commissioners, or by their Treasurer, Collectors, or Officers, shall from Time to Time be forthwith paid into the Bank of *England*, in the Names of Five of the said Commissioners, to be drawn for and disposed of, for the Purposes of the said recited Acts and this Act, in such Manner and subject to such Restrictions and Regulations as the said Commissioners, with the Concurrence of the Directors of the Bank of *England*, shall from Time to Time limit and appoint.

All Monies  
to be paid  
into the Bank  
of *England*.

[Local.]

26 X

XIX. And

Commis-  
sioners to  
compound  
with Land-  
lords of  
Houses under  
20*l.* per An-  
num for  
Payment of  
the Rates.

XIX. And be it further enacted, That where the yearly Rent or Value of any House, Tenement, or Hereditament within the said Part of the said Parish shall not exceed Twenty Pounds, or where any House, Tenement, or Hereditament shall be let to any weekly or monthly Tenant or Tenants, or in separate Apartments, then and in every such Case (but subject to the Proviso herein-after contained) it shall be lawful for the said Commissioners to compound, if they think proper, with the Landlord or Landlords, Owner or Owners, Lessee or Lessees, of all and every or any such House or Houses, Tenement or Tenements, Hereditament or Hereditaments, for the Payment of the Rates to be made by virtue of the said recited Acts and this Act, or any of them, at such a reduced yearly Rental as the said Commissioners shall think reasonable, so that no House or Houses, Tenement or Tenements, Hereditament or Hereditaments, be rated at less than One Half of the Rack Rent at which the same respectively shall be then let, or of the annual Value of the said Premises respectively; and the Landlord or Landlords, Owner or Owners, Lessee or Lessees of all such Houses, Tenements, or Hereditaments as shall not exceed the yearly Rent or Value of Twenty Pounds, or as shall be let to any weekly or monthly Tenants, or in separate Apartments, furnished or unfurnished as aforesaid, and the several Rents whereof shall become due and be collected at any shorter Period than quarterly, is and are hereby required to enter into such Composition with the said Commissioners; and in case any such Landlord or Landlords, Owner or Owners, Lessee or Lessees, shall refuse to enter into such Composition, he, she, or they shall from thenceforth be rated to and from Time to Time shall pay or cause to be paid the Rates charged upon their respective Premises by virtue of the said recited Acts and this Act, or any of them, unto the Collector or Collectors of the said Rates for the Time being, who is and are hereby authorized to receive and collect the same; and upon Nonpayment thereof, or of the Amount of such Composition, the same shall and may be levied by Distress and Sale of the Goods and Chattels of the Landlord or Landlords, Owner or Owners, Lessee or Lessees of the respective Premises aforesaid, or of the Person or Persons inhabiting the same respectively, or the same may be sued for and recovered in such other Manner as by the said recited Acts and this Act, or any of them, is provided for the Recovery of Rates in other Cases: Provided always, that no such Landlord, Owner, or Lessee shall be charged with or liable to pay for any increased Rent reserved or made payable to him for or on account of such Landlord or Owner having agreed to pay the Rates heretofore chargeable upon the several Occupiers of such Premises: Provided also, that the Goods and Chattels of all and every Person or Persons renting or occupying any such House, Tenement, or Hereditament, or any Part or Parts thereof, the Rate or Rates whereof may be chargeable upon the Landlord or Landlords, Owner or Owners, is and are hereby made liable at all Times to be distrained and sold for Payment of such of the said Rates, and of all Arrears thereof, as may be due upon the said Premises, to the Extent of the Rent actually due and payable by such Person or Persons to the said Landlord, Owner, or Lessee thereof, but not further or otherwise: Provided also, that

each and every Occupier who shall pay any such Rate or Rates, or any Arrears thereof, or upon whom the same shall be levied, shall and may from Time to Time deduct the same from the Rent due and payable from him, her, or them to the respective Landlords, Owners, or Lessees of the Premises, unless there shall be some Agreement to the contrary between the Landlord or Tenant; and the Receipts for such Payments shall be a sufficient Discharge to such Occupier or Occupiers, and to his, her, or their Landlord or Landlords, for such Money as he, she, or they shall pay in the Manner directed by this Act.

XX. And to prevent Disputes in certain Cases touching the Designation of Landlord or Owner, Lessee or Lessees, liable to the Payment of Rates by virtue of this Act, be it further enacted, That the Person or Persons receiving or claiming to be entitled to the Rent of any House, Tenement, or Hereditament, or Part of a House, Tenement, or Hereditament, immediately payable by the Tenant or Occupier thereof, shall be deemed and taken to be the Landlord or Owner, Lessee or Lessees of the same, for the Purposes of the said recited Acts and this Act, and shall continue to be rated and liable to the Payment of all and every such Rates as herein-before mentioned, until some other Person or Persons shall be rated to or pay the same, unless the real Landlords, Owner, or Lessee shall compound for the same with the said Commissioners: Provided always, that nothing in this Act contained shall be construed, deemed, or taken to impeach, alter, or make void any Agreement made between Landlord and Tenant in any Lease now granted or hereafter to be granted, pursuant to any Contract or Agreement now existing, any thing in this Act contained to the contrary thereof notwithstanding.

