



ANNO SEPTIMO

# GEORGIIV. REGIS.

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## *Cap. xxxv.*

An Act for lighting, watching, cleansing, and otherwise improving the *Camberwell New Road*, the *Lambeth Wyke* Estate, and other Places in the Vicinity thereof, in the Parishes of *Lambeth*, *Camberwell*, and *Newington*, in the County of *Surrey*.  
[11th April 1826.]

**W**HEREAS the *Camberwell New Road*, *Saint Mark's Road*, *Foxley Road*, *Cranmer Road*, *Vassall Road*, *Langton Place*, *Cowley Road*, *Dulwich New Road*, *Saint Ann's Road*, *South Island Place*, *Chapel Street*, *Holland Street*, *Russell Street*, *Great Coldharbour Lane*, *Little Coldharbour Lane*, and the other Parts of the *Lambeth Wyke* Estate and Parts adjacent, situate within the several Parishes of *Saint Mary Lambeth*, *Saint Giles Camberwell*, and *Saint Mary Newington*, are not properly lighted, watched, and cleansed: And whereas it would be of great Benefit, Safety, and Convenience to the Inhabitants of the said District, and to all Persons resorting to or travelling through the same, if the said Roads, Streets, Lanes, and other public Passages and Places were properly lighted, watched, and cleansed, and if all Nuisances and Annoyances therein were removed, and Provision made for preventing the like in future; but as the several Purposes aforesaid cannot be effected and carried into execution without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this

[*Local.*] 11 B present

Commis-  
sioners.

present Parliament assembled, and by the Authority of the same, That *John Burrup, John Cutler, James Crundall, Benjamin Currey, Coltson, Samuel Driver, Randall Gossip, Henry Hubert, William Thomas James, Randle Jackson, Thomas Lett, John Lett, Thomas Leach, William Norton, Augustus Pastoreli, Samuel Pope, Roberts, Edward Ramsden, John Shelton, Benjamin Tapley, John Williamson, George Wetherell Wilgress, William Woods, and John Wise*, shall be and they are hereby appointed Commissioners for putting this Act in execution.

On Death,  
Refusal, or  
Neglect of  
Commis-  
sioners,  
others to  
be chosen.

II. And be it further enacted, That when any of the Commissioners herein named or hereafter to be elected shall die or resign, or shall for the Space of Twelve Months refuse or neglect to act, such Death, Refusal, or Neglect being declared at a Meeting of the said Commissioners, then and in every such Case the Persons rated and assessed by virtue of this Act at not less than Thirty Pounds *per Annum*, or the Majority of such of them as shall assemble at the *Duke of York* in the *Camberwell New Road*, or some other convenient Place within the said District, to be appointed by Advertisement in some public Newspaper circulated therein, on the First *Monday* in the Month of *August* in every Year after the Year of passing this Act, shall and may nominate, elect, and choose such and so many fit Persons, qualified as herein-after mentioned, to be Commissioners to fill up the Vacancies occasioned by Death or otherwise; and every Person so elected is hereby vested with the same Powers for putting this Act in execution as if he had been expressly named and appointed a Commissioner in and by this Act.

Qualification  
of Commis-  
sioners.

III. Provided always, and be it further enacted, That no Person shall be capable of acting as a Commissioner in any Case in the Execution of this Act, who or whose Partner shall sell Ale, Wine, Cider, or any Spirituous Liquor by Retail, or who is or shall be a Victualler, or during the Time he or his Partner shall hold or enjoy any Office or Place of Profit under this Act, or be concerned in any Contract made by virtue or in pursuance of this Act, or in any Case wherein he or his Partner shall be in anywise personally or beneficially interested in the Matter of Question (except as a Creditor on the Rates or Assessments), nor unless he shall be rated by virtue of this Act at not less than Forty Pounds *per Annum* for the House, Warehouse, or Shop, or Houses, Warehouses, or Shops, or other Buildings or Premises, which shall be by him occupied within the Limits of this Act, or shall really and *bonâ fide* be possessed either of a Real or Leasehold Estate in his own Right, or in right of his late or present Wife, situate within the Limits of this Act, of the annual Rent or Value of One hundred Pounds, nor (except in administering the Oath or Affirmation to the Chairman of the Meeting as herein-after mentioned) until he shall have taken and subscribed an Oath (or, being a Quaker, until he shall have made and subscribed an Affirmation), in the Form or Words following; and an Entry or Minute shall be made in the Book of Proceedings of the Commissioners of the taking or making and subscribing of such Oath or Affirmation, and of the Date of administering the same:

Oath:

‘ I *A.B.* do swear, [*or, being One of the People called Quakers, do solemnly declare and affirm,*] That I am really and *bonâ fide* in the Occupation of a Messuage or Tenement, Warehouse or other Pre-  
‘ mises,



‘mises, situate within the Limits of this Act, of the annual Rent or Value of Forty Pounds, [*or, as the Case may be, that I am in my own Right, or in the Right of my Wife, late or present, as the Case may be,*] now in the actual Possession and Enjoyment of a Real or Leasehold Estate of the annual Rent or Value of One hundred Pounds, within the Limits of this Act; and that I will truly and impartially, according to the best of my Skill and Judgment, execute and perform all the Powers and Authorities reposed in me as a Commissioner by virtue of an Act passed in the Seventh 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.’*]

Which Oath or Affirmation any one of the said Commissioners is hereby empowered to administer.

IV. Provided always, and be it further enacted, That if any Person or Persons shall act as a Commissioner in the Execution of this Act without being duly qualified as aforesaid, he or they 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 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; and every Person so sued or prosecuted shall prove that he is qualified as aforesaid, or shall pay the said Penalty, upon Proof given of his having acted as a Commissioner in the Execution of this Act.

Penalty on acting not being qualified.

V. Provided always, and be it further enacted, That all Acts and Proceedings which shall have been done by any such Person touching the Execution of this Act, previous to his being convicted of the Offence before mentioned, shall, notwithstanding such Conviction, be as valid and effectual as if such Person had been qualified according to the Directions of this Act.

Acts of unqualified Commissioners previous to Conviction valid.

