



ANNO DECIMO

# GEORGII IV. REGIS.

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## *Cap. cxxviii.*

An Act for watching, lighting, cleansing, and improving the Roads, Streets, and other public Passages and Places leading from the *Stones End, Blackman Street*, to the Fishmongers Almshouses, *Newington*, and from thence, and from *Stones End* aforesaid, towards *Blackfriars, Waterloo*, and *Westminster Bridges*, and the Parts adjacent or near thereto, within the Parish of *Saint George the Martyr* in *Southwark* in the County of *Surrey*.

[19th June 1829.]

**W**HEREAS many of the Roads, Streets, and other public Passages and Places, commencing from *Stones End, Blackman Street*, along *Bridge House* and *Alfred* Places, to the City Land Mark near the Fishmongers Almshouses, and included within the whole of the South Division, and in such Parts of the West and North Divisions of the Parish of *Saint George the Martyr* in the Borough of *Southwark* in the County of *Surrey* which are Southward of and abut or adjoin on the *King's Bench* Prison, and from thence in a Line through *Hill Street*, and including the Residue of the said Parish West and East adjoining or abutting on *Christchurch* and *Lambeth* Parishes, are not sufficiently cleansed, watched, or lighted, and are subject to many Nuisances, Annoyances, and

[Local.]

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Encroach.



Encroachments; and the Powers of the Trustees of the Act of the  
 3 G. 4. c. 112. Third Year of His present Majesty's Reign, intituled *An Act for more effectually amending certain Roads in the several Parishes of Lambeth, Newington, Saint George Southwark, Bermondsey, and Christchurch, in the County of Surrey, and for watching, lighting, and otherwise improving the said Roads*, to defray out of the Tolls to arise by virtue of that Act the Expences or any Part of the Expences of watching and lighting the Roads from the North Side, of the Archway near the South End of *Waterloo Bridge*, across *Marsh Street*, to the Circle or Area in *Saint George's Fields*, from the last-mentioned Road at or near the *Coburg Theatre* to the North End of *Oakley Street*, and from the *Broad Wall* at the West End of *Stamford Street*, to the said Road leading from or near the South End of the *Waterloo Bridge* to the said Circle or Area in *Saint George's Fields*, and the new Road by that Act authorized to be made, and the Roads by that Act authorized to be relinquished, will cease and determine on the Twenty-ninth Day of *July* One thousand eight hundred and thirty-two, and the same Powers will also cease and determine on the Twenty-ninth Day of *July* next ensuing as to so much and such Parts of the several other Roads by that Act authorized to be repaired as shall have on either Side of the same inhabited Houses or other Buildings; and it would be of great Benefit, Safety, and Convenience to the Owners and Inhabitants of Houses, Buildings, and Premises in the said South and such Parts of the said West and Northern Divisions of the said Parish of *Saint George the Martyr*, and to the Residue of the said Parish, and to the Public at large, if Provision was made for better and more effectually cleansing, watching, lighting, regulating, and improving the same Roads, Streets, and other public Passages and Places, and for removing and preventing Nuisances, Annoyances, and Encroachments therein; but the beneficial 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 the Knights of the Shire for the County of *Surrey* for the Time being, the Members of Parliament for the Borough of *Southwark* for the Time being, *William Jones* Marshal of the *King's Bench* Prison, the High Bailiff of the Borough of *Southwark* for the Time being, the Clerk Comptroller of the Bridge House Estates belonging to the Corporation of *London* for the Time being, the Reverend *John Buckland* Bachelor of Divinity, Rector of the said Parish of *Saint George*, and his Successors, Rectors of the said Parish for the Time being, the Reverend *John Prince* Master of Arts, Chaplain and Secretary to the *Magdalen* Hospital, and the Person hereafter holding the Office of Chaplain therein, so long as it shall be situate within the said District and he be resident therein, the Churchwardens and Overseers of the Poor of the said Parish of *Saint George the Martyr*, and their Successors, Churchwardens and Overseers of the said Parish for the Time being, during such Time as they shall respectively be such Churchwardens and Overseers, the Secretary of *Bethlem* Hospital for the Time being, if resident therein, and the said Hos-  
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 pital

Trustees.



pital shall be situated within the said District, *Joseph Toulmin Barlows, Barnard Brett, Zechariah Brown, Joseph Beals, Michael Barry, Henry Benden, George Cross, Thomas Cotton, William Davison, Daniel Folkard, John Froggatt, Richard Fuller, Henry Floud, William Griffith, Robert Hedger, William Hedger, Henry Robert Hartley, Zaccheus Hunter, Job Heath, Benjamin Hanbury, Armstrong Howell, Joseph Ismay, William Kirkham, Charles Kitching, Thomas Lewington, Alfred Lucas, Joseph Percival, Thomas Pocock, Thomas Powell, Charles Rice, John Peter Reina, Moses Savory, William Stead, Robert Sholl, Uriah Stiles, Henry Sterry, and Charles Young,* and their Successors, to be elected in manner herein-after mentioned, shall be and are hereby appointed Trustees for cleansing, watching, lighting, repairing, (as herein-after is mentioned,) regulating, and improving the several Roads, Streets, and other public Passages and Places commencing from the *Stones End, Blackman Street,* along *Bridge House* and *Alfred* Places, to the City Land Mark near the Fishmongers Almhouses, and included within the whole of the South Division, and in such Parts of the West and North Divisions of the Parish of *Saint George the Martyr* in the Borough of *Southwark* in the County of *Surrey* which are Southward of and abut or adjoin on the *King's Bench* Prison, and from thence in a Line through *Hill Street,* and including the Residue of the said Parish West and East adjoining or abutting on *Christchurch* and *Lambeth* Parishes, or any District thereof, and for removing and preventing Nuisances, Annoyances, and Encroachments therein, and for otherwise putting this Act into execution; which said South Division and such Parts of the said West and North Divisions shall be called and known by the Name of "The South District of the Parish of *Saint George the Martyr* in the Borough of *Southwark.*"

II. And be it further enacted, That all and every the Powers, Authorities, Directions, Matters, and Things by this Act given to and directed to be done and executed by or before the said Trustees shall and may be exercised, had, and done by or before any Five or more of them, (except only where some other Number is appointed by this Act,) and all such Acts, Matters, and Things shall be of as full Force and Effect as if done or executed by or before all the said Trustees; and at every Meeting which shall be held to put this Act into execution One of the Trustees present thereat shall be appointed Chairman; and in all Cases where there shall arise at any Meeting a Difference of Opinion upon any Question, the Question shall be decided by a Majority of Votes of the Trustees then present; and if upon any Question there shall be an equal Number of Votes, including the Chairman's Vote, then the Chairman shall give another and casting Vote; and no Act, Order, or Determination to be made or done at any of the said Meetings shall be good or valid unless a Majority of the Trustees then present shall concur therein; and no Order made by the said Trustees as aforesaid shall be revoked or altered unless a Majority of the Trustees present at a subsequent Meeting to be held for that Purpose (of which subsequent Meeting Three Days previous printed or written Notice shall be given to each of the said Trustees, or left at his usual Place of Abode within the said District, by the Clerk or Messenger to the said Trustees,) shall concur

Quorum of Trustees for executing this Act.

Chairman to be appointed.

concur in such Revocation or Alteration, nor unless such Majority shall consist of Two Thirds of the Number of the said Trustees present at such Meeting.

For the Ap-  
pointment of  
new Trustees.

III. And be it further enacted, That when any of the said Trustees herein-before named, or to be appointed as herein-after mentioned, shall die, or remove out of the said District, or by Writing under their respective Hands, to be delivered to the Clerk to the said Trustees, shall decline to act, or if either of them shall neglect to attend at some public Meeting of the said Trustees for the Space of Twelve Calendar Months, it shall be lawful for the surviving or remaining Trustees from Time to Time at any of their Meetings to be held in pursuance of this Act, by Writing under their Hands, to elect and appoint some other Person, being qualified as herein-after mentioned, to be a Trustee in the Place of every Trustee so dying, removing, declining or neglecting to act; and every Person so elected shall be and is hereby vested with the same Powers for putting this Act into execution as if he had been named a Trustee in and by this Act.

Qualification  
of Trustees.

IV. Provided nevertheless, and be it further enacted, That no Person shall be capable of acting as a Trustee in the Execution of this Act unless he shall be rated or assessed under this Act for Premises at or on the yearly Sum of Thirty-five Pounds at the least; and every Person so chosen shall, previously to his acting as such Trustee, sign a Roll or Book, to be kept for that Purpose by the Treasurer or Clerk, that he is so qualified to act as a Trustee, and shall also take and subscribe before any One of the said Trustees, who is hereby authorized and empowered to administer the same, an Oath or Affirmation in the Words or to the Effect following; (that is to say,)

Oath of  
Qualification.

‘ I do swear, [*or, being one of the People called Quakers, do solemnly affirm,*] That I am duly qualified to act as a Trustee in the Execution of, and that I will truly, faithfully, and impartially, according to the best of my Skill and Judgment, execute and perform all and every the Powers and Authorities reposed in me by virtue of an Act passed in the Tenth Year of the Reign of His Majesty King George the Fourth, intituled [*here insert the Title of this Act*].  
So help me GOD.’

[*Or, being a Quaker, omit the Words, So help me God.*’]

Penalty for  
acting if not  
qualified.

And if any Person, not being so qualified as aforesaid, or not signing such Roll or Book, or not taking and subscribing such Oath or Affirmation as aforesaid, shall act as a Trustee in the Execution of this Act, (except in administering the Oath or Affirmation,) every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty’s Courts of Record, by Action of Debt or on the Case, or by Bill, Suit, or Information, together with Costs of Suit, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed, and wherein the Proof of Qualification shall lie on the Person prosecuted; and it shall be sufficient on the Part of the Prosecutor to prove that the Person so prosecuted had acted as a Trustee in the Execution of this Act:  
Provided



Provided nevertheless, that the Acts and Proceedings which shall have been done by any such Person touching the Execution of this Act, previous to his being so convicted, shall, notwithstanding such Conviction, be as valid and effectual as if such Person had been qualified according to the Directions of this Act: Provided also, that until the first Rate or Assessment shall be made by virtue of this Act, every Trustee herein-before named or appointed, who shall be assessed towards the Relief of the Poor of the said Parish of *Saint George the Martyr Southwark* at or upon a Rental or yearly Sum of Thirty-five Pounds at the least, or who shall act under the Authority of this Act by virtue of his Office, shall be deemed and be qualified to act as a Trustee in the Execution of this Act as fully and effectually as if he had been so rated by virtue of or under this Act; any thing herein contained to the contrary notwithstanding.

Proviso as to Trustees herein-before mentioned.

V. Provided also, and be it further enacted, That no Person hereby appointed or hereafter to be appointed a Trustee as aforesaid shall be capable of acting as such during the Time he shall hold or enjoy any Office or Place of Profit under or be directly or indirectly concerned in any Contract to be made by virtue of this Act, or receive any Emolument therefrom, or in any Case wherein he or his Partner shall be in any Manner personally or beneficially interested, upon pain of forfeiting and paying the Sum of Fifty Pounds for each Time such Trustee shall so act; and such last-mentioned Forfeiture shall and may be sued for, recovered, and applied in manner herein-before mentioned.

No Person holding any Place of Emolument under this Act to be a Trustee.

VI. And be it further enacted, That the said Trustees shall meet together in the Vestry Room of the said Parish of *Saint George the Martyr* on the Second *Tuesday* next after the passing of this Act, between the Hours of Two and Seven of the Clock in the Afternoon of the same Day, and proceed to put this Act in execution, and shall then and from Time to Time afterwards adjourn themselves to and meet within the same Hours at the same Place, or at any convenient Time or Place within the said District, as they or the Majority of them present at such Meeting shall appoint; provided that no such Adjournment shall be for a longer Period than Two Calendar Months; and if it shall happen that there shall not appear at any such Meeting of the said Trustees a sufficient Number to act or to adjourn to another Day, (Two Trustees being always deemed sufficient for the Purpose of Adjournment,) or if the Trustees, when met, shall refuse or neglect to make an Adjournment, or in case it shall at any Time be deemed necessary to call any extra special Meeting of the said Trustees, then, and in every or any such Case or Cases, the said Trustees, or their Treasurer or Clerk, shall or may call a Meeting at the Place where the last Meeting was appointed to be held or was held on that Day, by a printed or written Notice to be left for each of the said Trustees, residing within the District, at their usual Places of Abode within the same, at the least Three Days before such Meeting; but no Act of the said Trustees (except that of Adjournment aforesaid, and also except where it is hereby otherwise particularly directed,) shall be valid unless made or done at some Meeting

First and subsequent Meetings of Trustees.

[*Local.*]

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to be held by virtue of this Act; and Notice shall be given by the Clerk or Messenger of all and every such Meeting and Meetings to each of the said Trustees in manner aforesaid; and the said Trustees shall at all their Meetings pay their own Charges and Expences.

Trustees  
who are Jus-  
tices may act  
as such.

Justices may  
administer  
Oaths and  
take Affirm-  
ations.

VII. And be it further enacted, That all such Trustees as are Justices of the Peace may act as Justices in the Execution of this Act within their respective Jurisdictions, notwithstanding their being Trustees, except only in such Cases where they shall be immediately and personally interested; and in all Cases where any Justice or Justices of the Peace is or are authorized to examine any Person or Persons, it shall be lawful for such Justice or Justices to examine such Person or Persons on Oath or Affirmation, and he and they is and are hereby authorized to administer such Oath or to take such Affirmation.

Treasurer to  
pay Money  
as ordered  
by Trustees.

VIII. And be it further enacted, That the Treasurer to be chosen by the said Trustees 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 such Sums of Money as the said Trustees shall from Time to Time draw upon him for or direct 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 kept, of all and singular his Receipts and Payments on account or in pursuance of this Act, and such Books shall be produced for the Inspection of the Trustees present at any Meeting, whenever they shall require the same; and such Treasurer shall, on the Second *Tuesday* in *March* yearly after the passing of this Act, or at the Meeting of the said Trustees then next following, lay the said Accounts before the said Trustees, to be audited, passed, and allowed; and all the acting resident Trustees shall be summoned to such Audit.

Treasurer  
and Clerk  
not to be the  
same Person.

IX. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to appoint the same Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk of or other Person in the Service or Employ of any such Clerk, the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk of or other Person in the Service or Employ of such Treasurer, the Clerk to the said Trustees for executing this Act; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk of or other Person in the Service or Employ of such Clerk, shall act as Treasurer, or shall act as Deputy of such Treasurer, or shall in any Manner officiate for such Treasurer, or being the Partner of any such Treasurer, or the Clerk of or other Person in the Service or Employ of such Treasurer, shall act as Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or shall in any Manner officiate for such Clerk, every Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same in any of His Majesty's Courts of Record  
at



at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed.

X. And be it further enacted, That the said Trustees shall and may sue and be sued, for or concerning any thing which shall be done by virtue or in pursuance of this Act, in the Name of any One of them, or in the Name of their Treasurer or Clerk for the Time being; and no Action or Suit to be brought or commenced by or against the said Trustees by virtue or on account of this Act, in the Name of any One of them, or in the Name of their Treasurer or Clerk, shall abate or be discontinued by reason of the Person in whose Name such Action or Suit shall have been brought, commenced, prosecuted, or defended ceasing to be a Trustee, or by reason of the Death or Removal of such Treasurer or Clerk, or by the Act of such Trustee, Treasurer, or Clerk, without the Consent of the said Trustees; but every such Action or Suit shall be continued and carried on in the Name of such Trustee, Treasurer, or Clerk, who shall always be deemed Plaintiff or Defendant in such Action or Suit, as the Case may be: Provided always, that every such Trustee, Treasurer, or Clerk in whose Name any Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act, shall always be reimbursed and paid, out of the Monies to arise by virtue of this Act, all such Damages, Costs, and Charges as by the Event of any such Proceedings he shall be put to or become chargeable with by reason of his being so made Plaintiff or Defendant therein: Provided also, that no such Trustee, Treasurer, or Clerk in whose Name any Action or Suit shall be brought, commenced, prosecuted, or defended, shall on that Account be deemed an inadmissible Witness or Witnesses in any such Action or Suit.