Who is to be deemed Landlord.

XXI. And be it further enacted, That the Streetkeepers, Watchmen, Patroles, Superintendents of the Watch, and Watch-house Keepers, appointed by the said Commissioners, shall be sworn in as Constables before some Justice of the Peace for the said County of *Middlesex*, and act as such while in the Execution of the Powers and Authorities of the said recited Acts or this Act, and shall be and they are hereby invested with and shall respectively have and enjoy the like Powers and Authorities, Privileges and Immunities, and shall be subject and liable to such and the like Penalties and Forfeitures as any Constable or Constables is or are invested with, or shall or may have and enjoy, or is or are or shall be subject or liable to by Law.

Watchmen to be Constables.

XXII. And be it further enacted, That no Stage Coach, Hackney Coach, or Vehicle travelling for Hire, shall stand or ply for Hire in any of the Streets or Roads within the said Part of the said Parish, except in such Place or Places as the said Commissioners may from Time to Time direct; and that if any Person shall stand or ply for Hire with any Stage Coach, Hackney Coach, or Vehicle travelling for Hire, in any of the said Streets or Roads within the said Part of the said Parish (except as aforesaid), the Party so offending shall, on Conviction thereof by the Oath of One or more credible Witness or Witnesses before One or more of His Majesty's Justices of the Peace for

No Stage Coach, &c. to ply for Hire in any of the Streets, except at such Places as the Commissioners shall direct.

for the County of *Middlesex*, forfeit and pay any Sum not exceeding Forty Shillings for every such Offence.

Penalty on  
harbouring  
Watchmen  
during the  
Hours of  
Duty.

XXIII. And be it further enacted, That if any Victualler, Retailer of Spirits or Beer, Coffeehouse Keeper, or Keeper of any Inn or Public House, shall knowingly harbour or entertain any Watchman, Superintendent of the Watch, Watch-house Keeper, or Patrol employed under or by virtue of the said recited Acts and this Act, or permit or suffer any such Watchman, Superintendent, Watch-house Keeper, or Patrol to be or remain in his or her House during any Part of the Time for his or their being on Duty, every Victualler, Retailer of Spirits or Beer, Coffeehouse Keeper, or Keeper of such Inn or Public House, shall for every such Offence forfeit and pay any Sum not being less than Ten Shillings nor exceeding Forty Shillings.

For prevent-  
ing Escape  
of Gas.

XXIV. And be it further enacted, That whenever any Gas shall be found to escape from any Pipes which shall be laid down or set up by any Company or Companies of Proprietors, or Body or Bodies Politic or Corporate, or any other Person or Persons whomsoever, making, furnishing, or supplying any Gas used, burnt, or consumed within the said Part of the said Parish, for lighting any Street, Highway, or Place, or any House, Manufactory, or other Building therein, the said Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, shall, immediately after Notice given to them or him by Parol or in Writing of any such Escape of Gas from any Inhabitant or Inhabitants within the said Part of the said Parish, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the said Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, shall not, within Twenty-four Hours next after such Notice given, effectually stop and prevent any future Escape, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the said Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, shall for every such Offence forfeit and pay the Sum of Five Pounds for each Day after the Expiration of Twenty-four Hours from the Time of giving any such Notice during which the Gas shall be suffered to escape as aforesaid.

Gas Pipes  
to be laid at  
least Four  
Feet from  
Water Pipes.

XXV. And be it further enacted, That all and every the Pipes or other Conduits to be laid or used by any Company or Companies of Proprietors, or Body or Bodies Politic or Corporate, or other Person or Persons whomsoever, making, furnishing, or supplying any Gas used, burnt, or consumed within the said Part of the said Parish, for lighting any Street, Highway, or Place, or any House, Manufactory, or other Building therein, for the Conveyance of Gas in, under, through, along, across, or round any Street, Lane, Entry, or other Passage or Place within the said Part of the said Parish, shall be so laid at the greatest practicable Distance, and (whenever the Width of the Carriageway in such Street or Place will allow thereof)

at

at the Distance of Four Feet at least from the nearest Part of any Water Pipe already laid down or hereafter to be laid down for the Conveyance of Water in, under, through, along, across, or round any of the said Streets, Lanes, Entries, Passages, or Places, (except in Cases where it shall be unavoidably necessary to lay the said Gas Pipes across any of the said Water Pipes, in which Cases the said Gas Pipes shall be laid over and above the said Water Pipes at the greatest practicable Distance therefrom, and shall form therewith a Right Angle, and in such Cases the Length of the said Gas Pipes so crossing the said Water Pipes shall always exceed Nine Feet, in order that no Joint of the said Gas Pipes shall be nearer to any Part of the said Water Pipes than Four Feet at least); and in laying down the said Gas Pipes the said Company or Companies of Proprietors, or Body or Bodies Politic or Corporate, or other Person or Persons whomsoever, making, furnishing, or supplying any Gas used, burnt, or consumed within the said Part of the said Parish, for lighting any Street, Highway, or Place, or any House, Manufactory, or other Building therein, shall in no Case join Two or more Gas Pipes together previously to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall then in such Trench, and not before, properly form and complete, with proper and sufficient Materials, the Jointing with the other Pipe or Pipes to be connected therewith, and shall also make and keep air-tight all and every such Pipes, and all Pipes connected or communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively, and in all and every respect prevent the said Gas from escaping therefrom, or from any Part thereof, upon pain of forfeiting for every Default the Sum of Fifty Pounds.