VI. And be it further enacted, That the said Commissioners, or any Five or more of them, shall meet at the *Duke of York* aforesaid, on the Third *Saturday* after the passing of this Act, between the Hours of Ten and Eleven in the Forenoon, in order to put this Act in execution, and shall and may from Time to Time afterwards, by Adjournment, meet at the Place aforesaid, or at any other convenient Place within the said District, as they or the major Part of them present at such Meeting shall appoint; and if it shall happen that there shall not appear at any such Meeting of the said Commissioners a sufficient Number to act, or to adjourn to another Day (Two Commissioners to be deemed sufficient for the Purpose of Adjournment), or if the said Commissioners shall refuse or neglect to adjourn, or if there shall be any special Occasion for any Meeting between the last Meeting and the Time of any Adjournment, or at any other Time, then and in every such Case any Five or more of the said Commissioners may call a Meeting at such Time and Place as they shall think proper.

Meetings of Commissioners.

VII. Pro-



Notice to be  
given of  
Meetings.

VII. Provided always, and be it enacted, That previous to any Meeting of the said Commissioners in pursuance of this Act, subsequent to such First Meeting as aforesaid, there shall from Time to Time be delivered or sent to each of the Commissioners, or left at each of their Houses or last Place of Abode, a Notice in Writing signed by their Clerk, or by Five or more Commissioners, of the Time and Place of every such intended Meeting, which Notice shall be so delivered, sent, or left Three Days at least before every such Meeting; and no Act of the said Commissioners shall be valid unless made or done at some Meeting to be held by virtue of this Act.

Chairman to  
be appointed.

VIII. And be it further enacted, That at every such Meeting of the said Commissioners One of the Commissioners present shall be appointed Chairman; and in case of Equality of Voices or Votes of the Commissioners at such Meeting (including his own), such Chairman shall upon all Occasions have the casting Vote; and that 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 Commissioners then present shall concur therein.

Restriction  
as to revoking  
Orders.

IX. And be it further enacted, That no Order made by the said Commissioners at any of their Meetings shall be revoked or altered unless at some Meeting to be held for that Purpose, of which Three Days Notice shall be given as aforesaid, expressing the Occasion of such Meeting, and unless a greater Number of Commissioners shall attend at such Meeting to revoke or alter the same than were present to make such Order; any thing contained in this Act to the contrary notwithstanding.

Proceedings  
to be entered.

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

Books may  
be inspected.

Commis-  
sioners may  
appoint  
Officers, and  
remove them.

XI. And be it further enacted, That the said Commissioners, or any Five or more of them, shall and may from Time to Time, whenever they shall think necessary, appoint and employ a Treasurer and Clerk, and Collector or Collectors of the Rates or Assessments herein-after mentioned, and also a Surveyor, and all such other Officers and Persons for the Execution of this Act as the said Commissioners or any Five or more of them shall think proper; and from Time to Time remove him or them, and appoint others in the Room of such of them as shall be so removed,



removed, or shall otherwise relinquish or discontinue such Office; and out of the Monies to be raised by virtue of this Act pay such Salaries, Wages, and Allowances to the said Officers and other Persons as they the said Commissioners, or any Five or more of them, shall think reasonable; and the said Commissioners, or any Five or more of them, shall and are hereby required to take such Security from such Treasurer and other Officers for the due Execution of their respective Offices as they shall think proper; and all such Officers so to be appointed shall under their Hands (at such Time and Times and in such Manner as the said Commissioners or any Five or more of them shall direct) deliver to the said Commissioners, or any Five or more of them, or to such Person as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of this Act; and also of all the Monies which shall have been by such Officer and Person respectively received by virtue and for the Purposes of this Act, and how much thereof hath been paid and disbursed, and for what Purpose, together with the proper Vouchers for such Payments; and shall pay all such Monies as shall remain due from them respectively to the said Commissioners, or any Five or more of them, or to such Person or Persons as they shall appoint; and if any such Officer shall neglect or refuse to make and render any such Account, or to produce or deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall neglect or refuse to deliver to the said Commissioners, or any Five or more of them, or to such Person as they shall appoint, within Thirty Days next after being thereunto required by the said Commissioners, or any Five or more of them, by Notice in Writing given or to be left at the last or usual Place of Abode of such Officer, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, or give Satisfaction to the said Commissioners respecting the same, then and in any of the Cases aforesaid the said Commissioners, or any Five or more of them, may and are hereby authorized and empowered to cause an Action to be brought against the Officer so neglecting or refusing as aforesaid, for the Recovery of the Monies that shall remain due from him, with Costs of Suit; or if Complaint shall be made by the said Commissioners or any Five or more of them, or by such Person or Persons as they shall appoint for that Purpose, of any such Neglect or Refusal as aforesaid, to any Justice of the Peace in and for the County, Riding, or Place wherein such Officer so neglecting or refusing shall be or reside, such Justice may and is hereby authorized and required to issue a Warrant under his Hand and Seal for the Officer so neglecting or refusing to be brought before him; and upon his appearing, or not being to be found, to hear and determine the Matter in a summary Way; and if upon the Complaint of the Party, or upon the Testimony of One or more credible Witness or Witnesses upon Oath (which Oath the said Justice is hereby empowered to administer), it shall appear to such Justice that any of the Monies that shall have been collected or raised by virtue of this Act shall remain due from such Officer, such Justice may and is hereby authorized and required, upon Nonpayment thereof, by a Warrant under his Hand and Seal to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer; and if no Goods or Chattels of such Officer can be found sufficient to answer and satisfy the said Monies, and the Charges of distraining and selling the same, or if it shall in manner aforesaid appear to such Justice that such Officer shall have neglected

Officers to  
account, and  
pay Balance.



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 be in the Custody or Power of such Officer, and he shall have neglected or refused to deliver or give Satisfaction respecting the same as aforesaid, then and in any of the Cases aforesaid such Justice shall commit such Offender to the Common Gaol for the County, Riding, or Place where such Offender shall be or reside, there to remain without Bail or Mainprize, until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Commissioners, or any Five or more of them, for such Money, and shall have paid such Composition in such Manner as they shall appoint, (which Composition the said Commissioners, or any Five or more of them, are hereby empowered to make and receive,) and until he shall deliver up such Books, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof to the said Commissioners or any Five or more of them as aforesaid: Provided always, that no Person who shall be committed for Want of sufficient Distress shall be committed for any longer Space of Time than Twelve Calendar Months.

Treasurer to  
pay Money  
as ordered  
by Commis-  
sioners.