Trustees may sue and be sued in the Name of their Treasurer or Clerk.

XI. And be it further enacted, That the said Trustees shall and may by Writing under their Hands, at their First or any subsequent Meeting, Seven Days printed or written Notice thereof, after the First Meeting, being previously given to or left at the usual Place of Abode of each of the said Trustees within the said District, appoint a Treasurer and Clerk, and Collector or Collectors, Receiver or Receivers of the Rates or Assessments herein-after mentioned, and also a Surveyor or Surveyors, and all such other Officers and Persons for the Execution of this Act as they the said Trustees shall think proper, and from Time to Time remove him or them, and in case of such Removal, or in case of the Death of any Person or Persons so appointed, to appoint others, as they shall find necessary or convenient; and by and out of the Monies to be raised by virtue of this Act the said Trustees may and are hereby empowered to appoint and pay such Salaries and Allowances to such Officers, and to all other Persons by them the said Trustees employed in the Execution of this Act, as they the said Trustees shall think reasonable; and the said Trustees shall and may take such Security from such Officers, for the due Execution of the respective Offices by such Person or Persons as aforesaid, as they the said Trustees shall think proper; and such Person or Persons as is or are hereby made liable to pay the several Rates or Sums of Money hereby granted shall pay the same to such Person or Persons as shall from Time to Time be so appointed to collect

For appointing Officers.



Officers to  
account.

collect and receive the same, according to the true Meaning of this Act; and such Treasurer and all such Officers and Persons so to be appointed as aforesaid, and each of them, shall produce the Books or Rates which he or they shall have in Possession or Collection on account of the Trust, and shall, under his or their Hand or Hands, (at such Time and Times and in such Manner as the said Trustees shall direct,) deliver to the said Trustees, or to such Person or Persons as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to his or their Charge by virtue of this Act, and also of all Monies which shall have been by such Officer or Officers and Person or Persons 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 him or them respectively to the said Trustees, or to such Person or Persons as they shall appoint; and if any such Officer or Person shall not make and render any such Account, or produce or deliver up the Vouchers relating to the same, or make Payment as aforesaid, or shall not deliver to the said Trustees, or to such Person or Persons as they shall appoint, within Seven Days after being thereunto required by the said Trustees by Notice in Writing given to or left at the last or usual Place of Abode of such Officers, all Books, Papers, and Writings in his or their Custody or Power relating to the Execution of this Act, or which may have come into his Possession by virtue of his Appointment, or shall refuse or neglect to pay such Monies as, upon the Balance of any Account or Accounts, shall appear to be in their respective Hands, to the said Trustees, or as they shall direct or appoint, within Ten Days after being thereunto required as aforesaid, then and in either of the Cases aforesaid the said Trustees may and are hereby authorized and empowered to bring or cause to be brought any Action or Actions against the Officer or Officers, Person or Persons, so neglecting or refusing as aforesaid, for the Recovery of the Monies that shall be in the Hands of such Officer or Officers, Person or Persons respectively; or if Complaints shall be made by the said Trustees, or by such Person or Persons as they shall appoint for that Purpose, of any such Refusal or Neglect as aforesaid, to any One or more of the Justices of the Peace for the County or Place wherein such Officer or Officers, Person or Persons, so neglecting or refusing, shall be or reside, such Justice or Justices may and he and they is and are hereby authorized and required, by a Warrant or Warrants under his or their Hand and Seal or Hands and Seals, to cause the Officer or Officers, Person or Persons, so refusing or neglecting, to be brought before him or them, and upon his or their appearing, or not being to be found, to hear and determine the Matter in a summary Way; and if upon the Confession of the Party or Parties, or by the Testimony of One or more credible Witness or Witnesses upon Oath, it shall appear to such Justice or Justices that any of the Monies that shall have been collected or raised by virtue of this Act shall be in the Hands of such Officer or Officers, Person or Persons, such Justice or Justices may and he and they is and are hereby authorized and required, upon Nonpayment thereof as aforesaid, by a Warrant or Warrants under his or their Hand and Seal or Hands and Seals, to cause such Money to be



levied by a Distress and Sale of the Goods and Chattels of such Officer or Officers, Person or Persons respectively; and if no Goods or Chattels of such Officer or Officers, Person or Persons, can be found sufficient to answer and satisfy the said Money, and the Charges of distraining and selling the same, or if it shall in manner aforesaid appear to such Justice or Justices that such Officer or Person shall have neglected or refused to render and give such Account, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of this Act shall have come or shall be in the Custody or Power of such Officer or Person, and he shall have neglected or refused to deliver the same as aforesaid, then and in any or either of the Cases aforesaid such Justice or Justices shall commit every such Offender to the Gaol or Prison for the Place where such Offender shall be and reside, or to any Prison in the County of *Surrey*, within One Mile from such Place, 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 Trustees, and shall have paid such Composition in such Manner as they shall appoint, (which Composition the said Trustees are hereby empowered to make,) and until he shall deliver up such Books, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof to the said Trustees: Provided always, that no such Officer or Person who shall or may be committed by virtue of this Act for Want of sufficient Distress shall be committed for any longer Space of Time than Three Calendar Months: Provided also, that no such Commitment of any Officer or other Person as aforesaid shall acquit or discharge any Surety or Security that shall or may have been taken by or given to the said Trustees for the due and faithful Execution of such Office, in manner herein-before expressed and provided, nor any Action, Suit, or Process commenced or to be brought for the Recovery of any Money so received: Provided always, that as often as any Collector or Receiver of the Monies to be raised by the said Trustees by virtue of this Act shall die or be incapable of performing his Duty, it shall be lawful for the said Trustees, though not assembled at a General Meeting pursuant to this Act, by any Writing under their Hands, to appoint another Person to collect such Monies; and such Person shall continue to collect the same until the Trustees shall, at a Meeting to be held in pursuance of this Act, appoint a Collector or Receiver of such Monies; any thing herein contained to the contrary notwithstanding.

Trustees may appoint Officers occasionally, in case of Death or Removal.

XII. And be it further enacted, That if any Person who shall be employed as Treasurer, Clerk, Collector, Receiver, Surveyor, or any other Officer or Servant who shall be any way employed by the said Trustees in putting this Act or any of the Powers thereof into execution, shall exact, take, or accept any Fee or Reward whatsoever, other than such Salaries, Allowances, or Rewards as shall be appointed, allowed, and approved of by the said Trustees, for or on account of any thing done or to be done by virtue of this Act, or on any account whatsoever relative to putting this Act into execution, or shall in any way be concerned or interested in any Bargain or Contract made or to be made by the said Trustees, every such Person so offending shall be incapable of ever serving or being employed

Officers prohibited from taking any Fee or Reward, or being interested in any Bargain or Contract.



under this Act, and shall over and above forfeit the Sum of One hundred Pounds to any Person or Persons who shall sue for the same by Action of Debt, Bill, Plaint, or Information in any of His Majesty's Courts of Record at *Westminster*, within Six Calendar Months after the Offence committed, in which said Suit no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed.

Books to be kept.

XIII. And be it further enacted, That the said Trustees shall cause Books to be provided and kept, and shall, either by themselves or by their Treasurer or Clerk, cause fair and regular Entries to be made in such Books of the several Meetings, and the Names of the Trustees attending such Meetings, and of the Nomination of all Officers and Persons, and of all Acts, Orders, and Proceedings relative to the Execution of this Act by the said Trustees; and the Trustees present concurring in such Orders and Proceedings relative to the Execution of this Act, or the Chairman of the Meeting, shall subscribe his or their Name or Names at the End of the Proceedings of every such Meeting; and all Entries in such Books, being signed as aforesaid, shall be deemed Originals, and shall be admitted to be read as Evidence in all Causes, Suits, Proceedings, and Actions touching any thing to be done in pursuance or by virtue of this Act; and such Books shall be kept by such Person or Persons as the said Trustees shall from Time to Time direct, and shall at every such Meeting, and at all seasonable Times, be open and liable to the Inspection of the said Trustees without Fee or Reward, and of all Persons rated to and having paid all and every the Rate or Rates to be made by the said Trustees for the Purposes of this Act on Payment of One Shilling, and to have a Copy or Copies upon Payment of the Sum of Sixpence for every One hundred Words or Figures.

Accounts to be kept of Receipts and Disbursements, which shall be open to the Inspection of the Trustees and Creditors.

XIV. And be it further enacted, That the said Trustees 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 or on account of and under this Act, and of the several Articles, Matters, and Things for which such Sums of Money shall have been received, paid, disbursed, laid out, and expended; and such Book or Books shall at all seasonable Times be open to the Inspection of the said Trustees, or any Creditor or Creditors on the Monies to be raised by virtue of this Act, without Fee or Reward; and the said Trustees and Creditors, or any of them, shall or 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 any of the said Trustees or any such Creditor to inspect any such Book or Books, or to take such Copies or Extracts aforesaid, such Clerk shall forfeit and pay any Sum not exceeding Five Pounds, to be levied, recovered, paid, and applied in the same Manner as other Penalties are hereby directed to be levied, recovered, paid, and applied.

XV. And



XV. And be it further enacted, That it shall be lawful for the said Trustees, either before or after they shall have brought any Action or Suit for recovering the Penalty or Forfeiture contained or to be contained in any Contract to be entered into by virtue of this Act, to compound for such Penalty or Forfeiture with the Person or Persons liable thereto, for such Sum of Money as they shall think proper.

Penalties for Breach of Contract may be compounded for.

XVI. And for the better lighting, watching, and repairing the Turnpike Roads as herein-after is mentioned, the several Roads, Streets, and other public Passages and Places within the said District, be it further enacted, That it shall be lawful for the said Trustees to cause the said several Roads, Streets, and other public Passages and Places within the said District (or such Part or Parts thereof only as to them the said Trustees shall seem right) to be lighted and watched, and the Part and Parts of the now Turnpike Roads within the District, when the same shall come under their Management and Controul, and shall cease to be Turnpike Roads, in such Manner as they the said Trustees shall think fit, and to exercise all such Powers and Authorities as shall be necessary for that Purpose; and it shall be lawful for the said Trustees to cause such and so many Lamps to be set up in such Places or Situations in the said Roads, Streets, and other public Passages and Places, at such Times, in such Manner, and at such Distances as they shall judge necessary and proper with regard to the Public, and may contract or agree with any Person or Persons for such Lamps, or may find and provide the same if they shall think fit; and also may contract or agree with any Person or Persons for the lighting, supplying, maintaining, and repairing such Lamps, or the said Trustees may find and provide any Oil, Gas, Cotton, Burners, or any other Materials for the lighting, supplying, maintaining, and repairing the same, so that the same shall be lighted at Sun-setting, and continue burning until Sun-rising, for and during such Time as the said Lamps shall be ordered or contracted for to be lighted in each Year; and to contract and agree for the Reparation, repairing, and amending, by paving or otherwise, of all Parts of the said District which are now not deemed Turnpike Roads, and of the said Part or Parts of the said Turnpike Roads, whenever the same shall be under their Management and Controul, and have by Law to be repaired and amended by the Trustees under this Act; in which Contract or Contracts such reasonable Fines and Forfeitures may be inflicted on any Person or Persons for all and every the Neglects and Defaults of such Contractor or Contractors as may be agreed on at the Time of entering into such Contract or Contracts for the Breach or Nonperformance of the same; and it shall be lawful for the said Trustees from Time to Time to deduct the Amount of such Fines or Forfeitures from the Money or Monies which may from Time to Time become due to such Contractor or Contractors.

Power to light and watch the Roads, Streets, &c.

XVII. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons by their Order, 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, either against any House or Building, or in such Places and in such Manner, and to cause the same to be lighted at such

Lamps may be provided and affixed.



Gas Pipes  
not to be  
laid on  
private  
Buildings  
without  
Consent.

such Seasons of the Year and at 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 Roads, Streets, and other public Passages or Places: Provided always, that it shall not be lawful for the said Trustees or any Person or Persons whosoever making, furnishing, or supplying any Gas used, burnt, or consumed within the said District, to carry or lay any Gas Pipe or Pipes, Cocks or Branches, from any Mains or Pipes, against, into, or through any Dwelling House, Manufactory, public or private Building, or to continue the same, without the Consent in Writing of the Owner and Occupier for the Time being of such Dwelling House, Manufactory, public or private Building respectively, nor for the said Trustees or any Person or Persons whosoever, for the Purpose of lighting the said Roads, Streets, and other public Passages and Places, to enter into or upon any private Lands or Grounds without the Consent in Writing of the Owner and Occupier of such Lands or Grounds for that Purpose first had and obtained.

Penalty for  
wilfully  
damaging  
Lamps.

XVIII. And be it further enacted, That if any Person or Persons shall displace or remove, without Leave first obtained, or shall wilfully take away, break, thrown down, spoil, or damage, any Lamp that shall be set up for the Purpose of lighting any of the said Roads, Streets, and other public Passages and Places as aforesaid, or shall wilfully extinguish the Lights within the same, or throw down or damage the Lamp Posts, Lamp Irons, Pipes, or other Furniture thereof, it shall be lawful for any Justice or Justices of the Peace for the said County of *Surrey* or Borough of *Southwark*, upon Complaint to him or them made upon the Oath of One or more credible Witness or Witnesses, to grant a Warrant to bring before him or them such Offender or Offenders, or to or for any other Person or Persons whomsoever, who shall see such Offences committed, to seize, and also for any other Person or Persons to assist in seizing, the Offender or Offenders; and by the Authority of this Act, and without any other Warrant, convey or deliver him, her, or them into the Custody of a Peace Officer, in order to be secured and conveyed before such Justice or Justices of the Peace; and such Justice or Justices shall examine upon Oath any Witness or Witnesses who shall appear or be produced to give Information or Evidence touching such Offence (which Oath the said Justice or Justices is and are hereby authorized and required to administer); and if the Party or Parties accused shall be convicted of any such Offence, either by his, her, or their own Confession, or upon such Information or Evidence as aforesaid, he, she, or they so convicted shall forfeit and pay any Sum, not exceeding Five Pounds nor less than Forty Shillings, for each Lamp, Lamp Post, Lamp Iron, or Pipe so broken down and damaged, and for every Light so extinguished as aforesaid, and shall make full Satisfaction to the said Trustees, or to such Person or Persons as they shall appoint to receive the same, for the Damage so by him, her, or them done as aforesaid; and in case such Offender or Offenders shall not, on Conviction, pay such Forfeiture and make such Satisfaction as aforesaid, such Justice or Justices is and are hereby required to commit him, her, or them to the Common Gaol or House of Correction for the said County, there to be kept to hard Labour for any Space of Time not exceeding  
Three



Three Calendar Months, unless such Forfeiture and Satisfaction shall be sooner paid and given.

XIX. And be it further enacted, That in case any Person or Persons shall carelessly, negligently, or accidentally break, throw down, spoil, or damage any Lamp or Lamps hung out or set up by Order of the said Trustees, or the Posts, Irons, or Pipes aforesaid, or other Furniture thereof, and shall not immediately upon Demand make Satisfaction for the Damage done thereto, then and in every such Case it shall be lawful for any One Justice of the Peace for the said County or Place, upon Complaint to him made, to summon before him the Party or Parties who shall be complained of for doing such Damage as aforesaid, and upon hearing the Allegations and Proofs on both Sides, or upon the Nonappearance of the Party or Parties so complained of (no sufficient Ground being stated for such Nonappearance), to award such Sum or Sums of Money, by way of Satisfaction to the Owner or Owners of such Lamp or Lamps, or to the said Trustees, as the Case may be, for such Damages as such Justice shall think reasonable, and in case of Neglect or Refusal to pay any Sum or Sums of Money so awarded, within Seven Days after Demand, to cause the same to be levied and applied as Fines, Penalties, and Forfeitures are by this Act herein directed to be levied and applied.