XXVI. And be it further enacted, That whenever the Water of any Company of Proprietors, or other Owners or Proprietors of any Waterworks within the said Part of the said Parish; or the Water in any Well or Pond belonging to or used by any Party or Person whomsoever, shall be contaminated or affected by the Gas of any Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons whomsoever, making, furnishing, or supplying any Gas used, burnt, or consumed within the said Part of the said Parish, for lighting any Street, Highway, or Place, or any House, Manufactory, or other Building therein, the said Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, shall forfeit and pay for every such Offence a Sum not exceeding Twenty Pounds, and the same shall be applied to and for the Use and Benefit of the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks, Well, or Pond, or the Party or Person using any such Water, and suing for such Penalty; and in case any such Water shall be contaminated or affected by Gas in any way whatsoever, then and in every such Case the said Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, shall, within Twenty-four Hours next after Notice thereof in Writing, signed by any of the Directors, or by the Treasurer, or by the Manager or Chief Clerk for the Time being of or for the said Company of

For prevent-  
ing Con-  
tamination  
of Water.

[*Local.*]

26 Y

Proprietors,

Proprietors, or by other the Owners or Proprietors of any Waterworks, Well, or Pond, or by any Party or Person interested in or using any such Water, to be left at the usual Office or Place of transacting Business of the said Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or at the last or usual Place of Abode of such other Party or Person as aforesaid, cause Measures to be taken effectually to stop and prevent Gas from escaping from their Works, Mains, or Pipes, or contaminating or affecting any such Water; and in case the said Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, shall not, within Twenty-four Hours next after each and every such Notice so left as aforesaid, effectually stop and prevent Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent all and every such Contamination whereof Notice shall be given as aforesaid, then and in every such Case the said Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, shall, on each and every Complaint whereof Notice shall be given as aforesaid, forfeit and pay to the Treasurer for the Time being, or to any One of the Directors for the Time being of the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks, or to the Party or Person interested in or using any such Water, and complaining as aforesaid, for the Use and Benefit of the same Proprietors or Owners or Party or Person, over and above the before-mentioned Penalty of Twenty Pounds, the further Sum of Ten Pounds for each and every Day during which any such Water shall be and remain contaminated, tainted, or affected by any such Gas as aforesaid; and in default of Payment thereof as aforesaid, such Penalty or Penalties, Forfeitures or Payments, shall and may be recovered by Information to be exhibited on the Oath of One credible Witness by and in the Name of the Treasurer, Manager, or Chief Clerk for the Time being of the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks, or by and in the Name of any One or more of the Directors of the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks, at the Option of the Parties prosecuting such Information, or in the Name of the Party or Person interested in or using any such Water, and complaining as aforesaid, against the said Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, before any Justice of the Peace, with Costs, to be assessed by such Justice, and to be levied by Distress and Sale of the Goods and Chattels of the said Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of such Justice, which Warrant such Justice is hereby empowered to grant; and such Penalty or Penalties, Forfeitures or Payments, and Costs, when so levied, shall be paid to the Treasurer, or to One of the Directors for the Time being of the Company of Proprietors, or other the Owners or Proprietors of any Waterworks, for the Use of the same Owners or Proprietors, or to the Party or Person interested in or using any such Water, and informing or complaining as aforesaid.

XXVII. And whereas it may become a Question, upon such Complaint as aforesaid, whether the said Water be contaminated or affected by the Gas of the said Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons, making, furnishing, or supplying any Gas used, burnt, or consumed within the said Part of the said Parish, or for lighting any Street, Highway, or Place, or any House, Manufactory, or other Building therein; be it therefore enacted, That in every such Case it shall be lawful for the said Company, or other the Owners or Proprietors of any Waterworks, to dig to and about and search and examine the Mains, Pipes, Conduits, and Apparatus of the said Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, for the Purpose of ascertaining whether such Contamination proceed from or be occasioned by the Gas of the said Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid; and if it shall appear that the said Water has been contaminated by any Escape of Gas of the said Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, the Costs and Expences of the said Digging, Search, and Examination, and Repair of the Pavement of the Street or Streets which shall be taken up or disturbed, shall be borne and paid by the said Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid; which Costs and Expences shall be ascertained and determined, if necessary, by such Justice as aforesaid, and be recovered in like Manner as any Penalty may be recovered by virtue of this Act: Provided always, that if upon such Examination it shall appear that such Contamination has not arisen from any such Escape of Gas from any of the Mains, Pipes, or Conduits of the said Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, then and in such Case the said Company, or other the Owners or Proprietors of any Waterworks, shall bear and pay all the Costs and Expences of such Examination, Repair, and Search, and shall also make good to the said Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, any Loss, Injury, or Damage which may be occasioned to the said Mains, Pipes, Conduits, or Apparatus of the said Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, in and by such Search and Examination, and also to the Pavement of the said Streets so broken up or disturbed in such Search or Examination; the Amount of such Injury, Loss, or Damage to be ascertained and determined, if necessary, by such Justice or Justices of the Peace as aforesaid.