XII. And be it further enacted, That the Treasurer to the said Commissioners shall and may and he is hereby authorized and required, out of the Monies to be received by him by virtue of this Act, to pay all Sums of Money which the said Commissioners or any Five or more of them shall from Time to Time draw upon him for, or order him to pay; and the said Treasurer shall and he is hereby required to keep regular and clear Entries, in a Book or Books to be for that Purpose by him provided and kept, of all and singular his Receipts and Payments on account or in pursuance of this Act; and shall on the First Day of *May* yearly, after the Year of passing this Act, or at the First Meeting of the said Commissioners then next following, lay the said Accounts before the said Commissioners, or any Five or more of them, to be audited, passed, and allowed.

Accounts to  
be kept of  
Receipts and  
Disburse-  
ments, which  
shall be open  
to Inspection.

XIII. And be it further enacted, That the said Commissioners or any Five or more of them shall and they are hereby required 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 this Act, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed, laid out, and paid; which Book or Books shall at all seasonable Times be open to the Inspection of the said Commissioners, or any Person or Persons paying or contributing towards the Rates hereby granted, without Fee or Reward; and the said Commissioners and Person or Persons shall and may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and in case the said Clerk shall refuse to permit or shall not permit the said Commissioners, or such Person or Persons, or any of them, to inspect such Book or Books, or to take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum not exceeding Five Pounds, to be recovered in manner herein-after mentioned.

XIV. Pro-



XIV. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to appoint the 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 or any Person in the Service or Employ of any such Clerk, to be Treasurer or Treasurers for the Purposes of this Act, or to appoint the Person or Persons who may be appointed Treasurer or Treasurers, or the Partner of any such Treasurer or Treasurers, or any Clerk or Person in the Service or Employ of any such Treasurer or Treasurers, or the Partner or Partners of such Treasurer or Treasurers, to be the Clerk to the said Commissioners; 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 or any Person in the Service or Employ of any such Clerk, shall act as Treasurer, or being the Partner of any such Treasurer or Treasurers, or any Clerk or Person in the Service or Employ of any such Treasurer or Treasurers, or of the Partner or Partners of such Treasurer or Treasurers, shall act as Clerk in the Execution of this Act, every such 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, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed.

Clerk not to act as Treasurer, and vice versâ.

XV. And for defraying the Charges and Expences of cleansing, lighting, watching, and watering the said Roads, Streets, Lanes, and other public Passages and Places, and for removing Nuisances and Annoyances therein, and for other the Purposes of this Act; be it enacted, That from and after the First Day of *June* One thousand eight hundred and twenty-six, One or more Rate or Rates, Assessment or Assessments, shall once in every Year (or oftener if it shall be thought needful by the Commissioners, or any Five or more of them,) be made, laid, and assessed by the said Commissioners, or any Five or more of them, upon all and every Person and Persons who do or shall inhabit, hold, or occupy any House, Shop, Warehouse, Wharf, Cellar, Vault, Stable, Coach House, Brewhouse, Brewing Offices, Granaries, Malt Houses, Store Houses, and other Buildings already built or to be built within the Limits of this Act, which shall be situate within Two hundred Yards of any of the Roads, Yards, Streets, Lanes, Squares, Alleys, Passages, or Places which shall be lighted, cleansed, or watched by virtue of this Act, and the Yards and Gardens attached to and with any of the before-mentioned Buildings respectively occupied, (save and except any Houses, Buildings, or other Hereditaments used and occupied for the Purposes of any public Charity, and also all Churches and Chapels, which are not intended to be made liable to the Rates hereby imposed,) and in such competent Sum and Sums of Money as the said Commissioners, or any Five or more of them, shall yearly and every Year order and direct, so as such Rates or Assessments do not exceed in the whole the Sum of Two Shillings in the Pound in any one Year of the yearly Value of such Houses, Shops, Warehouses, Wharfs, Cellars, Vaults, Stables, Coach Houses, Brewhouses, Brewing Offices, Granaries, Malt Houses, Store Houses, and other Buildings, Yards, and Gardens as aforesaid;

Commissioners may make Rates on Occupiers, to defray Expences.



Commis-  
sioners may  
amend Rates.

said ; such yearly Value to be ascertained by such Ways and Means as the said Commissioners, or any Five or more of them, shall think proper : Pro-  
vided always, that the said Commissioners, or any Five or more of them, shall and may, if they think proper, at any Meeting, amend any such Rate or Assessment, Rates or Assessments, after the same shall have been made and signed, by inserting the Name of any Person who ought to have been but 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, or 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 Commissioners shall think proper for making the same a just and equal Rate or Assessment, without wholly setting aside or quashing the same : Pro-  
vided always, that no Person shall be subject to any Rate or Assessment who shall occupy any House or other Premises the annual Value whereof, as assessed by virtue of this Act, shall not exceed Ten Pounds.

Justices to  
grant War-  
rants to  
collect the  
Rates.

XVI. And be it further enacted, That all Rates made by virtue of this Act shall be collected half-yearly, or oftener, if the said Commissioners or any Five or more of them shall think necessary, by the Collector or Collectors, or other Person or Persons to be appointed as aforesaid, and be paid over by such Collector or Collectors as aforesaid into the Hands of the Treasurer of the said Commissioners ; and if any Person or Persons shall refuse, neglect, or omit to pay the Sum or Sums of Money which he, she, or they shall be rated or assessed at by virtue of this Act, for the Space of Ten Days after personal Demand made thereof or Demand in Writing left at the Place of Abode or Occupation of such Person or Persons, then and in every such Case it shall and may be lawful to and for any Justice of Peace in the County of *Surrey*, by Warrant under his Hand and Seal, to authorize and direct the said Collector or Collectors, or any other Person or Persons, to levy such Rate or Assessment by Distress and Sale of the Goods and Chattels of such Person or Persons so neglecting, refusing, or omitting to pay the same, rendering the Overplus (if any) after deducting the Sum or Sums due in respect of such Rates or Assessments, and all Costs and Charges attending the Recovery thereof, to the Owners of such Goods and Chattels, upon Demand.

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

XVII. And be it further enacted, That it shall and may 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 Commissioners, or any Five or more of them, at all convenient Times (first having an Order under the Hands of the said Commissioners, or any Five or more of them, 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 several Parishes which may be affected by this Act, 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 Commissioners, or any Five or more of them, 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 Ten Days after such Order shall be produced and shown 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 Twenty Pounds nor less than Ten Pounds.