Persons accidentally damaging Lamps to make Satisfaction.

XX. And be it further enacted, That the said Trustees shall and they are hereby required from Time to Time to appoint such and so many able-bodied Beadles, Patrols, and Watchmen as they shall think necessary and proper to be kept and employed within the said District for the Purposes aforesaid, and nominate and elect such Men to be employed in that Service as they shall think best qualified for the same; and the said Trustees may also appoint One or more proper Person or Persons to be a Supervisor or Supervisors, Streetkeeper, or Superintendant of such Watchmen and Patrols, which Person or Persons so to be appointed as Supervisor or Supervisors, Streetkeeper, or Superintendant shall be and he and they is and are hereby empowered to act as Constables for the Purpose of carrying this Act into execution, and shall direct and appoint in Writing how, when, and in what Manner the said Watchmen and Patrols 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 that it shall be lawful for the said Trustees to remove any of such Supervisors, Beadles, Patrols, and Watchmen for Misbehaviour or Neglect of Duty, and to impose any Fine or Sum of Money, not exceeding Ten Shillings, for every Neglect or Misbehaviour of such Watchmen, 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 Beadles, Patrols, and Watchmen and Supervisors, as the said Trustees shall from Time to Time think proper.

For appointing Watchmen.

XXI. And be it further enacted, That no Person shall be appointed a Supervisor, Patrol, or Watchman, for the Purposes of this Act, who shall be above the Age of Forty Years, unless he shall have previously and up to the Time of his Appointment been employed

Age of Watchmen, &c.

[Local.]

36 O

in



in the Horse or Foot Patrol acting under the Orders of the Chief Magistrate of the Public Office in *Bow Street* in the County of *Middlesex*.

Watchmen  
to be sworn  
in as Con-  
stables.

XXII. And be it further enacted, That all such Watchmen, Patrols, and Beadles shall be sworn in as Constables before any Justice or Justices of the Peace for the said County of *Surrey*, and act as such while in the Execution of the Powers and Authorities vested in them by this Act; and they are hereby invested with and shall 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 or enjoy, or is or are or shall be subject or liable to by Law.

Copies of  
Regulations  
of Watchmen  
to be deliver-  
ed to Super-  
visors.

XXIII. And be it further enacted, That true Copies or Transcripts of all such Nominations, Orders, and Regulations as shall be made from Time to Time for the better Direction of the Beadles, Patrols, and Watchmen, shall be signed by the said Trustees, and be delivered to the Supervisors, Streetkeepers, and Superintendants for the Time being within the said District, who shall attend every Night by Turns, and shall keep Watch and Ward in the several Roads, Streets, and other public Passages and Places under the Jurisdiction of the said Trustees, for such respective Time and in such Manner as shall be from Time to Time appointed by the said Trustees; and the Supervisors, Beadles, Patrols, and Watchmen shall, in their several Turns and Course of watching, use their best Endeavours to prevent all Mischiefs happening by Fire, and all Murders, Burglaries, Robberies, Breaches of the King's Peace, and all other Outrages and Disorders, and to that End shall and are hereby jointly and severally empowered to arrest, apprehend, and detain, in some or one of the Watch-houses or convenient Places of Security within the said District, all Malefactors, Disturbers of the King's Peace, and all suspected Persons, and all others who shall be misbehaving themselves, and shall convey them, so soon as conveniently may be, before One or more Justice or Justices of the Peace of the said County, to be examined and dealt with according to Law, and may keep them at the Watch-house or other secure Place in the meantime; and the Supervisors shall, so often in every Night as they shall be ordered by the said Trustees, go about their respective Districts and Rounds, to take Notice whether all the Watchmen perform their Duty in their several Stations, according to such Orders and Regulations as shall be made for that Purpose by the said Trustees, and if the Lamps are kept properly burning; and in case any Patrol or Watchman shall misbehave himself or neglect his Duty, or the said Lamps shall not be properly kept alight, the said Supervisors shall, as soon as conveniently may be, give Notice thereof to the Treasurer for the Time being, who is hereby authorized to suspend such Patrol or Watchman from the Execution of his Office, and appoint another Person to officiate therein until the next Meeting of the said Trustees, when the said Supervisors, or One of them, shall acquaint the Trustees assembled at such Meeting with the Complaint against such Patrol or Watchman, in order for the said Trustees to proceed to the Exami-  
1 nation

Duties of  
Supervisors,  
Watchmen,  
&c.



nation of the Offence, and the said Trustees may reinstate or finally dismiss such Patrol or Watchman at their Discretion; and every such Patrol or Watchman shall be subject and liable to a Penalty of any Sum not exceeding Ten Shillings for each Neglect or Misbehaviour.

XXIV. And be it further enacted, That it shall be lawful for the said Trustees to make such Compensation in Money to Watchmen who may be disabled, wounded, or hurt in the Execution of their Duty, as they the said Trustees shall think reasonable, such Compensation to be paid out of any Money to be raised for the Purposes of this Act.

Trustees  
may com-  
pensate  
Watchmen.

XXV. And be it further enacted, That if the said Supervisors, Streetkeepers, or Superintendants shall wilfully neglect to attend in their Turn to keep Watch and Ward, or shall not come to keep Watch and Ward in manner or during the Times which shall be appointed by the said Trustees for their Attendance therein, or shall depart from or leave keeping Watch or Ward during the respective Hours appointed as aforesaid for keeping the same, or shall otherwise neglect their Duty or misbehave themselves, the Persons so offending shall respectively, on being convicted thereof, forfeit and pay for every such Neglect or Offence any Sum not exceeding Twenty Shillings.

Penalty on  
Supervisors  
neglecting  
their Duty.

XXVI. And be it further enacted, That if any Victualler, or Keeper of a Public House or Shop for the Retail of Beer or Spirituous Liquors, shall knowingly and willingly harbour or entertain any Surpervisor, Streetkeeper, Superintendant, Patrol, or Watchman employed by the said Trustees, or permit or suffer any such Supervisor, Streetkeeper, Superintendant, Patrol, or Watchman to remain in his, her, or their Public House, Shop, or Cellar, during any Part of the Time appointed for their being on Duty, every such Victualler, or Keeper of such House, Shop, or Cellar, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, to be levied and recovered in manner herein directed.

Punishing  
Persons  
harbouring  
Watchmen,  
&c.

XXVII. And be it further enacted, That it shall be lawful for the said Trustees to build and keep in repair, or cause to be built and kept in repair, any Number of Watchboxes within any of the Roads, Streets, Lanes, or other Places under their Jurisdiction, as they shall from Time to Time judge proper for the Purposes aforesaid; and all Expences of building and keeping the same in due Repair shall be paid out of the Money to be raised for watching, cleansing, and lighting the said District, or such Parts thereof as aforesaid; and if any Person or Persons shall take down or remove any such Watchbox or Watch-house erected by or belonging to the said Trustees, without the Consent of the said Trustees, or shall wilfully break or damage any Watchbox or Watch-house belonging to the said Trustees, every such Person shall for every such Offence, being thereof duly convicted, forfeit and pay any Sum not exceeding Five Pounds.

Watchboxes.

XXVIII. And be it further enacted, That it shall be lawful for the said Trustees, if they shall deem it expedient to build a Watch-house and Place of Security for Prisoners, and a Meeting Room for the Trustees,

Trustees  
may erect  
a Watch-  
house.



Trustees, in the said District, and to purchase from any Person or Persons, who shall be willing to sell the same, any Building, Land, Tenement, or Hereditaments whatsoever in the said District, for the Purpose of erecting the same.

Trustees  
may rent  
Premises.

XXIX. And be it further enacted, That it shall be lawful for the said Trustees to rent and take and hold on Lease or otherwise (if they shall deem it expedient so to do), from any Person or Persons, any Ground, Building, Tenements, or Hereditaments whatsoever within the said District, for all or any of the Purposes of this Act, and to defray the Rent, Repairs, and Outgoings and Expences incident thereto out of the Rates or Assessments to be made by virtue of this Act.

Property of  
Lamps, &c.  
vested in the  
Trustees.

XXX. And be it further enacted, That the Property in all such Ground, Buildings, or Tenements, Apparatus, Lamps, Lamp Irons, Posts, Watchboxes, and other Materials belonging thereto respectively, which shall be taken, built, purchased, or set up or placed by the said Trustees, shall be and the same are hereby vested in the said Trustees for the Time being, and they are hereby authorized to bring and prosecute any Indictment or Indictments, Action or Actions, against any Person or Persons who shall steal, take away, carry away, break, extinguish, damage, injure, or spoil the same or any Part thereof, or disturb them in the Possession thereof; and in such Indictments and Actions respectively it shall be sufficient to state generally that the said Articles, Matters, and Things for or on account of which such Indictment or Indictments, Action or Actions, shall be brought or prosecuted, is or are the Property of "The Trustees for cleansing, watching, lighting, and repairing the South District of the Parish of *Saint George the Martyr* in the Borough of *Southwark*," without stating or specifying the Names of all or any of the said Trustees.

Statute  
Work.

XXXI. And be it further enacted, That for the more speedy liquidating the Money due on Mortgage or other Securities for Monies advanced upon the Credit of the Tolls taken upon the Roads comprised in the said recited Act of the Third Year of the Reign of His said present Majesty, the Inhabitants of the said Parish of *Saint George the Martyr* in *Southwark* shall, so far as by the Laws in force they are respectively liable thereto, henceforth, during such Time as the said recited Act shall continue, to do their Proportions of Statute Work upon the said Turnpike Roads within the said Parish by Payment of their respective Proportions of the Composition for such Statute Work in manner provided by the several Acts for the repairing the public Highways, and by the several Acts for repairing Turnpike Roads in *England*; and such Compositions shall be raised, levied, and collected by the Surveyors of the Highways of the said Parish in manner directed by the several Laws for repairing Highways in *England*; and the same when so collected shall be by such Surveyors paid to the Trustees of the said first-recited Act, or to their Treasurer or other Person authorized by them to receive the same, on or before the Twentieth Day of *September* in each Year, to be by the said Trustees applied in discharge of the Money due on Mortgage or other Securities aforesaid, and for no other Use or Purpose whatsoever; and the

Power



Power of the Justices of the Peace at their Special Sessions to dispense with Statute Duty from the said Turnpike Roads shall, as to the said Parish, henceforth cease and determine.

XXXII. And be it further enacted, That all Sum and Sums of Money which shall be lawfully paid as Composition Money, as hereinbefore mentioned, by the said Surveyors of the Highways, shall be repaid and reimbursed to them by the Trustees under the Powers and Authorities of this Act, out of the Monies authorized to be raised by them under and by virtue of this Act. Composition Money paid by Surveyors of the Highways to be reimbursed.

XXXIII. And be it further enacted, That when and so soon as the Monies due and owing upon Mortgages or other Securities by the Trustees acting under the Powers and Authorities of the said recited Act shall have been paid and discharged, then it shall be lawful for the Trustees for executing this Act from Time to Time to increase the Rate herein authorized to be levied, in such Proportion, not exceeding One Third, as may be necessary for the Repair and Maintenance of the several Roads, Streets, and other public Passages and Places herein comprised; and the said last-mentioned Trustees shall have the like Powers, Authorities, and Remedies for the Recovery of such increased Rate as they have for the Recovery of any other Rate under the Powers and Authorities of this Act. Power to levy increased Rate.

XXXIV. And be it further enacted, That it shall be lawful for the said Trustees, if they shall deem it expedient, to agree, by public Auction, or by the Acceptance of Tenders made in consequence of public Advertisement, if they think fit, with any Person or Persons, Collector or Collectors, Receiver or Receivers of the Dust, Ashes, Cinders, and Breeze within the whole of the said District, and also with any Person or Persons, to be Scavenger or Scavengers, Raker or Rakers, Cleanser or Cleansers of all and every and so many of the Footpaths, and of such of the said Roads, Streets, and other public Passages and Places within the said District; and such Person or Persons so contracted with shall, as often as thereunto required by the said Trustees, bring or cause to be brought convenient Carriages into all the Parts aforesaid wherein such Carriages can be drawn near or pass unto, and at or before their Approach, by Bell or otherwise, shall give Notice to the Inhabitants of their coming, and give the like Notice in every other Place into which the said Carriages cannot pass and abide; and such Scavenger or Scavengers, Raker or Rakers, Cleanser or Cleansers, shall take and carry away, or cause to be taken and carried away, from their respective Houses and Premises their Soil, Ashes, Cinders, Rubbish, Dust, Dirt, and Filth, all which the Scavenger or Scavengers, Raker or Rakers, Cleanser or Cleansers, or such Person or Persons as aforesaid shall carry away or cause to be carried away *gratis*, upon pain of forfeiting any Sum not exceeding Twenty Shillings for every Neglect or Default; (except all such Rubbish, Earth, Dust, Filth, and Soil as shall be occasioned by building, repairing, amending, or altering any House or Houses or any other Building or Buildings, which said Rubbish, Earth, Dust, and Soil thereby occasioned shall, within the Space of Two Days after being first left, be carried away by the Owner or Owners, Occupier or Occupiers Appointing Scavengers.

[Local.]

36 P



Occupiers of such Houses and Buildings respectively as aforesaid, upon pain of forfeiting and paying any Sum not exceeding Twenty Shillings for every Neglect in removing the same;) and if any Person or Persons (except Manufacturers and others as herein-after excepted) shall refuse to permit such Soil, Ashes, Cinders, Rubbish, Dust, Dirt, or Filth to be taken away, such Person or Persons so offending shall in like Manner forfeit for each and every such Offence any Sum not exceeding Twenty Shillings.

Contractors  
only to re-  
move Dust.

XXXV. And be it further enacted, That if any Person or Persons, other than the Person or Persons employed by or contracting with the said Trustees for the cleansing the said Roads, Streets, and Places, or those employed by or under such Person or Persons, or who shall be appointed thereto by the said Trustees, shall, on any Pretence whatsoever, go about to collect or gather, or shall ask for, receive, or carry away, any Dust, Cinders, Ashes, or Breeze within any Part of the said District, it shall be lawful for any Justice or Justices of the Peace for the said County or Place, upon Complaint to him or them made, to grant a Warrant to bring before him or them such Offender or Offenders, or for any Person or Persons who shall see any such Offence committed to seize, and also for any other Person or Persons to assist in seizing, the Offender or Offenders, together with the Horses, Mules, Asses, Cattle, Carts, Trucks, Wheelbarrows, or other Carriages or Implements made use of for carrying the same away, and by the Authority of this Act, and without any other Authority, to convey him, her, or them before such Justice or Justices of the Peace, or any other Justice or Justices of the Peace for the said County or Place; and such Justice or Justices shall and he and they is and are hereby authorized and required to examine upon Oath the Person or Persons apprehending such Offender or Offenders, and any Witness or Witnesses who shall appear to give Information or Evidence touching such Offence; and if the Party or Parties shall be convicted of going about to collect or gather, asking for, receiving, or carrying away, Dust, Cinders, Ashes, or Breeze from any House or other Premises within such Parts of the said District as aforesaid, not being the Person or Persons so employed by or contracting with the said Trustees, or acting with or under his or their Authority, or who shall be appointed thereto by the said Trustees, he, she, or they respectively shall forfeit and pay any Sum not exceeding Five Pounds; one Moiety of which respective Penalties shall be paid to the Informer or Informers, or to the Person or Persons who shall apprehend the Offender or Offenders, and the other Moiety shall be applied for the Purposes of this Act; and if such Offender or Offenders shall not, on Conviction, pay the said Penalty or Penalties, such Justice or Justices is and are hereby required to direct such Horses, Mules, Asses, Cattle, Carts, Trucks, Wheelbarrows, or other Carriages or Implements which shall have been so seized, to be appraised and sold, and after deducting out of the Monies to arise by such Sale the Penalty or Penalties incurred, together with the reasonable Charges and Expences of such Distress and Sale, the Surplus thereof shall be returned, upon Demand, to the Party or Parties whose Horses and other Things shall be so appraised and sold; and in case there shall have been no such Seizure as aforesaid, or if the Horses, Mules, Asses, Cattle, Carts, and other  
Things



Things which shall be so appraised and sold shall not produce a sufficient Sum of Money to pay the said Penalty or Penalties, Charges, and Expences, then if such Offender or Offenders shall not, upon Conviction, pay the said Penalty or Penalties, or such Part or Parts of the said Penalty or Penalties, Charges, and Expences which shall remain over and above the Produce of the Horses, Mules, Asses, Cattle, and other Things so seized and sold, then such Justice or Justices is and are hereby required to commit such Offender or Offenders to the Common Gaol or House of Correction for the said County of *Surrey*, there to be kept to hard Labour for any Term not exceeding Six Calendar Months, unless such Penalty or Penalties, Charges, and Expences shall be sooner paid and satisfied; and in case the Person or Persons who shall go about to collect or gather or shall take away such Dust, Ashes, Cinders, Dirt, or Filth, contrary to the Provisions of this Act, shall not be apprehended, or the said Horses, Mules, Asses, Cattle, Carts, Trucks, or Wheelbarrows, or other Carriages or Implements, shall not be seized, or in case the said Horses, Mules, Asses, Cattle, Carts, Trucks, Wheelbarrows, or other Carriages or Implements, if seized, appraised, and sold, shall not produce a sufficient Sum of Money to pay the said Penalty or Penalties, Charges, and Expences, then the Owner or Owners of the Horse or Horses, Mules, Asses, Cattle, Carts, Trucks, Wheelbarrows, and other Carriages or Implements, or any of them, employed for those Purposes, shall be subject and liable to the said Penalty or Penalties, and which said Penalty or Penalties shall be levied and recovered by Distress and Sale of his, her, or their Goods and Chattels in manner herein-before mentioned; and if the Money to arise by such Distress and Sale shall not be sufficient to answer and satisfy such Penalty or Penalties, Charges, and Expences, or if no such Distress can be made, such Justice or Justices is and are hereby authorized and required to commit him, her, or them to the Common Gaol or House of Correction for the said County or Place, there to be kept to hard Labour for any Time not exceeding Six Calendar Months, unless such Penalty or Penalties, Charges, and Expences shall be sooner paid and satisfied.