For ascertaining if the Water is contaminated.

XXVIII. Provided always, and be it further enacted, That if any Company or Companies of Proprietors, or Body or Bodies Politic or Corporate, or other Person or Persons whomsoever, making, furnishing, or supplying any Gas used, burnt, or consumed within the said Part of the said Parish for lighting any Street, Highway, or other Place, or any House, Manufactory, or other Building therein, shall

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

at

at any Time drain or convey, or cause or suffer to be drained or conveyed, or to run or flow, any Washings or other waste Liquids, Substances, or Things whatsoever, which shall arise or be made in the making of such Gas, into any River, Brook, or running Stream, Reservoir, Aqueduct, Feeder, Pond, or Springhead, or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any such River, Brook, or running Stream, Reservoir, Aqueduct, Waterway, Feeder, Pond, or Springhead, whereby the said Water or any Part thereof shall or may be soiled, fouled, or corrupted, then and in every such Case such Company or Companies of Proprietors, or Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty and Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Complaint, Suit, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, or more than One Imparlance, shall be allowed; and such Penalty shall be paid to the Person or Persons who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same is sued for within Twelve Calendar Months after the Time when such Annoyance, Act, and Thing shall have ceased: Provided also, that in addition to the said Penalty of Two hundred Pounds, (and whether such Penalty shall or shall not be recovered,) in case any of the said Washings or other waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be drained, conducted, or conveyed, or caused or suffered to run or flow, in manner aforesaid, into any River, Brook, or running Stream, or any Reservoir, Aqueduct, Waterway, Feeder, Pond, or Springhead, or any such Annoyance, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Person or Persons whomsoever to the said Company or Companies of Proprietors, or any of them, or to the said Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, and the said Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, shall not, within Twenty-four Hours after such Notice given, stop and prevent all and every such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things, from being drained, conducted, or conveyed, or from running or flowing in manner aforesaid, and every such other Annoyance, Act, or Thing from being done as aforesaid, then and in every such Case the said Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, shall forfeit and pay the Sum of Twenty Pounds for each Day such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things shall be so drained, conducted, or conveyed, or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered and levied, and shall be paid to the Informer, or to the Person or Persons who in the Judgment of the Justice or Justices before whom the Conviction shall take place shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed.

XXIX. And

XXIX. And be it further enacted, That it shall be lawful for any Surveyor or other Person acting by or under the Authority of the Commissioners of Sewers, at any Time or Times in the Day-time, to enter into any Manufactory, Gasometer, Receiver, or other Building belonging to any Gas Company within the said Part of the said Parish, in order to inspect and examine if there be any Escape of Gas, or any Washings or other waste Liquids; Substances, or Things whatsoever, which shall arise or be produced in the Prosecution of the said Gas Works, or in the Manufacture or Process of making or procuring such Gas, into any public Sewer or Drain; and if such Surveyor or other Person acting by or under the Authority of the said Commissioners of Sewers shall at any Time or Times be refused Admittance or Entrance into any such Manufactory, Gasometer, Receiver, or other Building, for the Purpose of making such Inspection and Examination as aforesaid, or on being admitted shall be obstructed in or prevented from making such Inspection and Examination as aforesaid, the said Gas Company so offending shall forfeit and pay for every such Offence the Sum of Twenty Pounds.

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

XXX. Provided always, and be it further enacted, That the Powers and Provisions in this Act contained shall not extend or be construed to extend to protect any Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or any Person or Persons, making, furnishing, or supplying any Gas used, burnt, or consumed within the said Part of the said Parish, for lighting any Street, Highway, or other Place, or any House, Manufactory, or other Building therein, or any of the Servants or Officers or Workmen of any such Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, from any Indictment or Prosecution for a public or private Nuisance in respect of any Works, or the Means which shall be employed by them in making the said Gas or using the same, or furnishing any such Gas Light, nor from any Action or Actions for any Injury or Damage sustained by reason of any such Works, or the Use of the said Gas, or the Method of lighting therewith, whether such Injury or Damage shall proceed from the Preparation or the Use of the same Gas, or the Method of lighting, or the Carelessness or Want of Skill of any of the Persons employed therein, or from any other Cause whatsoever.

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

XXXI. And whereas it is by the said recited Act of the Fourteenth Year of the Reign of His said late Majesty King *George* the Third enacted, that it should and might be lawful to and for any Person or Persons to contribute, advance, and pay into the Hands of the said Commissioners, or any Seven or more of them, for the Purposes of that Act, any Sum or Sums of Money for the absolute Purchase of One or more Annuity or Annuities, to be paid and payable during the full Term of the natural Life of such Person or Persons as should be nominated by and on behalf of such respective Contributors at the Time of Payment of their respective Contribution Monies, to be advanced and paid as in the said Act is mentioned, all which Annuities so to be purchased should be payable and paid by the Treasurer or Clerk to the Commissioners for the Time being for executing such

So much of 14 G. 3. as empowers Persons to advance Money for the Purchase of Annuities, repealed.