XVIII. And whereas several Houses within the Limits of this Act may be, by the Landlords or Owners thereof, let out into Lodgings or Tenements to divers Tenants, whereby it may be difficult to rate such Houses, and to recover such Rates and Assessments when made; for Remedy whereof be it enacted, That the said Commissioners, or any Five or more of them, shall and may rate or assess the Landlord or Owner of any House which shall be let or occupied by Two or more Tenants, and the Landlord or Owner of every such House shall pay the said Rate or Assessment accordingly.

Rates on Houses let to divers Tenants to be paid by the Landlord.

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

Houses, &c. unoccupied not rateable.

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

As to Occupiers quitting without paying Rates.

XXI. Provided always, and be it further enacted, That in all Cases where any Person or Persons shall remove from or quit any House, Building, Garden, Tenement, or Hereditament rated or assessed, or liable to be rated or assessed by virtue of this Act, such Person or Persons shall be liable to pay such Rate or Assessment in proportion to the Time that he, she, or they occupied the same respectively, in like Manner as if such Person or Persons had not removed or quitted the same; and in all Cases where any Person or Persons shall come into or occupy any House, Building, Garden, Tenement, or Hereditament rated or assessed, or

Rates apportioned between Occupiers quitting and coming into any House, &c.

[*Local.*]

II D

liable



liable to be rated or assessed as aforesaid, out of or from which any other Person who shall have been rated or assessed for the same shall have removed, or which at the Time of making any such Rate or Assessment was empty or unoccupied, the Person or Persons coming into or occupying the same shall be liable to pay such Rate or Assessment in proportion to the Time that such Person or Persons occupied the same, in like Manner as if he, she, or they had been originally rated or assessed for such House, Building, Garden, Tenement, or Hereditament, which said respective Proportions, in case of Dispute, shall be settled and ascertained by the said Commissioners, or any Five or more of them.

Commissioners may borrow Money.

XXII. And for the more speedy and effectual raising of Money for the Purposes of this Act, be it further enacted, That it shall be lawful for the said Commissioners and they are hereby empowered from Time to Time to borrow and take up at Interest any Sum or Sums of Money, not exceeding Five thousand Pounds, upon the Credit of the Rates or Assessments herein-before granted, and by Writing under their Hands and Seals to mortgage or assign over the said Rates or Assessments, or any Part thereof, to the Person or Persons who shall advance or lend such Money, or his or their Trustee or Trustees, as a Security for the Money so to be borrowed, together with Interest for the same; and every such Mortgage or Assignment may be according to the Form following; (that is to say,)

Form of the Mortgage.

‘ **BY** virtue of an Act passed in the Seventh Year of the Reign of King George the Fourth, intituled [*set forth the Title of this Act*], we being Five of the Commissioners 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 .’

Money may be raised on Annuities.

And every such Mortgage or Assignment shall be good, valid, and effectual in the Law, provided that the whole Sum to be charged on the Credit of the said Rates or Assessments shall not at any Time exceed the Sum of Five thousand Pounds: Provided always, that in case the said Commissioners shall think it advisable to raise all or any Part of the Money necessary for the Purposes aforesaid by the granting of Annuities for the Life or Lives of any Person or Persons, then it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, by any Writing or Writings under their Hands and Seals, to grant any Annuity or Annuities to any Person or Persons who shall contribute, advance, and pay into the Hands of the Treasurer to the said Commissioners any Sum or Sums of Money for the absolute Purchase of any such Annuity or Annuities, to be paid and payable during the natural Life of every such Contributor, or the natural Life of every such Person as shall be nominated by or on behalf of such Contributor at the Time of the Payment of



of his or her Contribution or Purchase Money; and the Grant of every such Annuity may be according to the Form following; (that is to say,)

‘ **BY** virtue of an Act passed in the Seventh Year of the Reign of King *George the Fourth*, intituled [*here set forth the Title of this Act*], we being Five of the Commissioners 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*, quarterly, upon the Day of the Day of 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 hereunto set our Hands and Seals this Day of .’

Form of  
Grant of  
Annuity.

And every such Grant shall be a good, valid, and effectual Security in Law for Payment of such Annuity; which said several Annuities so to be purchased shall be made payable and be paid quarterly during the natural Lives of such Contributors respectively, or the natural Life or Lives of such other Person or Persons as shall be nominated by such respective Contributors, and a proportionate Part of each Annuity shall be paid from the last Quarter Day of Payment to the Day of the Death of the Annuitant, or his or her Cestuique Vie; and the said Commissioners shall pay the said Annuities freed and discharged from every Tax and Deduction whatsoever.

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

Restrictions  
as to grants  
of Annuities.

48 G.3.c.142.

52 G.3.c.129.

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

Power to  
borrow  
Money at  
lower In-  
terest, to  
discharge  
Securities at  
higher.

XXV. And



Securities  
may be trans-  
ferred.

XXV. And be it further enacted, That it shall be lawful for the Persons entitled to any of the Securities for the Money borrowed, or for the Annuities granted as aforesaid, by Writing under their Hands indorsed thereon, to transfer the same respectively to any Person or Persons according to the Form following; *videlicet*,

Form of  
Transfer.

‘ 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                      .’

Entries to be  
made of Se-  
curities.

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

Application  
of Money.

XXVI. 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 Commissioners, or to such other Person or Persons as they shall appoint, and shall be applied and disposed of, in the first place, in paying and defraying the Charges and Expences which shall be incident to and attending the obtaining and passing of this Act; and in the next place to 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 widening, improving, regulating, repairing, watching, cleansing, lighting, and watering the Roads, Streets, Lanes, and other public Passages and Places within the Limits of this Act, and in defraying and paying all Expences which the said Commissioners 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, pay-  
ing



ing off, and discharging all such Principal Sums as shall be borrowed as aforesaid.

XXVII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any Five or more of them, to enter into any Contract or Contracts for cleansing, lighting, and watering the several Roads, Streets, Lanes, and other public Passages and Places within the Limits of this Act, or any of them, or for furnishing Materials, or any other Matters or necessary Things whatsoever, or for any other the Purposes of this Act; but before any such Contract or Contracts shall be entered into Seven Days Notice at the least shall be given in some public Newspaper circulated in the said District, expressing the Purpose or Purposes of such Contract or Contracts, in order that any Person or Persons willing to undertake the same may make Proposals for that Purpose, to be offered to the said Commissioners at a certain Time and Place in such Notice to be mentioned; and the said Commissioners shall and they are hereby required to take Security from every such Contractor for the due Performance of his or her Contract.