XXXVI. Provided always, and be it further enacted, That nothing herein contained shall extend or be deemed or taken to prevent any Manufacturer or other Person from taking, carrying, or sending away, for his own Use or Sale, any Cinders, Breeze, Ashes, Dust, or other Article or Thing produced in any Manufactory occupied by or belonging to him, her, or them, within the said District, nor to prevent any Person or Persons from taking, carrying, or sending away, for his, her, or their own Use only, (but not for Sale,) any Cinders, Breeze, Ashes, Dust, Dirt, or other Article or Thing from his, her, or their own Dwelling House or Premises within the said District.

Manufacturers and others may have their own Dust, Ashes, &c.

XXXVII. Provided always, and be it further enacted, That in case such Person or Persons so employed by or contracting with the said Trustees for the Purposes aforesaid shall neglect for the Space of Three Days to bring or cause to be brought Carts or proper Carriages into all the Roads, Streets, and other public Passages and Places within the said District, where such Carriages can pass, and to give Notice in manner aforesaid to the Inhabitants of their coming for the

If Contractor neglect to take away the Dust for Three Days, any other Person to be at liberty to take it.

Purpose



Purpose of taking away such Dirt, Dust, Soil, Rubbish, Filth, Cinders, and Ashes, according to his or their Contract or Agreement, and to give the like Notice in every Court, Alley, or Place into which the said Carts and Carriages cannot pass, then it shall be lawful for the Inhabitants of such of the said Roads, Streets, and other public Passages and Places, to give away or sell their Dust, Dirt, Filth, Cinders, or Ashes to any Person or Persons whomsoever; and such Person or Persons who shall take and carry away the said Dust, Dirt, Filth, Cinders, or Ashes as last aforesaid shall not be subject or liable to any Penalty or Penalties for so doing, until some other Person shall be appointed by the said Trustees to collect such Dust, Dirt, Cinders, or Ashes, or until a new Contract shall have been entered into for that Purpose; any thing herein contained to the contrary thereof notwithstanding; and all Expences occasioned by any Inhabitant so taking or carrying such Dust, Dirt, Cinders, or Ashes to be taken and carried away as last aforesaid shall be paid by the Scavenger or Raker or other Person so contracting with or employed by the said Trustees as aforesaid, and shall and may be recovered from him or them before any Justice or Justices of the Peace acting in and for the said County or Place, in addition to the Penalty or Forfeiture herein-before imposed upon him, her, or them for such Neglect in carrying away the same as aforesaid, in like Manner as any other Penalty or Forfeiture in and by this Act imposed and recoverable before any Justice or Justices as aforesaid.

For prevent-  
ing Nui-  
sances.

XXXVIII. And be it further enacted, That if any Person or Persons shall, within the Distance of Five hundred Yards from any Dwelling House situate in or upon the said Roads, Streets, or other public Passages or Places, burn any Rags or Bones or other offensive Substance for making Manure, Ivory or other Black, or Ammonia, or for any other Purpose of Trade, Manufacture, or Commerce, or place, deposit, or keep any Night Soil, or the Emptyings, Cleansing, or Filth taken from any Privy, Drain, or Cesspool, or the Refuse, Offal, Garbage, Filth, or Sweepings of any Slaughter-house, or any Soap Lees, Ammoniacal Liquor, or any other noisome or offensive Matter whatsoever, in or upon any open or inclosed Ground or Place within the aforesaid Distance from any such Dwelling House as aforesaid, otherwise than in the covered Cart or other Carriage wherein the same may be brought or carried, or shall empty or discharge any Cart or other Conveyance containing the same otherwise than at once from and out of the same into some other Cart or Conveyance directly or by means of a Shoot or some other similar Contrivance, or shall detain or permit such Cart or other Conveyance to remain, within the Distance aforesaid from any Dwelling House, more than Twelve Hours after any such offensive Matter as aforesaid shall have been placed therein; or if any Person or Persons shall use any such Cart or Conveyance for the Reception of any of the offensive Matters above enumerated, the same not being properly constructed to prevent, as much as may be, the Escape of any noisome or offensive Smell, or any Gas or Effluvia tending to the Injury of the Health or the Annoyance of any of the Inhabitants of the Neighbourhood, or any of His Majesty's liege Subjects; every Person so offending as aforesaid shall for each and every such Offence forfeit and pay any  
Sum



Sum not exceeding Ten Pounds; and the further Sum of Twenty Shillings shall be forfeited and paid by every Person detaining every such Cart or other Conveyance as aforesaid, contrary to the Directions herein-before contained, for every Hour that the same shall be so detained beyond Twelve Hours; and the Occupier or Occupiers of any Place in or upon which, or the Owner or Owners of any such Cart or Conveyance by means of which, or the Employer or Employers of any Person by whom, any such Offence shall be committed, shall be taken and deemed to be, each and every of them, a principal Offender also, and for each such Offence shall forfeit and pay as herein-before is mentioned.

XXXIX. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, to order and direct any Alteration they shall think fit to be made by the Owners or Occupiers of any Public House, Alehouse, or other public Place licensed for the Sale of Ale, Beer, and Wine, or Spirituous Liquors, in the Form and Situation of the Boxes, Screens, Shades, and other Conveniences used or to be used as Depositories of Urine or for the easing of Nature, now placed or at any Time hereafter to be placed in front of any of the Public Houses abutting upon any of the said Roads, Streets, or other public Passages or Places; and it shall be lawful for the said Trustees to order and direct the Owner or Occupier of any Public House, Alehouse, or other Place licensed for the Sale of Ale, Beer, Wines, or Spirituous Liquors, which has no such Box, Shade, Screen, or Convenience as aforesaid, to erect, at the Expence of such Owner or Occupier, a Box, Shade, Screen, or Convenience for the Purposes aforesaid, according to a Plan to be laid down by the said Trustees, and in such Situation as they the said Trustees shall direct; and no such Convenience shall be hereafter constructed, erected, and made without the Consent in Writing of the said Trustees, or of their Surveyor, for that Purpose first had and obtained; and the said Trustees are hereby empowered to order and direct the Owner or Occupier of the House at or near the Door of which any such Box, Shade, Screen, or other Convenience for the Purposes aforesaid may be placed, at his own Expence, to alter or pull down and rebuild such Box, Shade, Screen, or other Convenience, and place it (if to be replaced) where the said Trustees shall direct; and in case any such Owner or Occupier shall not, within Twenty-one Days after having received Notice in Writing signed by the Clerk of the said Trustees, and left at the Dwelling House of such Owner or Occupier, alter or pull down and rebuild such Box, Shade, Screen, or Convenience as aforesaid, or erect such Box, Shade, Screen, or other Convenience, where there shall be none, agreeably to a Plan to be furnished by the said Trustees, every such Owner or Occupier so offending shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds, and a Sum not exceeding Five Shillings for each Day so long as the Nuisance shall be continued, or such Convenience shall not be erected, to be recovered in like Manner as other Penalties under this Act may be recovered; and the said Trustees are hereby authorized and empowered in such Case to cause such Alterations to be forthwith made under the Direction of a Surveyor, to be appointed by them for that Purpose.

Power to alter the Form and Position of Watering Places.



For prevent-  
ing danger-  
ous Annoy-  
ances.

**XL.** And be it further enacted, That if any Person or Persons shall place or put out, or cause or permit to be placed or put out, any Garden or other Pots, (except the same shall be perfectly secured, to the Satisfaction of the said Trustees or their Surveyor, from falling,) or any Shed, Covering, Erection, Projection, or other Matter or Thing, from or on the Outside of the Front or any other Part of any House or Houses, Buildings or Premises, over or next unto any of the said Roads, Streets, or other public Passages or Places, beyond the Upright of such Premises, and shall not immediately remove all such Matters or Things on being thereunto required by the said Trustees, or their Surveyor, or other Person or Persons employed by them, or having removed such Matters or Things on being required so to do as aforesaid, shall again be guilty of any such Offence, or shall at any Time leave the Coal Plate or other Covering of or belonging to any Hole or Funnel leading to any Cellar unfastened or without being properly fastened and secured from moving, or shall leave open after Sunrise and before Sunset the Aperture of any Coal or other Cellar, or the Door or Window of or Opening leading into any Area, Cellar, or other underground Room or Apartment, without having placed or left a sufficient Fence round the same to warn and prevent Persons passing on the said Roads, Streets, or other public Passages or Places from falling into such Apertures, Coal-holes, Areas, Cellars, or other underground Rooms, Apartments, or Openings, then and in every such Case the Person or Persons who shall be guilty of any such Offence shall forfeit and pay any Sum not exceeding Five Pounds; and the Owner or Occupier of the House or Building where any such Matter of Annoyance shall happen shall also be deemed and taken to be a principal Offender, and shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

For prevent-  
ing various  
Obstructions  
and Nui-  
sances on  
Pavements,  
&c.

**XLI.** And be it further enacted, That if any Person or Persons shall, upon any of the Footways or Foot Pavements adjoining to the said Roads, Streets, or other public Passages or Places, run, draw, drive, or carry any Truck, Wheel Sledge, Wheelbarrow, Handbarrow, Bier, or any other Carriage or Vehicle whatsoever, or roll any Cask or Tub (except to or from any Carriage or Cart for the necessary loading or unloading of any Carriage or Cart); or shall wilfully ride, lead, or drive any Horse or other Beast or Cattle whatsoever on any of the said Footways or Foot Pavements; or wilfully permit or suffer any Horse or other Beast or Cattle which such Person may be riding, driving, or leading to go thereupon; or shall tie or fasten any Horse or other Cattle to any House, Wall, Railing, or Fence, Post, Tree, or other Thing whatsoever, across any of the said Footways or Foot Pavements; or hang up, place, or expose to Sale any Goods, Wares, or Merchandize whatsoever, or any Fruit, Vegetables, or Garden Stuff, Butcher's Meat, Offal, and other Matter or Thing, in or upon or so as to project over or upon the Footway or Carriage-way of any of the said Roads, Streets, or other public Passages or Places, or beyond the Line or on the Outside of the Window or Windows, or in or upon the Area or Areas of the House, Shop, or Place at which the same shall be so hung up, placed, or exposed to Sale; or set any Cask, Tub, Pail, Bucket, Stool, Bench, Showboard, Chop-



ping Block, Basket, or Stall on or in any of the said Footways or Foot Pavements or Carriageways; or erect, set up, put, or place or continue any Blind, Shade, Coverlid, Awning, or any other Matter or Thing so as in any way to cause any Obstruction or Impediment in the Footway or on the Foot Pavement; or shall, in any of the said Roads, Streets, or other public Passages or Places, hang out or cause to be hung out any Linen or Clothes; or shall hoop, fire, cleanse, wash, or scald any Cask or Tub; or hew, saw, or cut any Stone, Wood, or Timber, or bore any Timber; or make or repair or wash or clean any Coach, Chaise, Waggon, Sledge, or other Carriage, or the Wheels, Body, Springs, or other Part of any Coach, Chaise, Waggon, Sledge, or other Carriage (except such as may want immediate Repair from any sudden Accident on the Spot, and which cannot conveniently be removed for that Purpose); or shall sift, screen, wet, slack, or mix any Lime, or wet, mix, or make any Mortar (except with the Consent of the said Trustees or of their Surveyor for the Time being, and also having previously erected a Hoard in such Manner, for such Time, and according to such Regulations as the said Trustees or their Surveyor shall from Time to Time make in that Behalf); or shoe, bleed, or farry any Horse or other Beast (unless in case of any sudden Accident); or clean, dress, drive, or turn loose any Horse or other Beast or Cattle; or shall shew or expose any Stallion or Stone Horse, or shall exercise or expose to Sale any Horse or Horses or other Beast or Beasts (except only in such Place or respective Places as the said Trustees or their Surveyor for the Time being shall direct or appoint for any of the above Purposes); or kill, slaughter, or scald, singe, dress, or cut up, any Animal either wholly or in part; or beat or dust any Carpet or Hearth Rug; or shall drive any Carriage or Carriages for the Purpose of breaking, exercising, or trying Horses; or if any Person shall permit his or her Dog to go at large after public Notice given by any Beadle or Crier within the said Roads, Streets, or other public Passages or Places during such Time as such Notice shall direct Dogs to be confined on Suspicion of the Existence of Canine Madness; or shall leave any Cart, Waggon, Truck, or other Carriage or Obstruction in any of said Roads, Streets, or other public Passages or Places (otherwise than during a reasonable Time necessary for loading or unloading the same); or shall throw, cast, or lay, or shall cause, permit, or suffer to be thrown, cast, or laid, or to remain, any Ashes, Dust, Dirt, Rubbish, Offal, or Vegetables, or any other Offal, Dung, Soil, Blood, or other Filth or Annoyance, or any other Matter or Thing, in or upon the Carriageway, Footway, or Pavement of any such Roads, Streets, or other public Passages or Places, to the Annoyance of any Inhabitant or Inhabitants, Passenger or Passengers; or shall wilfully break, or aid, abet, or assist in wilfully breaking, any Glass or Window Panes, or Windows, in or belonging to any Dwelling House or Building; or shall make or assist in making any Bonfire, or wantonly discharge or fire any Gun, Pistol, or Blunderbuss or other Fire-arms, or let off, set fire to, or throw any Crackers, Squib, Rocket, or other Firework; or shall fly any Kite, drive any Hoop, or play at Football or any other Game or Games to the Annoyance of any Inhabitant or Passenger; or shall make or cause any unnecessary Stoppage of any Coach, Cart, Waggon, or Carriage, or otherwise occasion any kind of Obstruction or Annoyance



Annoyance in or upon any such Roads, Streets, or other public Passages or Places ; or shall obstruct or incommode, hinder or prevent, the free Passage of any Carriageway, Footway, or Causeway, or prejudice or annoy in any Manner whatsoever any Person or Persons travelling, passing, or going thereon ; or if the Driver of any sort of Carriage whatsoever meeting any other Carriage shall not keep his or her Carriage on the Left or Near Side of the Road, or shall in any Manner wilfully prevent any other Person or Persons from passing him or her, or any Carriage under his or her Care, within such Roads, Streets, or other public Passages or Places, or by Negligence or Misbehaviour prevent, hinder, or interrupt the free Passage of any Carriage, or of His Majesty's Subjects, within any such Road, Street, or Place ; or if any Person shall affix any Posting Bill or other Paper to or against any Ereption, Dwelling House, Wall, or Building, without the Consent of the Owner or Occupier thereof, or write upon or otherwise deface or mark the same by means of Chalk, Paint, or any other Material whatsoever ; then and in every such Case every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds ; and it shall be lawful for any Constable or other Peace Officer, or any one of the said Trustees, or any Officer or other Person acting by or under their Authority, by virtue of this Act, and without any Warrant whatsoever, to seize and apprehend any such Offender or Offenders as aforesaid, and forthwith to convey him, her, or them before such Justice or Justices of the Peace for the said County or Place, in order to his, her, or their Conviction of such Offence.