Act, out of the Monies to arise by virtue of that Act, by Four equal quarterly Payments, the first Payment to be made to the respective Purchasers or their Assigns at the Expiration of the first Quarter after the Payment of their respective Purchase Monies, all which Annuities should be sold to the best Bidder at a public Sale, Notice whereof should be given in some public Newspaper Ten Days at the least before such Sale; and all and every the Annuity or Annuities so to be purchased should be and they were thereby chargeable upon and payable from Time to Time out of any Monies arising by virtue of that Act: And whereas it is expedient that the same should be repealed; be it therefore further enacted, That the same shall be and is hereby declared to be repealed.

So much of recited Acts as enacts that Annuities are to be free from Land Tax, repealed.

XXXII. And be it further enacted, That so much of the said recited Acts of the Fourteenth and Seventeenth Years of the Reign of His said late Majesty King *George* the Third as enacts that the Annuitants to whom any Annuity or Annuities should be granted by virtue of those Acts, or either of them, should not be liable to any Tax assessed upon Land by Authority of Parliament, shall be and the same is hereby repealed.

Restrictions as to Grant of Annuities.

XXXIII. And for preventing any improvident Grant of Annuities under the said recited Acts and this Act, be it further enacted, That the Amount of every Annuity to be granted by virtue thereof shall be regulated by any Law or Statute in force at the Time or Times of granting any such Annuity, relating to the granting of Life Annuities charged on Government Securities.

So much of recited Acts as directs that Writings shall not be liable to Stamp Duty, repealed.

XXXIV. And whereas it is by the said recited Acts of the Fourteenth and Seventeenth Years of the Reign of His said late Majesty King *George* the Third enacted, that no Nomination, Appointment, Information, Order, Judgment, Conviction, Warrant, Mortgage, or Assignment, Transfer, or other Security for the borrowing of Money, granting Annuities, or other Writing whatsoever, under the Hand and Seal or Hands and Seals of or only signed by the respective Commissioners for putting those Acts in execution, or by any Justices of the Peace, or exhibited before them or any of them, touching, concerning, or in execution of any of the Powers or Authorities thereby vested in the said respective Commissioners, or Justice or Justices of the Peace, or any of them, or Transfer or Assignment of any of the Securities or Grants made by any Person or Persons, should be charged or chargeable with any Stamp Duty whatsoever: And whereas it is expedient that the same should be repealed; be it therefore enacted, That the same shall be and is hereby repealed.

So much of 14 G. 3. as directs Money awarded for Premises to be settled to like Uses, repealed.

XXXV. And whereas it is by the said recited Act of the Fourteenth Year of the Reign of His said late Majesty King *George* the Third enacted, that if any Person should be entitled, either in Reversion or Remainder, to any of the Premises thereby authorized to be purchased, taken, or used, the Money so awarded by a Jury as a Satisfaction should be settled to the same Uses as the Premises were, unless such Person so interested should consent to give up such Reversionary Interest: And whereas it is expedient that the same should be repealed;

repealed ; be it therefore further enacted, That the same shall be and is hereby declared to be repealed.

XXXVI. And be it further enacted, That if any Money shall be agreed or awarded to be paid for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments to be purchased, taken, or used by virtue of the Powers of the said recited Acts and of this Act, or any of them, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, as in the said recited Acts and this Act or any of them is mentioned, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privy of the Accountant General of His Majesty's Court of Exchequer at *Westminster*, to be placed to his Account there *ex parte* the Commissioners for executing the said recited Acts and this Act, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward ; to the Intent that such Money may 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 Houses, Buildings, Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Houses, Buildings, Lands, Tenements, or Hereditaments, or affecting other Houses, Buildings, Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes ; or where such Money shall not be so applied, then the same shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, or upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Houses, Buildings, Lands, Tenements, 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 the Conveyance and Settlement shall be existing undetermined and capable of taking effect ; and in the meantime and until such Purchase shall be made the said Money shall, by Order of the said Court of Exchequer 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, or in Government or Real Securities ; and in the meantime and until such Bank Annuities or Government or Real Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or Interest and annual Produce of the said Consolidated or Reduced Bank Annuities or Government or Real Securities

Application  
of Compensation  
Money  
if amounting  
to 200*l.*

1 G. 4. c. 35.

rities 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 Houses, Buildings, Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

When less  
than 200*l.*  
and exceeding  
20*l.*

XXXVII. And be it further enacted, That if any Money so agreed or awarded to be paid for any Houses, Buildings, Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes of the said recited Acts and this Act, or any of them, and belonging to any Corporation, or to any Person or Persons under any 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 Houses, Buildings, Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiotcy, Lunacy, or other Incapacity, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the said Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner hereinbefore directed; or otherwise the same may be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Three or more of the Commissioners for executing the said recited Acts and 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 the Manner hereinbefore directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

Application  
when not  
more than  
20*l.*

XXXVIII. And be it further enacted, That when such Money so agreed or awarded to be paid as aforesaid shall not exceed 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 Houses, Buildings, Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes of the said recited Acts and this Act, or any of them, in such Manner as the said Commissioners shall think fit; or in case of Infancy, Idiotcy, Lunacy, or other Incapacity, then the same shall be paid 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.