Commis-  
sioners may  
contract for  
cleansing  
or lighting  
the Streets,  
&c.

XXVIII. And be it further enacted, That it shall be lawful for the said Commissioners, or any Five or more of them, from Time to Time to compound and agree with any Person or Persons against whom any Action or Suit shall be brought, commenced, or prosecuted for any Penalty contained in any Contract to be entered into as aforesaid, for any Breach or Non-performance thereof, for such Sum of Money as the said Commissioners or any Five or more of them shall think proper, so as the Sums so compounded and agreed for be not less than the Injury or Damage sustained by the Breach or Non-performance of any such Contract, and all the Costs and Expences which shall be occasioned thereby.

Commis-  
sioners may  
compound  
for Breach  
of Contract.

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

Surveyors  
to inspect  
Works.

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

Penalty on  
Persons ob-  
structing  
Officers.

XXXI. And be it further enacted, That it shall and may be lawful for the said Commissioners, or any Five of them, to contract with any Person or Persons to be Scavenger or Scavengers, Raker or Rakers, Cleanser or Cleansers of the public Streets, Squares, Lanes, Courts, Yards, and other public open Passages, Ways, and Places within the Limits of this Act; and such Person or Persons so contracted with shall, as often as thereunto required by the said Commissioners or any Five of them, bring or cause to be brought Carts, Waggon, or other suitable Carriages into all the Places aforesaid, wherein the same can be drawn

Commis-  
sioners may  
contract with  
Scavengers.

[*Local.*]

II E

near



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 to every other Place into which the said Carriages cannot pass and abide, and shall take and carry away, or cause to be taken and carried away, from the several and respective Houses and Premises there, the Soil, Ashes, Cinders, Rubbish, Dust, Dirt, and Filth in or belonging thereto, without receiving any Pay, Hire, or Reward, other than is expressed in his or their Contract or Contracts, upon pain of forfeiting any Sum not exceeding Twenty Shillings for every Neglect or Default: Provided also, that all Rubbish, Earth, Dust, Filth, and Soil occasioned by building, repairing, amending, or altering any House or Houses, Building or Buildings, which shall be deposited in any such Road, Street, Square, Lane, Alley, Court, Yard, or other open and public Passages, Ways, or Places, shall, within Two Days next after the same is so deposited, be taken and carried away by the Owner or Owners, Occupier or Occupiers of such Houses and Buildings respectively from which the same shall be taken or proceed, upon pain of forfeiting and paying any Sum not exceeding Five Pounds for every Day which he, she, or they shall neglect to remove the same; and that if any Person or Persons, Occupier or Occupiers of any House or Building in any of the Roads, Streets, Lanes, Courts, Yards, and other public open Passages, Ways, and Places, except Manufacturers and others as herein-after excepted, shall permit such Soil, Ashes, Cinders, Rubbish, Dust, Dirt, or Filth to be taken away by any other Person than the Contractor, every such Person or Persons so offending shall in like Manner forfeit any Sum not exceeding Five Pounds.

Contractors  
only to re-  
move Dust.

XXXII. And be it further enacted, That if any Person or Persons other than the Person or Persons so employed by or contracting with the said Commissioners for the cleansing the Roads, Streets, Squares, and other public Places within the Limits of this Act, or those employed by and under him or them, shall on any Pretence whatsoever go or hire any other Person or Persons on their Behalf, or for their Use, to go about to collect or gather, receive or carry away, any Dust, Cinders, Ashes, or Breeze from any House or Premises in any such Roads, Streets, Squares, and other public Places within any Part of the said District, it shall and may be lawful for any Justice or Justices of the Peace for the said County of *Surrey*, 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 such Offence committed to seize, and also for any other Person or Persons to assist in seizing, the Offender or Offenders, together with the Horses, Asses, Cattle, Carts, Trucks, Wheelbarrows, or other Carriages or Implements made use of for carrying the same away, and by the Authority of this Act, and without any other Warrant, to convey, him, her, or them before such Justice or Justices of the Peace for the said County; and such Justice or Justices shall, and he and they is and are hereby authorized and required to examine upon Oath (or Affirmation, if a Quaker,) 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 thereof, he, she, or they shall respectively, for every such Offence, forfeit and pay any Sum not exceeding Ten Pounds; one Moiety of which respective Penalties shall be paid to the  
Informer



Informer or Informers, and the other Moiety shall be applied to the Use of the Poor of the said Parish of *Lambeth*; 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, 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 arising from such Sale the Penalty or Penalties incurred, together with the reasonable Charges and Expences of such Appraisalment and Sale, the Surplus thereof shall be returned, upon Demand, to the Party or Parties owing the same; and in case no such Seizure shall be made, or the Things seized and sold shall not produce a sufficient Sum of Money to pay the said Penalty or Penalties, Charges or Expences, then and in every such Case such Justice or Justices is and are hereby required to commit such Offender or Offenders, for every Offence of which they shall be so convicted, to the Common Gaol or House of Correction for the said County of *Surrey*, there to be kept to hard Labour for any Time not exceeding Thirty Days, unless such Penalty or Penalties, Charges and Expences, or such Part or Parts thereof as then remain undischarged, be sooner paid and satisfied.

XXXIII. And be it further enacted, That no Person or Persons whosoever shall throw, cast, or lay, or cause or permit or suffer to be thrown, cast, or laid, any Ashes, Dirt, Dust, Rubbish, Soil, or other Filth whatsoever before any Dwelling House, Shop, Stable, Building, Wall, or other Premises, or in any Road, Street, Square, or other public Place within the Limits of this Act, 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 the Person or Persons so contracted with or employed shall carry the same away, upon pain of forfeiting for the First Offence the Sum of Five Shillings, for the Second Offence the Sum of Ten Shillings, and for the Third and every other Offence the Sum of Twenty Shillings: Provided always, that nothing herein contained shall extend or be deemed or taken to prevent any Manufacturer from taking, carrying, or sending away, for his own Use or for 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 Limits of this Act, nor to prevent any Person or Persons from taking, carrying, or sending away, for his, her, or their own Use only, 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.

Penalties on laying Ashes or other Annoyances in the Streets.