Further  
Powers for  
the same.

XLII. And be it further enacted, That not only shall the said Penalties herein-before enacted become payable and be recovered, but it shall be lawful for any Person or Persons appointed or to be appointed by the said Trustees, without any Warrant or other Authority than this Act, to seize any such Truck, Wheel Sledge, Wheelbarrow, or Carriage, Horse, Beast, or Cattle, Cask, Tub, Pail, Bucket, Stool, Bench, Showboard, Chopping Block, Stall, Basket, Blind, Shade, Coverlid, or Awning or other Thing, Stone, Wood, or Timber, Coach, Chaise, Waggon, or other Carriage, together with the Horse or Horses, Ass or Asses, Mule or Mules (if any) thereunto belonging, with the Harness, Gears, and Accoutrements thereof, or any such Goods, Wares, Merchandize, Fruit, Vegetables, or Garden Stuff, Butcher's Meat or other Things, or any of them ; and in case any of the Goods or Things so seized shall be perishable, or shall be Articles of Food, then the same shall be immediately forfeited ; and the Person or Persons who shall make such Seizure shall deliver or cause to be delivered the Goods so seized to the Overseer or Overseers of the Poor of the Parish in which the same Goods shall have been so seized as aforesaid, the same to be given and distributed by such Overseer or Overseers unto or among the poor Inhabitants of the same Parish ; but otherwise such Person or Persons making such Seizure shall cause the Goods, Carriages, Horse or Horses, Ass or Asses, Mule or Mules, or any Materials or Things so seized, to be removed to any Place appointed for the Reception thereof within the Parish wherein the same shall be seized, (if any such there be,) or otherwise to such Place or Places as he or they shall judge convenient, giving



giving parol or written Notice of such Place or Places whereunto the same shall be removed unto the Owner, Driver, or other Person having any Interest in the Goods, Carriages, Horse or Horses, Ass or Asses, Mule or Mules, Materials, or other Things so seized or removed, if he, she, or they shall be then and there present or otherwise known to the Person or Persons so seizing the same, and the same shall be there kept and detained until such Owner, Driver, or other Person interested as aforesaid shall cause to be paid the said Penalty, together with the Charges for taking or removing the same, and of keeping such Horse or Horses, Ass or Asses, Mule or Mules (if any); and in case the Goods, Carriages, Horse or Horses, Ass or Asses, Mule or Mules, Materials, or other Things so removed, not being perishable or Articles of Food, shall not be claimed, and the said Penalty and Charges paid, within Five Days next after such Removal thereof, then and in every such Case it shall be lawful for the said Trustees, or their Surveyor or Inspector, or other Person appointed by the said Trustees, to order the same to be appraised and sold, and the Overplus of the Money arising by such Sale shall be returned to the Owner or Owners thereof, after deducting the said Penalty, and such Costs, Charges, and Expences, attending such seizing, removing, keeping, appraising, and selling the same, as the said Trustees shall ascertain and allow.

XLIII. Provided always, and it is hereby further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent, hinder, or obstruct any Person or Persons, or his or their legal personal Representatives, from using, exercising, or carrying on any or either of the Arts, Trades, and manufacturing Businesses, Occupations or Employments, within the Premises which he or they respectively occupy for those Purposes within the said District, in such and the same Manner as they may by Law now use, exercise, or carry on the same therein, but not Outside thereof, or in any other Manner contrary to the Provisions of this Act.

Not to prevent Persons from carrying on their Trade or Business within their own Premises.

XLIV. Provided always, and be it further enacted, That it shall be lawful for any Person or Persons to erect or set up, or cause to be erected or set up, in any of the said Roads, Streets, Lanes, or Places, any Scaffold, Enclosure, Posts, Bars, or Rails, or other Matters or Things, for the Purpose of making Mortar, and depositing Bricks, Lime, or other Materials for the building or repairing any Houses, Buildings, or other Works, every such Person or Persons first obtaining Leave or Licence in Writing under the Hand of the Chairman at any Meeting of the said Trustees, or of their Surveyor or Clerk, for those Purposes respectively; but if any Person or Persons shall erect or set up, or cause to be erected or set up, any such Enclosure, Posts, Bars, or Rails, or any other Matter or Thing for the Purposes aforesaid, without such Leave first had and obtained, or if not removed and taken away after Three Days Notice from the said Surveyor or Clerk or other Officer of the said Trustees so to do, every such Person shall for every such Offence forfeit and pay a Sum not exceeding Twenty Shillings for every such Enclosure, Matter, or Thing as aforesaid shall remain and continue.

Scaffolding may be erected, with Consent of Trustees.



Houses to be numbered.

XLV. And be it further enacted, That the said Trustees may order and direct the Houses within the said Roads; Streets, and other public Passages and Places within the said District to be numbered with Figures placed or painted on the Doors or other Part of the said Houses respectively; 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 each Road, Street, Lane, Court, Yard, Alley, Passage, or Place adjoining to or being near the said Roads, Streets, or other public Passages and Places respectively, the Name by which such Road, Street, Passage, or Place so adjoining is usually or properly called or known; and if any Person or Persons shall wilfully or maliciously destroy, injure, obliterate, or deface any such Number, Figure, Name, or Description, or any Part thereof, or cause the same to be done, he, she, or they shall forfeit and pay any Sum not exceeding Forty Shillings.

Time for cleansing of Privies.

XLVI. And be it further enacted, That if any Person or Persons shall cause any Privy or Necessary House within the said District to be emptied at any Time except between the Hours of Eleven 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 Roads, Streets, or other public Passages or Places, or shall wilfully or negligently spill or throw down any such Soil in any of the said Roads, Streets, or other public Passages or Places, every Person offending in any of the Cases aforesaid shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds nor less than Forty Shillings.

Penalty on Persons molesting the Trustees or those acting under their Authority.

XLVII. And be it further enacted, That if any Person or Persons shall at any Time or Times obstruct, hinder, or molest any of the said Trustees, or any Surveyor or Surveyors, or other Officer or Officers, Workmen, Person or Persons, who is, are, or shall be employed by virtue of this Act, in the Performance or Execution of their Duty, every such Person so offending shall for every such Offence forfeit and pay the Sum of Five Pounds.

Penalty on laying Ashes or other Annoyances in the Streets.

XLVIII. And be it further enacted, That no Person or Persons whomsoever shall throw, cast, or cause or permit or suffer to be thrown, cast, or laid, any Ashes, Dust, Dirt, Rubbish, Soil, or other Filth whatsoever before any Dwelling House, Shop, Stable, Building, Wall, or other Premises in any Road, Street, or other public Passage or Place within the said District, except in the Time of Frost for the Purpose of preventing Accidents, or in any of the Sewers or Drains thereof, but shall keep or cause the same to be kept in their respective Houses or Yards until such Time or Times as the Person or Persons so contracted with or employed shall carry the same away, upon pain of forfeiting for every such Offence the Sum of Forty Shillings.

Cleansing, watching, and lighting Rates.

XLIX. And in order to defray the Expences of cleansing, watching, lighting, regulating, and improving the said Roads, Streets, and other public Passages and Places, and repairing and maintaining the same as herein-before is mentioned, within the said District and paying such Composition Money as aforesaid, and for removing and preventing Nuisances, Annoyances, and Encroachments therein  
and



and incidental thereto, and for other the Purposes of this Act; be it further enacted, That the said Trustees shall and they are hereby required and authorized in every Year, if they shall deem it necessary, or oftener if they think proper, to make and sign an equal Pound Rate or Assessment upon all and every Person or Persons who do or shall inhabit, hold, use, occupy, possess, or enjoy any Messuage or Tenement, Land, Shop, Warehouse, or other Building, Yard, Storehouse, Ground, Cellar, Hereditaments, or Premises within any Part of the said District, or upon such Part or Parts thereof only as to them the said Trustees shall seem equitable and right, according to the annual Value of such respective Premises, or at such Sum as the same shall be rated on in the preceding Rate made in the said Parish for and towards the Maintenance of the Poor thereof, so as such Rates or Assessments do not exceed in the whole the Sum of Two Shillings and Sixpence in the Pound on the yearly Value of such Messuages or Tenements, Land, Shop, Warehouse, or other Building, Yard, Storehouse, Ground, Cellar, Hereditaments, and Premises, and making such Rates or Assessments on all public Buildings or Premises at such Sums as they the said Trustees shall think fair and just; and which said Rate, and the Money to be from Time to Time raised thereby, shall be applied for and towards defraying the Expences of carrying this Act into execution.

L. And be it further enacted, That it shall be lawful for the said Trustees and they are hereby required, at such Times as the Rates hereby directed shall be made, to rate and assess, for the Purposes aforesaid, the Persons herein-after mentioned, or any of them; all Churches, Chapels, Meeting Houses, and other Places of public Worship, or intended for that Purpose, with the Ground belonging thereunto, and all other public Buildings and charitable Institutions whatsoever, and all Burial Grounds and Prisons which now or hereafter may be situate in, adjoining, or contiguous to or abutting on the said Roads, Streets, or other public Passages or Places within the said District, at such Rates, Sum and Sums as aforesaid; and all such Rate or Rates, Assessment or Assessments, so to be from Time to Time made, shall be paid by the Proprietor or Proprietors, Trustee or Trustees, or Treasurer of such respective Places, or by the Minister, Churchwarden, Deacon, Manager, or Secretary, or other Person officiating therein or receiving the Dues, Pew Rents, Burial or other Fees, or Contribution Monies for the same or any of them, or the Marshal, Warden, Gaoler, or Keeper of each and every of the said Prisons; and in case any of the Persons aforesaid shall refuse or neglect to pay the said Rate or Rates to the Collector or Collectors thereof, or to the Person or Persons appointed by the said Trustees to receive the same, upon Demand thereof made either personally or in Writing left at the usual Place of Abode of the Person or Persons so required to pay the same, or, if that is unknown, at or on the Premises, then and in every such Case the same shall and may be recovered of the Person or Persons so made liable and required to pay the same by Action in any of His Majesty's Courts of Record at *Westminster*, together with Treble Costs of Suit, to be commenced or prosecuted by the said Trustees, in which Action or Suit no Essoign, Protection,

Meeting  
Houses and  
Burial  
Grounds to  
be rated.



Protection, or Wager of Law, or more than One Imparlance, shall be allowed.

Additional Streets may be lighted with the Consent of Two Thirds of the Inhabitants.

LI. And be it further enacted, That if at any Time hereafter Two Thirds of the Householders within any Street, Lane, or Place within the said Parish, and not now comprised within the said District, and which shall not be cleansed, lighted, or watched, or included in or under any other Act or Acts of Parliament for lighting and watching, shall apply to the said Trustees at any of their Meetings, desiring to have such Street, Lane, or Place cleansed, watched, and lighted under the Powers of this Act, then it shall be lawful for the said Trustees, if they shall think it proper and expedient, to cause the same to be done, and they are hereby authorized to assess the Inhabitants of such Street, Lane, or Places respectively in the same Sums and Proportions and for the same Purposes as the Inhabitants of the other Parts of the said District which are so cleansed, lighted, and watched by and under the Powers of this Act, and to continue the same so long as they shall think it expedient to do so.

To prevent the Escape of Gas.

LII. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall have been laid down or set up within the said District, the Body or Bodies Politic or Corporate, or other Person or Persons, making, furnishing, or supplying such Gas, shall, immediately after Notice given to them or any or either of them, either verbally or in Writing, of any such Escape of Gas, by any Inhabitant or Inhabitants within the said District, or any other Person or Persons whomsoever, cause the most speedy and effectual Measures to be taken to stop and prevent the further Escape of such Gas; and in case the said 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 further Escape, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the said Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, (as the Case may be,) shall for every such Offence forfeit and pay the Sum of Five Pounds for each Day, after the Expiration of Twenty-four Hours from the Time of giving such Notice, during which the Gas shall be suffered to escape; which Penalty or Penalties shall from Time to Time be recoverable in a summary Way, on the Oath or Affirmation of any credible Witness or Witnesses, by Information to be laid before some Justice or Justices of the Peace, and shall and may be levied, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the said Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid (as the Case may be).

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

LIII. And be it further enacted, That all and every the Pipes or other Conduits to be laid or used for the Conveyance of Gas in, under, through, along, across, or round the said Roads, Streets, or other public Passages or Places, shall be so laid at the greatest practicable Distance, and (whenever the Width of the Carriageway in such Street or Place will allow thereof) at the Distance of Four Feet at least from the nearest Part of any Water Pipe already laid down or hereafter to



be laid down for the Conveyance of Water in, under, through, along, across, or round any of the said Roads, Streets, 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 said Gas Pipes so crossing the said Water Pipes shall always exceed Nine Feet in Length, 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 Party or Person laying the same shall in no Case join Two or more Gas Pipes together previously to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall then in such Trench, 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, to be recovered with full Costs of Suit by Action of Debt, Bill, Plaint, or Information in any of His Majesty's Courts of Record at *Westminster*.

LIV. And be it further enacted, That whenever the Water of any Company of Proprietors of Waterworks, or other Owners or Proprietors of any Waterworks, within the said District, or the Water in any Well or Pond belonging to or used by any Party or Person therein, shall be contaminated or affected by any Gas of any Body or Bodies Politic or Corporate, Company or Companies, or other Person or Persons whomsoever making, furnishing, or supplying any Gas used, burnt, or consumed within the said District, by or through the Means, Neglect, or Default of the said Body or Bodies, Company or Companies, or other Person or Persons as aforesaid, or by or through any Defect, Failure, or Insufficiency of their Mains, Pipes, Works, or Apparatus, the said Body or Bodies, Company or Companies, or other Person or Persons as aforesaid shall forfeit and pay for every such Offence a Sum not exceeding Twenty Pounds, to be sued for and recovered as any Penalty is hereby directed to be sued for and recovered, and the same shall be applied to and for the Use and Benefit of the said Company or other the Owners or Proprietors of any Waterworks, or Party or Person using such Water and suing for the same; and in case any such Water shall be contaminated or affected by Gas by or through such Means, Neglect, or Default, Defect, Failure, or Insufficiency as aforesaid, then and in every such Case the said Body or Bodies, Company or Companies, or other Person or Persons as aforesaid shall, within Twenty-four Hours next after Notice thereof in Writing, signed by the Treasurer or by the Clerk for the Time being to any such Company of Proprietors, or by any One or more of the Members of such Company, or by other the Owners or Proprietors of any Waterworks, or by any other Party

To prevent  
the Conta-  
mination of  
Water.



or Person whomsoever interested in or using such Water, to be left at the usual Office or Place of transacting Business of the said Body or Bodies or Company or Companies, or at the last or usual Place of Abode of such other Person or Persons as aforesaid, cause Measures to be taken effectually to stop and prevent Gas from escaping from their Works, Mains, or Pipes so contaminating or affecting any such Water; and in case the said Body or Bodies, Company or Companies, 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 Body or Bodies, Company or Companies, or other Person or Persons as aforesaid shall, on each and every Complaint whereof Notice shall be given as aforesaid, forfeit and pay to such Company of Proprietors or the Owners or Proprietors of any such Waterworks, or other Parties or Persons aforesaid, for the Use and Benefit of the same Proprietors or Owners or Parties or Persons, over and above the before-mentioned Penalty of Twenty Pounds, to be recovered as aforesaid, the 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; and in default of Payment thereof as aforesaid, such Penalty or Penalties shall and may be recovered by Information to be exhibited on the Oath of One credible Witness, by and in the Name of the Treasurer or Clerk for the Time being to such Company of Proprietors, or by and in the Name of any One or more of the Members of such Company, or by any other the Owners or Proprietors of any Waterworks, or by any such other Parties or Persons as aforesaid, at the Option of the Parties prosecuting such Information against the said Body or Bodies, Company or Companies, 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 Body or Bodies, Company or Companies, 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 and Costs, when so levied, shall be paid to the Treasurer for the Time being to such Company of Proprietors or other the Owners or Proprietors of Waterworks, or to such other Parties or Persons as aforesaid, for the Use of the same Proprietors or Owners.