Respecting  
disputed  
Titles to  
Money.

XXXIX. 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 said Court of Exchequer, in pursuance of the said recited Acts and this Act, or any of them, for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Houses, Buildings, Lands, Tenements,

Tenements, or Hereditaments to be purchased in pursuance of the said recited Acts and this Act, or any of them, or to any Bank Annuities or Government or Real Securities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities or Government or Real Securities, the Person or Persons who shall have been in Possession of such Houses, Buildings, Lands, Tenements, 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 Houses, Buildings, Lands, Tenements, and Hereditaments according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the said Bank Annuities or Government or Real Securities to be purchased with such Money, and also the Capital of such Bank Annuities or Government or Real Securities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Houses, Buildings, Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

XL. And be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part, Estate, Right, or Interest therein to be purchased or taken under the Authority of the said recited Acts and this Act, or any of them, the Purchase Money for the same shall be required to be paid into the Bank of *England*, or to be applied in the Purchase of other Lands, Tenements, 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 said 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, out of the Monies to be raised by virtue of the said recited Acts and this Act, or any of them, 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.

XLI. And be it further enacted, That from and after the Commencement of this Act the Trustees or Commissioners of such of the several Turnpike Roads as pass within that Part of the said Parish called *Saint James's* shall be exonerated and discharged from the Repairs of such of the said Roads respectively as wholly lie within the said Part of the said Parish; and the said last-mentioned Roads respectively shall from thenceforth cease to belong to the said Turnpike Roads, or to be under the Controul or Management of the said Trustees, and shall from Time to Time thereafter be repaired, maintained, supported, kept in repair, and watered by the Commissioners for executing the said recited Acts and this Act.

Trustees of Turnpike Roads discharged from the Repair of Roads in *St. James's*.

XLII. And whereas by the said recited Acts or One of them the said Commissioners are charged with the Repair and Maintenance

Reducing the Number of Commissioners

[*Local.*]

27 A

of

ers of St.  
John's for  
Purposes re-  
lating to  
Highways.

of all the Highways within the said Parish, and are authorized to raise a separate Highway Rate for that Purpose: And whereas of late such separate Highway Rate has been discontinued; but by reason of the Exoneration of the Trustees of the Turnpike Roads from the Repair of the same, it may become necessary to revive the said Highway Rate: And whereas the Inhabitants of that Part of the said Parish called *Saint John's* having been liable to the Payment of the said separate Highway Rate, it is enacted by the said recited Acts, or One of them, that the Commissioners for paving, cleansing, lighting, and watching that Part of the said Parish called *Saint John's* should have a concurrent Jurisdiction with the Commissioners for executing the said recited Acts, in all Matters relative to or concerning the said Highways or to the said separate Highway Rate: And whereas the Number of the said Commissioners for executing the said recited Acts having been by this present Act directed to be reduced, it is expedient that a proportionate Reduction should be made in the Number of Commissioners for that Part of the said Parish called *Saint John's*, so far as regards their concurrent Jurisdiction as aforesaid; be it therefore enacted, That the said Commissioners for that Part of the said Parish called *Saint John's* shall annually elect, by Ballot amongst themselves, any Number not exceeding Twenty-six of their own Body, and shall transmit the Names of the Persons so elected to the Commissioners for executing the said recited Acts and this Act; and the said Persons so elected, and those Persons only, shall and they are hereby invested with the same Powers and Privileges in relation to the Highways in the said Parish, and in relation to the said separate Highway Rate, as by the said recited Acts or either of them were conferred upon the whole of the Commissioners for the said Part of the said Parish called *Saint John's*, any thing in the said recited Acts or either of them to the contrary notwithstanding.

So much of  
17 G. 3. as  
directs that  
St. John's  
should pay  
yearly 20*l.* to  
St. James's,  
repealed.

XLIII. And whereas it is by the said recited Act of the Seventeenth Year of the Reign of His said late Majesty King *George* the Third enacted, that the Treasurer or Treasurers of the Commissioners for that Part of the Parish called *Saint John's*, for the Time being, should pay or cause to be paid to the Treasurer or Treasurers of the Commissioners for that Part of the Parish called *Saint James's*, for the Time being, yearly and every Year, the Sum of Twenty Pounds, by equal half-yearly Payments, for and towards the Purpose of cleansing the said Parish: And whereas it is expedient that the same should be repealed; be it therefore further enacted, That the same shall be and is hereby declared to be repealed.

Commission-  
ers to pay  
their own Ex-  
pences at all  
Meetings.

XLIV. Provided always, and it is hereby expressly enacted and declared, That at all Meetings of Commissioners under the Authority of the said recited Acts and this Act, and at all Meetings of any Committee or Committees appointed by such Commissioners, each of the said Commissioners shall personally pay and discharge his own Expences.

Justices may  
proceed by

XLV. And be it further enacted, That in all Cases wherein any Penalty or Forfeiture, hereby or by the said recited Acts or any of them

them imposed, is made recoverable by Information before a Justice of the Peace, it shall be lawful for any Justice of the Peace to whom Complaint shall be made of any Offence against this Act or the said recited Acts, or any of them, to summon the Party complained against, and any Witness or Witnesses the said Justice may think proper, before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, whether he be present or absent, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice; and all such Proceedings by Summons without Information shall be as good, valid, and effectual to all Intents and Purposes as if an Information in Writing was exhibited.