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

XXXIV. Provided always, and be it further enacted, That in case such Person or Persons so employed by or contracting with the said Commissioners for the Purposes aforesaid, shall neglect for the Space of Seven Days to give Notice in manner aforesaid to the Inhabitants of their coming for the Purpose of taking away such Dirt, Dust, Soil, Rubbish, Filth, Cinders, and Ashes, or to carry away the same, that then it shall and may be lawful for the Inhabitants of such and so many of the said Roads, Streets, Squares, and other Places where such Neglect shall happen to be, and so often as the same shall occur, to give away or sell their Dust, Filth, Cinders, or Ashes to any Person or Persons whatsoever, who shall and are hereby empowered to take and carry away the same, without being subject

If Contractor neglect to take away Dust any other Person may take it.



subject or liable to any Penalty or Penalties for so doing ; any thing herein contained to the contrary notwithstanding.

Commis-  
sioners not  
personally  
liable.

XXXV. And be it further enacted, That no Contract which shall be made by the said Commissioners for any of the Purposes of this Act shall be binding upon the said Commissioners as Individuals, or in their private Capacity, nor shall any of the Commissioners personally, or their respective Estates, be answerable for the Payment of any of the Mortgages or Annuities to be granted in pursuance of this Act ; and all Money which shall be expended by or recovered against any of the said Commissioners, or any Person or Persons employed by them, by means of any Action or Suit, Prosecution or Appeal, to be brought by or against them, or any of them, touching the Execution of this Act, shall be borne and defrayed by and out of the Money which shall come to the Hands of the Treasurer of the said Commissioners by virtue of this Act ; but nothing herein contained shall extend to exonerate or discharge any of the said Commissioners, their Houses, Lands, Tenements, Hereditaments, Goods, Chattels, or Effects, from the Payment of the Rates or Assessments to be raised by virtue of this Act.

Land to be  
provided for  
depositing  
Dirt, &c.

XXXVI. And be it further enacted, That the said Commissioners, or any Five or more of them, shall have full Power to purchase or rent any Quantity of Land, not exceeding Half an Acre, for depositing Dirt, Dung, Soil, Ashes, Cinders, and Rubbish ; and the Purchase Money or Rent thereof shall be paid out of the Money raised or to be raised by virtue of this Act, and the Property thereof shall be and is hereby vested in the said Commissioners for the Purposes of this Act.

For pre-  
venting  
Nuisances.

XXXVII. And be it further enacted, That if any Person or Persons shall in any of the present or future Streets, Lanes, Roads, Highways, Passages, or other public Places within the Limits of this Act, expose for Sale or sell any Horse, Ass, Pig, Sheep, Bull, Cow, or other Beast or Cattle, except in any public Market or Fair ; or shoe, bleed, or farry any Horse or Beast, (except in Cases of Accident), or clean or dress any Horse or other Beast, or exercise any Horse or Beast ; or turn loose, or suffer to be at large, any Horse, Ass, Sheep, Bull, Cow, Swine, Goat, or other Beast, or any Bull Dog, Mastiff, or other ferocious Dog of any other Species, not being muzzled ; or ride on the Shafts of any Waggon, Dray, Cart, Sledge, or other Carriage, or on any other Part of such Waggon, Dray, Cart, Sledge, or other Carriage, or Part of a Carriage, or on any of the Horses, Asses, Mules, or Cattle drawing the same, without the Reins of such Horses, Asses, Mules, or Cattle being held, or be at such a Distance from the same as not to possess the complete Direction over the Horses, Asses, Mules, or Cattle drawing the same ; or when driving any empty or unloaded Waggon, Cart, or other such like Carriage, shall refuse or neglect to turn the same aside, and make way for any Coach, Chaise, or loaded Carriage of any Description, or when driving any Waggon, Cart, Sledge, or other Carriage, or Wheels, shall not readily and promptly turn the same out of the Road, on meeting Horses and Carriages, so as to leave proper and sufficient Quarter for such Horses and Carriages ; or when riding any Horse or Beast, or driving any Carriage of any Sort or Kind, shall ride or drive the same furiously, or so as to endanger the Life or Limb of any Person, or drive the same against and injure or damage any Curb Stone, or Foot Pavement, or Causeway, or



suffer any Waggon, Cart, Dray, or other Carriage to stand or remain with or without Horses longer than may be necessary for loading or unloading thereof, or suffer the same during such Time of loading or unloading to be placed or remain so as to interrupt the public Passage more than necessary, or suffer any Stage Coach, Diligence, Post Chaise, or other Carriage let to Hire, to remain longer than may be necessary for the taking up or setting down of any Passenger or Passengers, or for loading or unloading their Baggage; or draw any Tree or Piece of Timber, Block or Blocks of Wood or Stone, Metal, or other heavy Materials (except the same be wholly in or on some Carriage); or make or repair any Coach, Chaise, Waggon, Cart, Dray, Sledge, Wheelbarrow, or other Carriage, or the Wheels, Body, Springs, or other Part of any Coach, Chaise, Waggon, Cart, Dray, Sledge, Wheelbarrow, or other Carriage (except such Carriages as may want immediate repairing from any sudden Accident on the Spot, or which cannot conveniently be removed for that Purpose); or let off or fire any Musket, Gun, or Pistol, or other Fire-arms (except in case of Necessity for Self-defence), or make or assist in making any Bonfire, or set fire to or let off or throw any Cracker, Squib, Rocket, or other Fireworks, or play at Football, or any other Game or Games, to the Annoyance of any Inhabitant or Inhabitants, or Passenger or Passengers; or wilfully break, or abet or assist in wilfully breaking, any Glass or Window Panes or Windows, or burn, dress, or cleanse any Cask, or hoop or fire, cleanse, wash, or scald, any Cask or Tub, or hew, saw, bore, or cut any Timber or Stone, or throw, cast, lay, or place any Hay, Straw, Coals, Stones, Slates, Tiles, Lime, Bricks, Mortar, Timber, Boards, Iron, or other heavy Substance, (except Stones, Lime, Bricks, Mortar, Timber, or other Materials used for building, or Dirt or Rubbish thereby occasioned, which shall be placed or inclosed in manner mentioned in this Act, so as to prevent any Mischief happening to Passengers,) or any Dust, Dirt, Dung, Soil, Filth, Carrion, Blood, Offal, Refuse of Garden Stuff, or any Sort of Rubbish, or throw or cast any such Matters or Things into any public or private Well, Pump, Canal, Pool, Watercourse, or Reservoir for Water, or common River or Brook within the said District; or hang up, place, or expose to Sale the Carcase of any Calf, Sheep, Swine, Cattle, or Beast, or any Part or Parts thereof, or any Goods, Wares, or Merchandize whatsoever, or any Fruit, Vegetables, or Garden Stuff, or any other Matter or Thing, in or upon or so as to project over or upon any Footway or Carriageway, or beyond the Line of or on the Outside of the Window or Windows of the House or Shop at which the same shall be so hung up or placed or exposed to Sale, or so as to obstruct or incommode the Passage of any Person or Carriage; or kill or slaughter, or singe, scald, or dress, any Beast, Swine, Ox, Cow, Calf, Sheep, Lamb, or other Cattle, either wholly or in part, in any Shop or other Place adjoining and exposed to any of such Streets, Lanes, Roads, Highways, Passages, or other public Places, or cause or permit any Offal, Blood, Filth, or other offensive Matter to run from any Slaughter House, Shambles, Butcher's Shop, Hogstye, or Dunghill; or shall in any of the said Streets, Lanes, or other public Places or Passages, within the Limits of this Act, sift, screen, wet, slack, or mix any Lime, or fix up any Flower Pot, or Bow Pot or Pots, at any Window or Windows, without sufficiently guarding the same, so as to prevent their being blown or thrown down; or leave open (after Sun-set) the Door, Hatchway or Flap