For ascertaining if the Water be contaminated.

LV. And whereas it may be or become a Question upon such Complaint as aforesaid, whether the said Water be contaminated or affected by the Gas of the said Body or Bodies, Company or Companies, or other Person or Persons making, furnishing, or supplying any Gas used, burnt, or consumed within the said District; be it therefore enacted, That in every such Case it shall be lawful for 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 Body or Bodies, Company or Companies, 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 Body or Bodies, Company or Companies, 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 Body or Bodies, Company or Companies, 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 Body or Bodies, Company or Companies, 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 Body or Bodies, Company or Companies, or other Person or Persons as aforesaid, then and in such Case the said Company or other the Owners or Proprietors of any Waterworks, or other Party or Person, making Complaint of such Contamination, shall bear and pay all the Costs and Expences of such Examination, Repair, and Search, and shall also make good to the said Body or Bodies, Company or Companies, 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 Body or Bodies, Company or Companies, or other Person or Persons as aforesaid, in and by such Search and Examination, and also to the Pavement of the said Streets and Places 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.

LVI. And be it further enacted, That if any Body or Bodies Politic or Corporate, or Company or Companies, or other Person or Persons whomsoever, making, furnishing, or supplying any Gas used, burnt, or consumed within the said District, shall at any Time empty, carry, or convey, or cause or suffer to be emptied, carried, or conveyed, or to run or flow, any Washings, or other waste Liquids, Substances, or Things whatsoever, which shall be used, made, or produced from the Manufacture of Gas or in the Prosecution of any Gas Works, into any River, Brook, Stream, Reservoir, Aqueduct, Feeder, Pond, or Springhead or Well, or shall commit or cause to be committed any Annoyance, Act, or Thing whatsoever to the Water contained in any such River, Brook, Stream, Reservoir, Aqueduct, Feeder, Pond, or Springhead or Well, whereby the said Water shall or may be soiled, damaged, or corrupted, then and in every such Case the said Body or Bodies Politic or Corporate, or Company or Companies, or such other Person or Persons, as the Case may be, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds, with full Costs of Suit, to any Person or Persons who shall inform or sue for the same 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, Privilege, Wager of Law, or more than

Liquids produced by Manufacture of Gas not to flow into any Streams, &c.



than One Imparlance, shall be allowed : Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Three Calendar Months after the Time when such Annoyance, Act, or Thing shall have ceased and determined : Provided also, that in addition to the said Penalty or Forfeiture of Two hundred Pounds (and whether such Penalty shall or shall not be sued for or recovered), in case any of the said Washings, or other waste Liquids, Substances, or Things, shall be emptied, drained, conducted, or conveyed, 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 Well, 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 to the said Body or Bodies Politic or Corporate, or Company or Companies, or such other Person or Persons as aforesaid, and the said Body or Bodies Politic or Corporate, or any Company or Companies, or such other Person or Persons as aforesaid, shall not within Twenty-four Hours after such Notice stop and prevent the further Continuance of such of the Causes of Complaint as shall be expressed in such Notice, then and in every such Case the said Body or Bodies Politic or Corporate, or Company or Companies, or such other Person or Persons as aforesaid, shall forfeit and pay the Sum of Twenty Pounds for each Day such Cause or Matter of Complaint shall continue ; and any Justice of the Peace, upon Conviction of the Offender or Offenders before him, upon the Oath or Affirmation of any credible Witness, (which Oath or Affirmation the said Justice is hereby authorized and empowered to administer and take,) shall and may, by Warrant under his Hand and Seal, cause the said Penalty or Forfeiture, and also the Costs attending such Conviction, to be levied by Distress and Sale of the Goods and Chattels of such Offender or Offenders ; which Penalty, when recovered, shall, at the Discretion of the said Justice, either be paid to the Informer or to the Person or Persons who in the Judgment of the said Justice shall have sustained any Annoyance, Injury, or Damage by any such Cause or Matter of Complaint as aforesaid.

Power for  
the Surveyor  
of Commis-  
sioners of  
Sewers o  
enter into  
Gas Works  
to see if there  
be any Es-  
cape of Gas.

LVII. And be it further enacted, That it shall be lawful for any Surveyor or other Person acting by or under the Authority of any Commissioners of Sewers within the said District, at any Time or Times in the Day-time, to enter into any Manufactory, Gasometer, Receiver, or other Building belonging to any Gas Company situate therein, 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 under the Authority of the said Commissioners of Sewers shall at any such 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



tion as aforesaid, the said Gas Company so offending shall forfeit and pay for every such Offence the Sum of Twenty Pounds.

LVIII. And be it further enacted, That the said Trustees shall and may, if they think proper, at any Meeting, amend any such 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 who 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, by altering the Sum or Sums charged in any such Rate or Assessment on any Person or Persons, or in any other Manner in which the said Trustees shall think proper for making the same a just and equal Rate or Assessment, without wholly setting aside or quashing the same.

Trustees  
may amend  
Rates.

LIX. And be it further enacted, That it shall be lawful for the Receiver or Receivers of any Rate or Assessment to be made by virtue of this Act, or for any other Person or Persons authorized by the said Trustees, at all convenient Times, (first having an Order under the Hands of the said Trustees for that Purpose,) to inspect the Books of Assessment 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 of *Saint George the Martyr*, 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 Vestry 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 Trustees for that Purpose; and in case any Vestry Clerk, or other such Officer or Officers, Person or Persons, shall neglect or refuse so to do within Five 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 every such Offence forfeit any Sum not exceeding Ten Pounds nor less than Forty Shillings; and if he is required to make such Copy, he is to be paid for the same at the Rate of Sixpence for every One hundred Words or Figures.

Persons au-  
thorized by  
the Trustees  
to be allowed  
to inspect  
and take  
Copies from  
the Books of  
Land Tax  
and of Poor's  
Rates within  
the District,  
gratis.

LX. And be it further enacted, That where the yearly Rent or Value of any House, Tenement, Hereditament, or Premises within the said District shall not exceed Twenty Pounds, or where the same shall be let to weekly or monthly Tenants or to Lodgers in separate Apartments, furnished or unfurnished, or in any Case where the Rent shall become payable at any shorter Period than quarterly, then and in any and every of such Cases it shall be lawful for the said Trustees, at any of their General Meetings as aforesaid, (due Notice being first publicly given of such Meeting in manner herein-before directed with respect to the Meetings of the said Trustees,) if they shall think fit, to compound 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, and Pre-

For better  
Recovery of  
Rates on  
Tenements  
let at small  
Rents, or to  
Lodgers.



Landlords to  
compound.

Occupiers  
Goods liable  
to be dis-  
trained for  
Payment of  
the Rates.

mises in the said District, or either of them, for the Payment of the Rate or Rates, Assessment or Assessments, which shall be made by the said Trustees for the Purposes of this Act, at such a reduced yearly Rental as the said Trustees shall think reasonable, so that no such House or Houses, Tenement or Tenements, Hereditament or Hereditaments, and Premises be rated at less than One Half or more than Three Fourths of the Rack Rent at which the same respectively shall be then let, or of the annual Value of the said Premises respectively, or on such Sum as such Premises shall be compounded for with the said Parish for the Poor and other Rates thereof; and the Landlord or Landlords, Owner or Owners, Lessee or Lessees of all such Houses, Tenements, or Hereditaments as shall not exceed the yearly Value of Twenty Pounds, or as shall be let to any weekly or monthly Tenant or Lodgers in separate Apartments, furnished or unfurnished, and in every Case where the Rent thereof shall become payable at any shorter Period than quarterly, is and are hereby required to enter into such Composition with the said Trustees; and in case 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 several Rates or Assessments charged upon their respective Premises, on the yearly Rent or actual Value thereof, in pursuance of this Act as aforesaid, and upon Nonpayment thereof the said Trustees, and every or any of them, are hereby authorized to levy or cause the same to 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, wheresoever they may be found, or of the Person or Persons inhabiting the same respectively: Provided always, that no such Landlord, Owner, or Lessee shall be charged with or be 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 the said 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, Assessment or Assessments, whereof the Landlord or Landlords, Owner or Owners, is or are hereby made liable and subject to as aforesaid, shall be liable to be distrained and sold for Payment of such of the said Rates or Assessments, and of all Arrears thereof, as became due upon the said Premises during the Time of his, her, or their Occupancy only; but no such Occupier or Occupiers shall at any Time be required to pay or be subject or liable to pay any greater Sum for or towards the Discharge of the said Rates or Assessments, or any of them, and Arrears thereof, than the Amount of the Rent actually due or payable by such Occupier or Occupiers to the Landlord or Landlords, Owner or Owners, Lessee or Lessees of the Premises so occupied by him, her, or them, unless such Occupier or Occupiers shall refuse or neglect, for Seven Days after Demand made for that Purpose by the Collector or Collectors of the said Rates, to give a true Account of the Christian and Surnames and Place of Residence of his, her, or their Landlord or Landlady, or his, her, or their Receiver or Receivers of the Rent payable by such Occupier or Occupiers: Pro-  
vided



vided also, that each and every Occupier who shall pay any such Rate or Rates, Assessment or Assessments, or any Arrears thereof, or upon whom the same shall be levied, on account of the Landlord as aforesaid, 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 and Tenants,) and the Receipt for such Payment shall be a sufficient Discharge to such Occupier or Occupiers, and to his, her, or their Landlord or Landlords, for so much as he, she, or they shall pay in the Manner directed by this Act.

LXI. And to prevent Disputes touching the Designation of the Landlord or Owner intended to be made liable by this Act, be it further enacted, That the Person or Persons receiving, claiming, or being entitled to receive the Rents of every such House, Tenement, Hereditaments, or Premises, immediately payable by the Tenants or Occupiers thereof respectively, shall be deemed and taken to be the Landlord or Owner of the same for the Purposes of this Act, and to be the Person and Persons required to enter into such Composition as aforesaid.

Persons to whom the Rents are payable to be deemed the Owners.

LXII. And be it further enacted, That from and after any Composition shall be made with the said Trustees as herein-before mentioned, the House or Houses, Tenement or Tenements, and Hereditaments and Premises therein comprised shall be rated and assessed according to the same reduced Rental in every future Rate or Assessment to be made by the said Trustees, until they shall otherwise rate and assess the said Premises.

Composition to remain in force till altered by the Officers.

LXIII. And whereas it may be reasonable to excuse some Persons from the Payment of the said Rates on account of their real Poverty, be it therefore further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, to grant to such Person or Persons such Relief in the Payment of any Rate or Assessment as they the said Trustees shall think reasonable and proper.

Persons may be relieved from Rates, on account of Poverty.

LXIV. Provided always, and be it further enacted, That all and every Persons and Person being assessed and paying the full Rates which may be made under this Act shall, from and after the Time when the Turnpike Roads herein-before mentioned shall be maintained, amended, and kept in repair by the Trustees for the Purposes of this Act, be and they and every of them are hereby exempted and discharged from the Performance of any Statute Duty or the Payment of any Highway Rate, or of any Composition in Money in lieu thereof, for any Premises situated within the District of this Act.

Exemption from Statute Duty.

LXV. And be it further enacted, That the Money to be so rated or assessed shall be paid to the Collector or Collectors or other Person or Persons appointed by the said Trustees to receive the same; and if any Person or Persons rated or assessed as aforesaid shall neglect or refuse to pay his, her, or their Proportion of any of the

Rates to be paid to Collectors, and recoverable by Distress or Action.



the said Rates or Assessments respectively, for the Space of Fourteen Days next after personal Demand thereof, or Demand in Writing or printed left at the usual or last Place of Abode of such Person or Persons, the same shall be levied and recovered on all and every such Person or Persons so neglecting or refusing by Distress and Sale of his, her, or their Goods and Chattels, by Warrant under the Hand and Seal of any One Justice of the Peace acting for the said County or Place; and the Overplus (if any) of the Monies to be raised by such Distress and Sale shall be returned to the Owner or Owners of the Goods and Chattels distrained and sold, after deducting all Charges attending such Distress and Sale: Provided always, that nothing herein contained shall prevent the said Trustees from recovering any such Rate or Assessment, where the same amounts to or exceeds the Sum of Five Pounds, or the same, with the Arrears of former Rates, shall exceed the Sum of Twenty Pounds, by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Form of  
Warrant of  
Distress.

LXVI. And be it further enacted, That every Warrant of Distress for Nonpayment of the said Rates or Assessments to be made in pursuance of this Act, or of such Composition or Compositions under or by virtue of this Act, may be in the Words or to the Effect following:

‘ Surrey, } To the Trustees and Collector or Collectors of the  
‘ to wit. } Rates made by the Trustees for executing an Act  
‘ passed in the Tenth Year of the Reign of His Majesty  
‘ King *George* the Fourth, intituled [*here insert the Title of*  
‘ *this Act*], and also to all Constables, Beadles, and other  
‘ Peace Officers for the District under the Jurisdiction of  
‘ the said Trustees or of the Parish of *Saint George the*  
‘ *Martyr* in *Southwark* in the County of *Surrey*.

‘ **WHEREAS** the under-mentioned Persons, now or late Inha-  
‘ bitants, Householders, Landlords, Tenants, Occupiers, and  
‘ Enjoyers of Lands, Houses, Shops, Warehouses, Coach-houses,  
‘ Stables, Cellars, Yards, Vaults, or other Buildings, Tenements, or  
‘ Hereditaments, or Part of some Building or Tenement, within the  
‘ said District, were and are rated and assessed or liable to the Rate  
‘ or Rates duly made for the Purpose of an Act made in the Tenth  
‘ Year of the Reign of King *George* the Fourth, intituled *An Act*  
‘ [*set forth the Title of this Act*]: And whereas the said Persons  
‘ have refused or neglected to pay the several Sums of Money at  
‘ and against their Names hereunto respectively set down, for Money  
‘ due from them for or towards the Purposes of and in the said Act  
‘ mentioned, and the said several Sum and Sums are still remaining  
‘ due, in arrear, and unpaid, as appeareth upon Oath to  
‘ One of His Majesty's Justices of the Peace for the said County;  
‘ and the said several Persons having been summoned to appear  
‘ before \_\_\_\_\_ to answer the Premises, as also  
‘ appeareth to \_\_\_\_\_ the said Justice or Justices,  
‘ upon Oath [*or Affirmation, if a Quaker*], and they nor any of them  
‘ having shewn any sufficient Cause why such Sum or Sums of Money  
‘ should



‘ should not be paid; These are therefore in His Majesty’s Name to  
 ‘ will and require you or either of you forthwith to levy the said  
 ‘ several Sums due from the said Persons, and hereunto joined to and  
 ‘ set against their Names respectively, by Distress and Sale of their  
 ‘ respective Goods and Chattels whereon the same may be found,  
 ‘ such Goods and Chattels being kept before the same are sold until  
 ‘ the Day after such Distress shall be made, including  
 ‘ the Day on which it shall be made and the Day of Sale, and if  
 ‘ such Day shall happen to be *Sunday*, then such Sale shall  
 ‘ be on the next or following Day, rendering to them respectively  
 ‘ the Overplus (if any be), the reasonable Charges of such Distress,  
 ‘ Sale, and Keeping, and obtaining this Warrant, being first deducted;  
 ‘ and if no sufficient Distress can be had or taken, that then you  
 ‘ certify the same to me [*or us*], to the end such further Proceedings  
 ‘ may be had therein as to Law doth appertain; and I [*or we*] do  
 ‘ hereby strictly charge and command all and singular the Constables  
 ‘ and others His Majesty’s Peace Officers for the said District,  
 ‘ Parish, or County, to be aiding and assisting in all Things relating  
 ‘ to the Premises. Given under my [*or our*] Hand [*or Hands*] and  
 ‘ Seal [*or Seals*] this Day of in the Year  
 ‘ of our Lord

£ s. d.