Summons in  
the Recovery  
of Penalties.

XLVI. And be it further enacted, That all Offences whatsoever which by virtue or under the Authority of the said recited Acts and this Act, or any of them, are or shall be subject to or punishable with any pecuniary Penalties, Fines, or Forfeitures, for the Recovery of which no express Provision is therein or herein-before made, shall and may in every Case be heard, adjudged, and determined by or before any One or more Justice or Justices of the Peace for the said County of *Middlesex*, in a summary Way, upon Information or Complaint made, whether the same shall be in Writing or not, (and which shall in every Case be made within Three Calendar Months at farthest next after the committing of such Offences respectively, and not afterwards); and upon any such Information or Complaint as aforesaid the said Justice or Justices shall summon the Party or Parties accused, and such Witness or Witnesses as may by such Justice or Justices be thought proper or necessary, and examine into the Matter thereof; and if upon the Confession of the Party or Parties accused, or on the Oath of any One or more credible Witness or Witnesses, (whether the Party or Parties accused be present or absent,) the Party or Parties accused shall be convicted of having committed such Offence or Offences, then and in every such Case the Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, hereby made payable in respect of such Offence or Offences, together with the Costs of Conviction, to be ascertained by such Justice or Justices, shall be forthwith paid by the Party or Parties so convicted as aforesaid; and in case such Party or Parties so convicted shall refuse or neglect to pay the same forthwith, then (except in Cases otherwise provided by this Act) the same shall and may, by Warrant or Warrants under the Hand and Seal or Hands and Seals of any such Justice or Justices (which he and they is and are hereby empowered and required to grant), be levied and recovered, together with the Costs of Conviction and Recovery thereof, to be ascertained by such Justice or Justices, by Distress and Sale of the Goods and Chattels of such Offender or Offenders, rendering the Overplus of the Money arising by such Sale (if any), upon Demand, to the Party or Parties whose Goods and Chattels shall be distrained; one Moiety of which Penalties not herein directed to be otherwise applied shall be paid to the Informer, and the other Moiety shall be paid to the Treasurer or Treasurers to the said Commissioners, to be applied to the Purposes of the said recited Acts and this Act; and

Recovery and  
Application  
of Penalties.

and it shall be lawful for the said Justice or Justices to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice or Justices for his, her, or their Appearance before the said Justice or Justices on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Five Days from the taking any such Security, and which Security the said Justice or Justices is and are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant or Warrants it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to such Justice or Justices, either upon the Confession of the Offender or Offenders or otherwise, that the Offender or Offenders hath or have not sufficient Goods or Chattels whereon such Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, and such Costs as aforesaid, can be levied, were such Distress or Warrant issued, such Justice or Justices shall not be required to issue the same, and thereupon it shall be lawful for the said Justice or Justices, and he and they is and are hereby required and empowered, by Warrant or Warrants under his Hand and Seal or their Hands and Seals, to commit such Offender or Offenders to the Common Gaol or House of Correction for the said County, there to remain without Bail or Mainprize for any Term not exceeding Three Calendar Months, or unless such Offender or Offenders shall have sooner fully paid such Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, and all Costs attending such Proceedings as aforesaid, to be ascertained by such Justice or Justices, or shall otherwise be discharged by due Course of Law.

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

XLVII. And be it further enacted, That where any Damages or Charges are directed or authorized to be paid or recovered in addition to any Penalty or Penalties for any Offence or Offences in the said recited Acts and this Act or any of them mentioned, the Amount of such Damages or Charges, in case of Dispute respecting the same, shall be settled and determined by the Justice or Justices of the Peace by or before whom any Offender shall be convicted of any such Offence or Offences, who is hereby authorized and required, on Nonpayment thereof, to levy such Damages or Charges by Distress and Sale of the Offender's Goods and Chattels, in manner by this Act directed for the levying of any Penalties or Forfeitures.

For securing transient Offenders.

XLVIII. And be it further enacted, That it shall be lawful for any of the said Commissioners, or for any of their Surveyors, Collectors, or other Officers, and such Person or Persons as they or any of them shall call to their Assistance, without any Warrant or other Authority than this Act, to seize and detain any Person or Persons (being unknown to such Commissioners, Surveyors, Collectors, or Officers,) who shall commit any Offence or Offences against the said recited

recited Acts and this Act, or any of them, and to deliver him, her, or them into the Custody of any Peace Officer, in order to be secured and conveyed before any Justice or Justices of the Peace for the said County of *Middlesex*; and such Justice or Justices is and are hereby required to proceed and act with respect to such Offender or Offenders according to the Provisions of the said recited Acts and this Act.