[*Local.*] Window,



Window, Grate, Stone, Plate, Board, or other Covering, giving Light or Air to any Cellar, Coalhole, Vault, Office, or other underground Room or Apartment, or of any Area, without having placed or left a sufficient Light to warn or prevent Persons from falling into such Cellars or other underground Rooms or Apartments or Areas, or leave open or not effectually fasten and secure any Grate, Stone, Plate, Board, or other Covering placed over any Opening in any Pavement, and used for putting Coals or other Articles into any Cellar or other Place under Ground, or throw at any Cock or Fowl in the Manner called Cock-throwing, or set up any Cock or Fowl to be thrown at in such Manner; or bait or cause to be baited any Bull, Bear, or other Animal in any Part of the said District, or commit any public Nuisance or Annoyance whatever within the Limits of this Act; or run, draw, drive, or carry any Truck, Wheel, Sledge, Wheelbarrow, Bier, Handbarrow, or Carriage whatsoever upon any Footway or Causeway (except only for the Purpose of crossing such Footway or Causeway), or drag thereon any Timber or Log of Wood, or any Stone or Metal, or roll thereon any Cask or Tub (other than for the necessary loading or unloading thereof) into, upon, from, or out of any Cart or Carriage; or set or place thereon any Furniture, Goods, Wares, or Merchandize, or any Cask, Tub, Barrel, Box, Pail, Bucket, Stool, Bench, or Stall, or erect, set up, or place any Blind, Shade, Coverlid, or Awning, or any other Matter or Thing, in the Front of or before any House, Shop, or other Building, or so as in any way to cause any Obstruction or Impediment in any such Footway or Causeway; or slide upon any such Footway or Causeway; or by standing loitering or remaining on any such Footway or Causeway (without some reasonable or good and sufficient Cause), or in any other Manner obstruct or incommode, hinder or prevent, the free Passage of any such Footway or Causeway, or prejudice, insult, jostle, or annoy any Person or Persons travelling, passing, or going thereon; or throw, cast, lay, or sift any Ashes (except in the Time of Frost only, and to prevent Accidents), or wilfully ride, lead, or drive on any Footway or Causeway any Horse, Mule, Ass, Swine, or other Beast or Cattle of any Kind whatsoever, or wilfully permit or suffer any Horse, or other Beast or Cattle, which such Person may be riding, drawing, or leading, to go thereon; or tie or fasten any Horse, or other Beast or Cattle, to any Door, Wall, Post, Tree, or other Thing whatsoever, so as that such Horse, Beast, or Cattle can go or stand across or upon any Footway or Causeway; each and every Person so offending in any of such Cases, or the Owner or Proprietor of any such Horse, Beast, Cattle, Carriage, Goods, Matter, or Thing aforesaid, as the Case may be, (in any of such Cases where the Person actually offending cannot be found or discovered,) or the Person causing any of such Offences, Matters, or Things to be committed or done, shall for each and every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Regulations  
for emptying  
Privies.

XXXVIII. And be it further enacted, That if any Person or Persons shall cause any Privy or Necessary House within the Limits of this Act to be emptied at any Time except between the Hours of Twelve of the Clock in the Night and Six of the Clock in the Morning, or shall lay or cause to be laid the Soil thereof in any of the said Streets, Lanes, 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, Lanes, or other



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 Twenty Shillings nor less than Ten Shillings.

XXXIX. And be it further enacted, That in case any Slaughter House, Hogstye, Necessary House, or other noisome or offensive Building or Place whatsoever, in or near any of the Streets, Lanes, Roads, Highways, Passages, or other public Places, shall (upon Complaint made to the said Commissioners by any of the Inhabitants residing therein) be by such Commissioners deemed a Nuisance to any such Inhabitant or Person, it shall and may be lawful to and for the said Commissioners, by Notice in Writing under the Hands of any Five or more of the said Commissioners, to order any such Nuisance or Offence to be removed; and in case the same shall not be removed within Fourteen Days after such Notice given to the Person or Persons who ought to remove the same, or for on whose Behalf the same is carried on, or left at his, her, or their last or usual Place of Abode, such Person or Persons shall forfeit and pay any Sum not exceeding Twenty Shillings for every Day the same shall continue unremoved after the Expiration of the Time mentioned in such Notice: Provided always, that when any Person or Persons shall think himself, herself, or themselves aggrieved by such Order as aforesaid, shall give Notice to the said Commissioners or their Clerk of his, her, or their Intention to appeal against the said Order, and shall enter into Recognizances within the Time and in the Manner herein-after mentioned and provided for in respect of Appeals against any Matter or Thing to be done in pursuance of this Act, such Person or Persons shall not be subject or liable to pay any such Penalty or Forfeiture until the Expiration of Fourteen Days next after the Hearing and Determination of such Appeal, and the Confirmation thereupon of the said original Order of the said Commissioners.

Slaughter Houses, &c. to be removed if deemed Nuisances.