‘ A. B. - - - - -  
 ‘ C. D. - - - - -  
 ‘ E. F. the Landlord for divided Premises -  
 ‘ G. H. the Landlord for Houses  
 ‘ Street compounded  
 ‘ for - - - - -  
 ‘ I. J. Landlord [*or Receiver, &c. as the*  
 ‘ *Case may be*] - - - - -  
 ‘ K. L. Tenant - - - - -

LXVII. And be it further enacted, That in case any Person shall remove out of or from or quit the Possession of any House, Shop, Building, Tenement, Hereditament, or other Premises in the said District, before any Rate or Rates, Assessment or Assessments, charged thereon respectively shall be paid and discharged, or if any Person or Persons shall enter into the Occupation of any House, Shop, Building, Tenement, Hereditament, or other Premises in the said District, out of or from which any other Person or Persons shall have so removed before such Rate or Rates, Assessment or Assessments, shall have been paid and discharged, then and in every such Case the Person or Persons so removing out of or from or quitting the Possession of, and the Person or Persons entering into the Occupation of, any such House, Shop, Building, Tenement, Hereditament, or other Premises, shall be respectively subject and liable to the Payment of all such Rates and Assessments, in proportion to the Time that such Person or Persons respectively possessed or occupied the same, in the same Manner as if the Person or Persons so removing or quitting as aforesaid had remained in the Possession or Occupation of such House, Shop, Building, Tenement, Hereditament, or other Premises, or the Person or Persons so entering into the Possession

How Rates may be collected from Parties removing or coming into the Parish.



session or Occupation thereof respectively had been originally rated or assessed to such Rates or Assessments, or any of them; and such Proportion shall be ascertained by the said Trustees; and in case of any Dispute respecting the Amount or Proportion thereof, the same shall be settled by any One or more of His Majesty's Justices of the Peace in and for the said County or Place.

For recover-  
ing Rates  
from Persons  
removing out  
of the Dis-  
trict.

LXVIII. And whereas it may happen that many Persons liable to and who may be rated and assessed as aforesaid may, before the Payment of the Sum which may be rated on them respectively, quit and leave their Grounds, Dwelling Houses, Shops, Warehouses, Coach-houses, Stables, Cellars, Vaults, Buildings, Tenements, or Hereditaments, and remove out of the said District; be it therefore enacted, That when any Person or Persons who hath or have been so rated and assessed shall quit or be about to quit his, her, or their Lands, Grounds, Houses, Shops, Warehouses, Coach-houses, Stables, Cellars, Vaults, Buildings, Tenements, or Hereditaments, before he, she, or they shall have paid the Rate or Assessment to the Collector or Collectors or other Person or Persons authorized and appointed to receive the same as aforesaid, then and in every such Case it shall be lawful for the said Collector or Collectors or other Person or Persons authorized and appointed as aforesaid, or any One of them, by Warrant under the Hand and Seal or Hands and Seals of One or more of His Majesty's Justices of the Peace for the said County or Place, which Warrant such Justice or Justices is or are hereby authorized and required to grant, Oath (or Affirmation if by a Quaker) being first made by the said Collector or Collectors or other Person or Persons authorized and appointed as aforesaid, before such Justice or Justices, that he or they hath or have Cause to suspect that such Person or Persons is or are removing or hath or have removed his, her, or their Goods and Chattels, to distrain the Goods and Chattels of such Person or Persons so refusing or neglecting to pay the said Rates or Assessments, wherever they may be found, to sell the same, rendering the Overplus (if any), after having deducted the reasonable Charges and Expences attending such Distress and Sale, to the Owner or Owners of such Goods and Chattels respectively, upon Demand thereof made.

Empty  
Houses to  
be rated at  
One Half of  
the Rates.

LXIX. And be it further enacted, That where any of the Houses, Shops, Warehouses, Coach-houses, Stables, Cellars, Vaults, Buildings, Tenements, Hereditaments, or Premises shall at the Time of making any of the said Rates be empty and untenanted or unoccupied, then and in every such Case it shall be lawful for the said Trustees to rate and assess such Premises respectively at One Half of such Rates; and also in case any such Premises, after the making of any such Rate or Rates, shall become empty, untenanted, or unoccupied, One Half only of such Rates shall be charged on such Premises respectively for and during so long a Time as the same shall continue empty, untenanted, or unoccupied; and then and in every of the said Cases the said Rate or Rates, and all Arrears due thereon, shall be paid by the Owner or Owners, Proprietor or Proprietors, Lessee or Lessees, or by the first or any other Tenant or Occupier thereof; and in which last Case such Tenant or Tenants, Occupier or Occupiers, shall and may



and is and are hereby authorized to deduct and retain the same out of his, her, or their Rent or Rents respectively, and the Landlord or Landlords, Owner or Owners of such Premises is and are hereby required to allow such Deduction and Payment upon Receipt of the Residue of his, her, or their respective Rents; and the said Tenant or Tenants, Occupier or Occupiers, shall be and is and are hereby acquitted and discharged of and from so much of his, her, or their Rent as the Rate or Rates, and all Arrears due thereon, and so paid by him, her, or them, shall amount to.

LXX. And for enabling the said Trustees to execute the Purposes of this Act in the most beneficial Manner, be it further enacted, That it shall be lawful for the said Trustees and they are hereby empowered from Time to Time, when they shall judge it necessary, to borrow and take up at Interest any Sum or Sums of Money, so that at no one Time the Amount due and owing shall exceed the Sum of Ten thousand Pounds, as herein-after mentioned, upon the Credit of the Rates or Assessments to be made by them by virtue of this Act, and by any Writing or Writings upon Vellum or Parchment under the Hands and Seals of the said Trustees to assign over the said Rates or Assessments, or a competent Part thereof, to such Person or Persons who shall advance or lend such Money thereupon, or his, her, or their Trustee or Trustees, as a Security or Securities for the several Sums so borrowed, with Interest for the same; and every such Mortgage or Assignment may be according to the Form following; (that is to say,)

Trustees empowered to borrow Money upon Mortgage of the Rates.

‘ **BY** virtue of an Act passed in the Tenth Year of the Reign of King George the Fourth, intituled [*here set forth the Title of this Act*], we being of the Trustees appointed by virtue of the said Act, in consideration of the Sum of advanced and lent to us by *A. B.* for the Purposes of the said Act, do grant and assign 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 is or shall be borrowed upon the Credit of the said Rates or Assessments; to be had and holden from this Day until the said Sum of with Interest at the Rate of *per Centum per Annum* for the same, to be paid half-yearly, shall be fully repaid and satisfied In witness whereof we have hereunto set our Hands and Seals this Day of .’

Form of Mortgage.

LXXI. And be it further enacted, That in case the said Trustees shall think it advisable or more advantageous to raise any Part of the Monies necessary for the Purposes of this Act by the granting of Annuities on Lives, then it shall be lawful for the said Trustees, and they are hereby authorized and empowered, by Writing under their Hands and Seals, to grant Annuities out of the Rates or Assessments to be raised as aforesaid to any Person or Persons who shall contribute, advance, and pay into the Hands of the Treasurer to the said Trustees 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

Monies may be raised by Annuities.



of every such Contributor, or of such Person as shall be nominated by or on 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 Rates or Amounts directed or provided 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, and so that the whole Money to be raised upon Mortgage and by the granting of Annuities do not exceed at any one Time as aforesaid the Sum of Ten thousand Pounds; and the granting of every such Annuity may be in the Words or to the Effect following; (that is to say,)

Form of  
Grant of  
Annuity.

‘ **BY** virtue of an Act passed in the Tenth Year of the Reign of  
 ‘ King *George* the Fourth, intituled [*here set forth the Title of*  
 ‘ *this Act*], we being of the  
 ‘ Trustees appointed by virtue of the said Act, in consideration  
 ‘ of the Sum of paid to us by *A. B.*, do hereby  
 ‘ grant unto the said *A. B.*, his Executors, Administrators, and  
 ‘ Assigns, an Annuity or yearly Sum of out of the  
 ‘ Rates or Assessments arising by virtue of the said Act; which  
 ‘ Annuity or yearly Sum of shall be paid to the said  
 ‘ *A. B.*, his Executors, Administrators, and Assigns, at  
 ‘ in the said County of *Surrey*, half-yearly, upon the  
 ‘ Day of and the Day  
 ‘ of in every Year, during the natural  
 ‘ Life of the first Payment thereof to be made  
 ‘ upon the Day of now next ensuing  
 ‘ the Date hereof. In witness whereof we have set our Hands and  
 ‘ Seals this Day of .’

Clerk to  
enter all Se-  
curities for  
Money bor-  
rowed

LXXII. And be it further enacted, That the Clerk to the said Trustees for the Time being shall enter in a Book or Books to be for that Purpose provided and kept all Securities for Money borrowed or Annuities granted by virtue or in pursuance of this Act, and all Assignments or Transfers thereof, expressing in Words at Length the Names, Surnames, Additions, Places of Abode, and other Descriptions of all such Persons as shall from Time to Time be entitled to such Securities, and also the Names or Name, Addition, Place of Abode, and other Description of every Person for whose Life any Annuity shall be granted by virtue of this Act, and the Days whereon the said Annuity shall be payable; to which Book and Books the Person and Persons entitled to and possessed of such Annuity, and all and every the Person or Persons liable to the Payment of the said Rates and Assessments so to be made by the said Trustees, shall at all reasonable Times have Access, with free Liberty to inspect, without Fee or Reward.

Securities  
may be trans-  
ferred.

LXXIII. And be it further enacted, That it shall be lawful for any Person or Persons entitled to any of the Securities aforesaid, his, her, or their Executors, Administrators, or Assigns, at any Time or Times, by Writing under his, her, or their Hands or Hand respectively, to assign or transfer such Securities, by Indorsement on the Back thereof, to any Person or Persons whomsoever, and so *toties quoties*; and such  
Assignment



Assignment or Transfer, after they shall respectively be entered by the Clerk to the said Trustees in manner aforesaid, (which he is hereby required to do without Fee or Reward,) shall entitle the Person or Persons to whom they shall be respectively made, and his, her, or their respective Executors, Administrators, and Assigns, to the Benefit of the Security or Securities so assigned as aforesaid; which Transfer may be according to the Form following; *videlicet*,

‘ I *A.B.* do hereby assign the within Mortgage, [*or Grant of the*  
 ‘ within-mentioned Annuity,] and all my Right and Title in and  
 ‘ to the Principal Money and Interest or Annuity, and all Arrears  
 ‘ now due thereon and thereby secured, unto *C.D.*, his Executors,  
 ‘ Administrators, and Assigns. Dated this Day  
 ‘ of

LXXIV. And be it further enacted, That all Monies raised or collected by the said Trustees, or by their Order, under and by virtue of this Act, for the Purpose of cleansing, watching, lighting, and otherwise improving or repairing the said several Roads, Streets, and other public Passages and Places within the said District, and for other Purposes incidental and relating thereto, shall be and the same are hereby vested in the said Trustees, and shall be by them applied for the Purposes last aforesaid, and to and for no other Use, Intent, and Purpose whatsoever.

Monies raised to be vested in Trustees.

LXXV. And be it further enacted, That all the Money to arise by the said Rates, Assessments, and other Monies hereby granted, or to be levied or received by virtue of this Act, and which may be borrowed on the Credit thereof, shall be paid to the Treasurer to the said Trustees, or to such other Person or Persons as they shall appoint, and shall be applied and disposed of, after paying and defraying the Charges and Expences which shall be incident to and attending the obtaining and passing of this Act, in the next place in paying and discharging the Interest of the Monies which shall be borrowed and the Annuities which shall be granted under this Act, and then from Time to Time to defraying the Charges and Expences of cleansing, watching, lighting, regulating, and improving the Roads, Streets, and other public Passages and Places, and of repairing the said Roads as herein is mentioned, within the said District, and in defraying and paying all Expences which the said Trustees and other Officers shall necessarily sustain or be put unto in carrying this Act into execution, or in prosecuting or defending any Prosecutions, Actions, or Suits in any Manner relative to the Execution of this Act, or of any thing to be done under or by virtue thereof, and for such other Uses and Purposes as are herein expressed; and the Residue of all such Monies shall be paid and applied in reducing, paying off, and discharging all such Principal Sums as shall be borrowed as aforesaid.

Application of Money.

LXXVI. And be it further enacted, That in case the said Trustees can at any Time borrow or take up any Sum or Sums of Money at a lower Rate of Interest than the Mortgages, Assignments, or Securities as shall be then in force shall bear, it shall be lawful for the said Trustees

For borrowing Money at lower Interest to pay off Securities at higher.

[*Local.*]

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tees 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 fit and proper, and the Interest thereof at such lower Rate aforesaid, and to pay off and discharge the Mortgages, Assignments, and Securities bearing a higher Rate of Interest.

For securing  
transient  
Offenders.

LXXVII. And be it further enacted, That it shall be lawful for any of the said Trustees, 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 Trustees, Surveyors, Collectors, or Officers,) who shall commit any Offence or Offences against this Act, 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 or Place; and such Justice and Justices is and are hereby required to proceed and act with respect to such Offender or Offenders according to the Provisions of this Act.

Declaring  
what shall  
be a good  
Service of  
Notices, &c.  
on the Trus-  
tees.

LXXVIII. And be it further enacted, That in all Cases where it may be requisite or necessary for any Summons or Summonses, Notice or Notices, or any Writ or Writs, or other Proceeding or Proceedings at Law or in Equity, to be served upon the said Trustees, Service thereof respectively upon the Clerk to the said Trustees, or left at his last or usual Place of Abode, or leaving the same or a Copy or Copies thereof at the principal Office of the said Trustees, or with any Agent or Officer of the said Trustees, or left at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Trustees.

In case of  
Nonpayment  
of Compensation  
for Damages, &c.

LXXIX. And be it further enacted, That when and as often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice of the Peace, in pursuance of this Act, as or by way of Compensation or Satisfaction for any Materials or Costs, or for any Damage, Spoil, or Injury of any Nature or Kind whatsoever done or committed by the said Trustees, or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Trustees to the Party or Parties entitled to receive the same within Ten Days after Demand in Writing or printed shall have been made from the said Trustees, in pursuance of the Direction or Order made by such Justice, and in which Demand the Order of such Justice shall be stated, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Trustees by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice, and which Warrant any such Justice is hereby authorized and required to grant under his Hand and Seal, on Application made to him for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any such Materials, or Costs, Damages, Spoil, or Injury aforesaid; and in case any Over-  
plus



plus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned, on Demand to the said Trustees, or to their Treasurer for the Time being, as the Case may be: Provided always, that it shall be lawful for such Treasurer to retain, out of any Monies which he shall have received or shall receive in pursuance of this Act, all such Damages, Costs, Charges, and Expences as he shall have sustained or be put unto by virtue of any such Warrant as aforesaid.