XLIX. And whereas it is by the said recited Act of the Seventeenth Year of the Reign of His said late Majesty King *George* the Third enacted, that if any Person or Persons should think him, her, or themselves aggrieved or over-rated by or in any Rate or Assessment to be made by virtue of that Act, and should appeal and complain thereof to the respective Commissioners, it should and might be lawful to and for the Commissioners respectively, or any Five or more of them, to examine the said Appellants and any Witness or Witnesses upon Oath (which Oath the said respective Commissioners or any One or more of them were and was thereby empowered to administer) touching or concerning the annual Rent or Value of any Tenement or Hereditament so rated or assessed and appealed against as aforesaid, and to relieve the Person or Persons appealing, or not, as to the respective Commissioners should seem just: And whereas it is expedient that the same should be repealed; be it therefore further enacted, That the same shall be and is hereby declared to be repealed.

Provision in 17 G. 3., that Persons over-rated may appeal, &c. repealed.

L. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate or Assessment, or any other Matter or Thing to be made or done in pursuance of the said recited Acts or this Act, or any of them, he, she, or they may appeal to the said Commissioners at one of their Meetings, provided that such Appeal be made within Four Calendar Months next after such Rate shall have been demanded, or other Cause of Complaint shall have arisen; and the said Commissioners may examine the Appellant or Appellants or any Witness or Witnesses touching or concerning the Matter of such Appeal, and grant or refuse Relief to the Person or Persons appealing, or not, and make such Order therein as to them shall seem meet: Provided always, that if upon any Appeal so to be made to the said Commissioners by any Person or Persons, by reason of such Person or Persons considering himself, herself, or themselves aggrieved, if such Person or Persons shall be dissatisfied with the Decision of the said Commissioners, it shall be lawful for such Person or Persons to bring the Matter before any Two Justices of the Peace for the said County of *Middlesex*, who are hereby empowered and required to examine the Appellant or Appellants or any Witness or Witnesses on Oath, and to decide upon the Matter of such Complaint.

Persons aggrieved may appeal to the Commissioners and to Two Justices of the Peace.

LI. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate or Assessment made and passed under or by virtue of the said recited Acts and this Act, or any of them, or by any Determination or Judgment made or given by any Justice or Justices of the Peace in pursuance of the said recited Acts and this Act, or any of them,

Allowing Appeal to the General or Quarter Sessions.

[*Local.*]

27 B

them,

them, or by any other Matter or Thing made or done in pursuance of the said recited Acts and this Act, or any of them, (except in Cases where the Verdict or Inquisition of Juries are directed to be taken,) he, she, or they may, within Four Calendar Months next after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace for the said County of *Middlesex*, at their General or Quarter Sessions of the Peace, or at some Adjournment thereof, to be held within the said County, such Appellant or Appellants having given at least Fourteen Days Notice in Writing of his, her, or their Intention of making such Appeal, and of the Matter and Grounds of such Appeal, to the Party or Parties against whom such Appeal shall happen to be made, or whose Interest may be affected by such Appeal; and where the Appeal shall be made against any such Rate or Assessment as aforesaid, or against any other Matter or Thing made or done by the said Commissioners, or by any Justice or Justices of the Peace, such Notice shall be given to the Clerk or Treasurer of the said Commissioners for the Time being, and within Four Days next after such Notice the Appellant or Appellants shall enter into a Recognizance before some Justice of the Peace for the said County of *Middlesex*, by himself or herself, and Two sufficient Sureties, in the Sum of Twenty Pounds apiece, conditioned for the Party or Parties Appellant or Appellants to try such Appeal, and abide the Order and Award of the Justices of such Sessions thereon, and to pay such Costs as shall be awarded at such Sessions; and thereupon the Justices present at any such Sessions, upon due Proof upon Oath of such Notice and Recognizances having been given and entered into as aforesaid, shall hear and finally determine the Cause and Matter of such Appeal in a summary Way; and the said Justices shall have Power to award such Restitution, Damages, and Costs to the Party or Parties appealing or prosecuting such Appeal, or such Costs to the Respondent or Respondents, Party or Parties defending such Appeal, as the said Justices shall think proper; and all such Orders and Determinations of the said Justices at such Sessions shall be final, binding, and conclusive upon all Parties, to all Intents and Purposes whatsoever, and shall not be removable by Certiorari or otherwise into any of His Majesty's Courts of Record at *Westminster* or elsewhere.

Saving the  
Rights of the  
Commission-  
ers of Sewers.

LII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to prejudice, diminish, alter, or take away any of the Rights, Powers, or Authorities vested in the Commissioners of Sewers for the Limits of *Holborn* and *Finsbury* Divisions, the Parish of *Saint Leonard Shoreditch*, and the Liberty of *Norton Folgate*, in the County of *Middlesex*, and the Borders and Confines of the same; but all the Rights, Powers, and Authorities vested in them shall be as good, valid, and effectual as if this Act had not been made.

For paying  
Expences of  
the Act.

LIII. And be it further enacted, That all Costs and Charges incident to the obtaining and passing of this Act shall be paid out of the Monies in the Hands of the Treasurer to the said Commissioners, and the Deficiency, if any, out of the first Monies which shall arise by virtue of the said recited Acts and this Act, or any of them.

LIV. And be it further enacted, That this Act shall commence and take effect on the First Day of *January* One thousand eight hundred and thirty. Commence-  
ment of the  
Act.

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

---

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,  
Printers to the King's most Excellent Majesty. 1829.