LXXX. And be it further enacted, That in all Cases where any Penalty or Forfeiture imposed by this Act is made recoverable by Information before a Justice of the Peace, it shall be lawful for any Justice of the Peace to whom such Complaint shall be made to summon the Party complained against 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, 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.

Justices may proceed by Summons in the Recovery of Penalties.

LXXXI. And be it further enacted, That where by this Act 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, the Amount of such Damages or Charges, in case of Dispute respecting the same, shall be settled, ascertained, 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; which Justice or Justices is and are 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.

Damages, &c. in case of Dispute to be settled by Justices.

LXXXII. And be it further enacted, That all Fines, Penalties, and Forfeitures inflicted or imposed by this Act (the Manner of levying and recovering whereof is not herein-before particularly directed) may, in case of Nonpayment thereof, be recovered in a summary Way by the Order and Adjudication of some Justice or Justices of the Peace for the said County or Place, on Complaint to him or them for that Purpose exhibited, and afterwards be levied, as well as the Costs (if any) of such Proceedings on Nonpayment, by Distress and Sale of the Goods and Chattels of the Offender or respective Offenders, or Person or Persons liable to pay the same, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices, who is and are hereby authorized and required to summon and examine any Witnesses upon Oath or Affirmation of and concerning such Offences, Matters, and Things, and to hear and determine the same; and the Overplus (if any) of the Money raised or recovered, after discharging the Fine, Penalty, or Forfeiture for which

Recovery and Application of Penalties.



which such Warrant shall be issued, and the Costs and Expences of recovering and levying the same, (if any such there be,) shall be rendered to the Owner or Owners of the Goods and Chattels so seized and distrained; all which Penalties, not herein directed to be otherwise applied, shall be paid to the said Trustees, or their respective Treasurer or Clerk, to be applied for the Purposes of this Act, as the said Trustees shall order and direct, except in all such Cases where the Penalty or Forfeiture shall be incurred by the said Trustees, and then the same shall be paid to the Informer; 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 Seven Days from the Time of taking any such Security, and which Security the said Justice and 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 and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of any such Justice or Justices, upon the Confession of the Offender or Offenders, or otherwise, that he, she, or they hath or have not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Costs, and Expences can be levied if a Warrant of Distress were issued, such Justice or Justices shall not be required to issue such Warrant of Distress, and thereupon it shall be lawful for such 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 Time not exceeding Three Calendar Months, or until such Offender or Offenders shall have paid such Penalty or Penalties, and all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justice or Justices, or shall otherwise be discharged by due Course of Law: Provided always, that in all Cases when the Penalty imposed by this Act shall exceed the Sum of Five Pounds, no Proceeding before Justices shall be had and taken for the Recovery thereof before a less Number than Two Justices.

For compelling the Attendance of Witnesses.

LXXXIII. And be it further enacted, That if any Person shall be summoned as a Witness to give Evidence before any Justice or Justices of the Peace touching any Matter contained in any Information or Complaint for any Offence against this Act, either on behalf of the Prosecution or on behalf of the Person or Persons accused, and shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, after having been paid or tendered a reasonable Sum of Money for his or her Costs and Expences, without a satisfactory Excuse being given for such Nonappearance, or appearing shall



refuse to be examined on Oath or Affirmation, or to give Evidence touching the Matter in question before such Justice or Justices, then and in every such Case every such Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, to be recovered as herein-before mentioned.

LXXXIV. And be it further enacted, That in all Cases where any Person or Persons shall be convicted of any Offence against this Act, or any Matter in pursuance thereof, the Conviction shall be in the Words or to the Effect following; viz. Form of Conviction.

‘ Surrey } BE it remembered, That on the Day of  
 ‘ to wit. } in the Year of our Lord  
 ‘ A. B. is convicted  
 ‘ before me [or us], One [or Two] of His Majesty’s Justices of the  
 ‘ Peace for the County of *Surrey* or Borough of *Southwark*, by  
 ‘ virtue of an Act passed in the Tenth Year of the Reign of King  
 ‘ *George* the Fourth, intituled *An Act* [ *here set forth the Title of this*  
 ‘ *Act* ], for that the said *A. B.* did on the Day of  
 ‘ in the Year of our Lord  
 ‘ [ *here state the Offence* ], by reason whereof I [or we] do hereby  
 ‘ adjudge the said *A. B.* to have forfeited [ *if the Offender is to be*  
 ‘ *fined* ] the Sum of [ *insert the Penalty* ], together with the Sum of  
 ‘ for Costs and Charges  
 ‘ [ *if any given* ]; [ *or if to be imprisoned then* ] do adjudge the said  
 ‘ *A. B.* to be committed to the [ *naming the Gaol* ] for the Space of  
 ‘ [ *insert the Time ; and if the Commitment be for Nonpayment of the*  
 ‘ *Penalty, then add* ] unless the said Sum of shall  
 ‘ be sooner paid. Given under my [or our] Hand and Seal [or  
 ‘ Hands and Seals] the Day and Year first above written.’

LXXXV. Provided always, and be it further enacted, That it shall be lawful for the said Justice or Justices of the Peace from Time to Time, where he or they shall see Cause, to mitigate or lessen any of the Forfeitures incurred by Penalties inflicted as aforesaid, as he or they shall in their Discretion think fit, to not less than One Half; and every such Mitigation shall be a sufficient Discharge to the Person or Persons so offending respectively for so much of the said Penalties or Forfeitures as shall be so mitigated, lessened, or remitted. Penalties may be mitigated.

LXXXVI. And be it further enacted, That in all Actions, Prosecutions, Informations, Appeals, Causes, and Proceedings whatsoever relating to or concerning the Execution of this Act, or in which the said District or the Inhabitants thereof shall be a Party or Parties, no Inhabitant of the said District shall be deemed an incompetent Witness on account of his, her, or their being charged with or liable to pay any Rate or Assessment made under or by virtue of this Act. Inhabitants allowed to give Evidence.

LXXXVII. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money justly due for any of the Purposes of this Act, the Distress itself shall not be deemed Distress not unlawful for Want of Form.  
 [ *Local.* ] 36 Y unlawul,



unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, for or on account of any Defect or Want of Form in the Warrant of or for the Appointment of such Collector or Collectors, or in the Rate or Assessment, or 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 distraining, but the Party or Parties aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damages he, she, or they shall have sustained thereby, and no more, in any Action of Trespass or on the Case (at the Election of the Plaintiff or Plaintiffs).

Appeal.

LXXXVIII. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate or Rates, Assessment or Assessments, made by virtue of this Act, or by any Rule, Order, or Regulation, Judgment or Determination of the said Trustees, or by any other Matter or Thing done or directed to be done or committed by the said Trustees under or in pursuance or execution of this Act, such Person or Persons may appeal to the said Trustees at any Meeting or Meetings to be holden by them within Three Calendar Months next after the Cause of Complaint shall have arisen, and the said Trustees 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 necessary; and in case any such Person or Persons shall not be satisfied with the Determination of the said Trustees, or in case no Judgment or Determination shall be given within One Calendar Month next after Notice of the Complaint to them respectively given in Writing, or if any Person or Persons shall think himself, herself, or themselves aggrieved by reason of any Judgment, Order, or Determination of any Justice or Justices of the Peace acting in the Execution of this Act, then and in every such Case he, she, or they may appeal to some General or Quarter Sessions of the Peace to be holden for the said County or Place within Six Calendar Months next after such Determination of the said Trustees, or after the Cause of Complaint shall have arisen, such Appellant or Appellants first giving or causing to be given Twenty-one Days Notice at the least in Writing of his, her, or their Intention to bring such Appeal, and the Matter thereof, to the Party or Parties, Person or Persons, whose Act or Acts is or are appealed against, as follows, (that is to say,) to the Clerk of the said Trustees for the Time being, in case such Appeal shall be against the Act or Acts of the said Trustees, and to the Justice or Justices of the Peace, in case such Appeal shall be against his or their Act or Acts, and within Seven Days after such Notice entering into a Recognizance in the Sum of One hundred Pounds before some Justice of the Peace of the same County or Place, conditioned for prosecuting such Appeal, and to abide the Order thereon, and to pay such Costs as shall be awarded by the Justices of such General or Quarter Sessions; and the said Justices at such General or Quarter Sessions, upon the Proof of such Notice given as aforesaid, and of the entering into such Recognizance, shall hear and determine the Causes and  
1
Matters



Matters of such Appeal in a summary Way, and award such Costs to the Parties appealing or appealed against as the said Justices shall think proper; and the said Justices may, if they see Cause, mitigate any Fine, Penalty, or Forfeiture, and may order any Money to be returned which shall be levied in pursuance of such Rule, Order, Regulation, Judgment, or Determination; and the Determination of such Justices at their General or Quarter Sessions shall be final and conclusive.

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

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

XC. And be it further enacted, That no Rate or Rates, Assessment or Assessments, Order, Verdict, Judgment, Conviction, or other Proceedings to be had and made touching or concerning any of the Matters aforesaid, or touching or concerning any Offence 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 thereof in anywise notwithstanding.

Proceedings not to be quashed or removed by Certiorari.

XCI. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person for any thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants, Twenty-one 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 any such Action if Tender of Amends shall have been made to him, her, or them, or to his, her, or their Attorney, by or on behalf of the Defendant or Defendants, before such Action brought; and in case no such Tender shall have been made, it shall be lawful for the Defendant or Defendants, in any such Action, by Leave of the Court after such Action shall have been brought, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think fit, whereupon such Proceeding, Order, and Judgment shall be made and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Plaintiff not to recover without Notice, or after Tender of Amends.

XCII. And



Limitation  
of Actions.

XCII. And be it further enacted, That no Action or Suit shall be commenced or prosecuted against any Person or Persons for any thing done in pursuance or under the Authority of this Act after the Expiration of Three Calendar Months next after the Fact committed or the Cause of Action has ceased and determined (except as may be herein otherwise directed); and all such Actions and Suits shall be laid and tried in the County or Place where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in any such Action or Suit may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial which shall be had thereupon, and that the Matter or Thing for which such Action or Suit shall be so brought was done in pursuance and by the Authority of this Act; and if upon such Trial such Matter or Thing shall appear to have been so done, and if such Action or Suit shall have been brought before Twenty-one Days Notice shall have been given, or after sufficient Satisfaction shall have been made or tendered as aforesaid, or after the Time herein before limited for bringing the same, or if the same shall be brought in any other County or Place than as aforesaid, or if such Action shall be proceeded in after sufficient Money shall have been paid into Court as herein-before authorized, then and in every of the said Cases the Jury shall find a Verdict for the Defendant or Defendants; and upon such Verdict being given, or if the Plaintiff or Plaintiffs shall become nonsuited, or suffer a Discontinuance of such Action or Suit after the Defendant or Defendants shall have appeared thereto, or if, upon Demurrer or otherwise, Judgment shall be given against the Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall have his, her, or their Costs, and shall have such and the like Remedy for recovering the same as any Defendant hath for recovering Costs of Suit in any other Cases by Law: Provided nevertheless, that in case of paying Money into Court as aforesaid the Defendant or Defendants shall be entitled to Costs from the Time of such Payment only.

Saving the  
Rights of  
the Phoenix  
Gas Light  
and Coke  
Company.  
5 G. 4. c. 78.

XCIII. Provided always, and it is hereby further enacted, That nothing in this Act contained shall extend or be construed to extend to defeat, abridge, alter, obstruct, or in any Manner interfere with or prejudice the Rights, Powers, Authorities, and Provisions granted or made by or under an Act passed in the Fifth Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act to establish an additional Company for more effectually lighting with Gas certain Places within the Borough of Southwark, and certain other Parishes and Places in the Counties of Surrey and Kent*; but that all and every the Rights, Powers, Authorities, and Provisions of or under the said Act shall remain, continue, and be in as full Force and Effect, to all Intents and Purposes, as if this Act had not been made.

Saving the  
Rights of  
Commiss-  
ioners of  
Sewers for  
East Mould-  
sey.

XCIV. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be deemed or construed to extend, to prejudice or diminish, alter, abridge, or take away, any of the Rights, Powers, or Authorities vested in the Commissioners of Sewers for the Limits extending from *East Mouldsey* in the County of *Surrey* to *Ravensbourne* in the County of *Kent*; but all the Rights, Powers, and



and Authorities vested in them shall be as good, valid, and effectual as if this Act had not been passed.

XCV. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be deemed, construed, or taken to extend, to repeal, abridge, lessen, or in any Manner interfere with the Rights, Powers, Authorities, or Provisions contained or granted in or by the said Act of Parliament made and passed in the Third Year of the Reign of His present Majesty, intituled *An Act for more effectually amending certain Roads in the several Parishes of Lambeth, Newington, Saint George Southwark, Bermondsey, and Christchurch, in the County of Surrey, and for watching, lighting, and otherwise improving the said Roads*; but that the said last-mentioned Act, and all and every the said Rights, Powers, Authorities, and Provisions, shall be and remain in as full Force and Effect, to all Intents, Constructions, and Purposes, as if this Act had not been made, during the Continuance of the said Act, except as to the Powers for lighting and watching the Parts included within the District of this Act.

Saving the Rights of the Trustees of the Surrey new Roads.

3 G. 4. c. 112.

XCVI. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be deemed, construed, or taken to extend, to repeal, abridge, lessen, or in any Manner interfere with the Rights, Powers, Authorities, or Provisions contained or granted in or by an Act of Parliament made and passed in the Ninth Year of the Reign of His present Majesty, intituled *An Act for more effectually amending the Road leading from the Stones End in Blackman Street, in the Borough of Southwark in the County of Surrey, to Highgate in the County of Sussex, and several other Roads therein mentioned, and for other Purposes relating thereto*; but that the said last-mentioned Act, and all and every the said Rights, Powers, Authorities, and Provisions, shall be and remain in as full Force and Effect, to all Intents, Constructions, and Purposes, as if this Act had not been made, during the Continuance of the said Act, except as to the Powers for lighting and watching the Parts included within the District of this Act.

Saving the Rights of the Trustees of the Surrey and Sussex Roads.

9 G. 4. c. 120.

XCVII. Provided always, and it is hereby further enacted and declared, That nothing in this Act contained shall extend, or be deemed, construed, or taken to extend, to or to put or place under the Jurisdiction of the Trustees by this Act appointed or hereafter to be appointed, any Part of the said Parish of *Saint George the Martyr in Southwark*, except the said District thereof which is to be called the South District, as herein-before is mentioned, or such Part or Parts of the said Parish, the Inhabitants whereof may petition to be taken under the Powers of this Act as aforesaid; nor shall this Act or any thing herein contained extend, or be construed, deemed, or taken to extend, to interfere with or derogate from, alter or diminish, the Powers and Provisions of an Act passed in the Third Year of the Reign of His said present Majesty, intituled *An Act for more effectually amending certain Roads in the Parish of Lambeth, Newington, Saint George Southwark, Bermondsey, and Christchurch, in the County of Surrey, and for watching and lighting the said Roads.*

Protecting Rights of Trustees of other Roads &c.

3 G. 4. c. 112.

[Local.]

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XCVIII. Pro-



Inhabitants  
of certain  
Roads not to  
be rated till  
29th July  
1830.

XCVIII. Provided also, That nothing in this Act contained shall extend, or be deemed or construed to extend, to charge the Inhabitants of Houses and Premises on either Side of the Road leading from the Area in *Saint George's Fields*, towards *Waterloo Bridge*, to the Extent of the said Parish of *Saint George the Martyr*, with the Payment of any Rate or Assessment to be made by virtue of this Act before the Twenty-ninth Day of *July* One thousand eight hundred and thirty.

Costs of Act  
how to be  
paid.

XCIX. And be it further enacted, That all the Costs, Charges, and Expences attending the obtaining and passing this Act, and in any Manner incidental thereto, shall be paid by the said Trustees by and out of the first Monies hereby authorized to be raised by them, or out of any surplus Money arising from any Rate or Assessment on, or Composition in lieu thereof, made, received, or levied on the Inhabitants of the said Parish.

Public Act.

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

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