XL. And be it further enacted, That all the Lamps and Lamp Irons, with the Appendages, which shall be assigned over to or purchased by the Commissioners for executing this Act, or of which they may become possessed by virtue of any of the Powers in this Act contained, or which may be set up by them for the Purposes thereof, and all the Dirt, Dust, Dung, Ashes, and Filth to be swept, gathered, and collected under or by virtue of this Act, and all Watch Boxes, Watch Houses, and other Matters and Things which shall be used, erected, or fixed up by virtue of this Act, and all Materials and Implements which shall be purchased or provided by the said Commissioners for the Purposes of this Act, shall belong to and be the Property of, and the same are hereby vested in the said Commissioners, which Commissioners shall be known by the Name of "The Commissioners for the Improvement of the *Camberwell New Road*, the *Lambeth Wyke* Estate, and Parts adjacent, in the County of *Surrey*;" and the said Commissioners shall and may cause to be brought any Action or Actions, or direct the preferring of any Bill or Bills of Indictment, as the Case may require, against any Person or Persons who shall steal or carry away, detain, spoil, injure, or destroy, the several Articles and Things hereby vested in them the said Commissioners as aforesaid, or any of them, or any Part thereof; and in all such Actions and Bills of Indictment respectively it shall be deemed and taken to be sufficient to state generally, that the Article or Articles, Thing or Things, for or on account of which such

Lamps, &c. vested in Commissioners.



such Action or Actions shall be brought, or Bill or Bills of Indictment preferred, is or are the Property of the Commissioners for the Improvement of the *Camberwell New Road*, the *Lambeth Wyke* Estate, and Parts adjacent, in the County of *Surrey*, without particularly stating or specifying the Name or Names of all or any of the said Commissioners; and the said Commissioners shall have Power and Authority from Time to Time to sell and dispose of, for the Purposes of this Act, all or any of the said Articles and Things, or any Part of the same respectively, to such Person or Persons and in such Manner as they the said Commissioners or any Five or more of them shall think proper.

Commis-  
sioners may  
purchase  
and set up  
Lamps.

XLI. And be it further enacted, That it shall and may be lawful for the said Commissioners, or any Five or more of them, and they are hereby authorized and empowered, from Time to Time and at any Time or Times hereafter, to purchase, provide, affix, set up, alter, take down, and renew such and so many Lamps, of such Sizes and Sorts, in such Places and in such Manner, and to cause the same to be lighted at such Seasons of the Year, and 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, Lanes, or other public Passages or Places; and if any Person or Persons shall wilfully throw down, take, carry away, spoil, or damage any Lamps now set up or to be set up within the Limits of this Act, or any of the Irons, Posts, or other Furniture thereof, or wilfully extinguish the Light of any such Lamp, every Person so offending shall forfeit and pay any Sum not exceeding Five Pounds for each Offence, one Moiety of which shall go to the Informer, and the other to the said Commissioners for the Purposes of this Act, or to the Contractor who shall have furnished such Lamps, and such Offender shall moreover make full Satisfaction to the said Commissioners or to such Contractor for the Damage done thereby, such Damage to be recovered in like Manner as any Penalty is hereafter authorized or directed to be recovered.

Persons ac-  
cidentally  
damaging  
Lamps to  
make good  
the Damage.

XLII. And be it further enacted, That if any Person shall carelessly, negligently, or accidentally break, throw down, or otherwise spoil or damage any of the said Lamps, or the Irons, Posts, or other Furniture thereof, and shall not immediately upon Demand make Satisfaction for the Damage done thereto, then and in such Case it shall be lawful for any Justice of the Peace for the County of *Surrey*, upon Proof thereof made by the Oath of One or more Witness or Witnesses, or on the Confession of the Party, to award such Sum of Money by way of Satisfaction for such Damage as such Justice shall think reasonable; and in case of Refusal or Neglect to pay such Sum of Money, upon Demand, to cause the same to be levied and recovered in like Manner as the said Rates or Assessments can or may be levied and recovered.

Commis-  
sioners may  
contract to  
supply pri-  
vate Persons  
with Gas  
Lights.

XLIII. And be it further enacted, That in case the said Commissioners shall at any Time or Times after the passing of this Act light the said Roads, Streets, and other public Places, or any of them, within the Limits of this Act, with Gas, it shall and may be lawful for the said Commissioners, and they are hereby authorized and empowered, to contract with any Inhabitant or Inhabitants of the said District, or the Vicinity thereof, or the Occupier or Occupiers of any Building or Tenement, Buildings or Tenements therein, or in the Vicinity thereof, or with any



Company or Corporation, for supplying him, her, or them with Light for private Purposes by means of Gas from any Establishment of the said Commissioners, the Rates or Compensation Monies for such private Supply being from Time to Time fixed or altered and regulated by them the said Commissioners at some General Meeting; and such Rates or Compensation Monies shall be applied for the Purposes of this Act, and when in arrear shall and may be recovered by the same Means as the Rates directed to be made for the Purposes of this Act are authorized to be recovered: Provided nevertheless, that nothing herein contained shall authorize or empower the said Commissioners, or any other Person or Persons, to carry, lay, or affix any Pipe or Pipes through, against, or upon any Dwelling House or Houses, Manufactories, public or private Buildings, Yards, or Grounds, for the Purpose of lighting the said Roads, Streets, and other public Places with Gas, or to continue the same, without the Consent of the Owner and Occupier of every such Dwelling House or Houses, Manufactory, public or private Building, Yards, or Grounds, through or against which any Pipe or Pipes shall be carried or laid for the Purposes aforesaid.

XLIV. And be it further enacted, That if the said Commissioners, or Body or Bodies Politic or Corporate, or any Person or Persons making, furnishing, or supplying any Gas used, burnt, or consumed within the Limits of this Act for lighting any Street, Highway, or Place, or any House, Manufactory, or other Building therein, shall at any Time empty, drain, or convey, or cause or suffer to be emptied, drained, or conveyed, or to run or flow, any Washings, or other waste Liquids, Substances, or Things whatsoever, which may arise or be produced in the Prosecution of the Works of the said Commissioners, or if any such Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, or in the Manufacture or Process of making or procuring such Gas, into any River, Brook, or running Stream, Reservoir, Aqueduct, Waterway, Feeder, Pond, Springhead, or Well, or in any Drain, Sewer, or Ditch communicating therewith, or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any such River, Brook, or running Stream, Reservoir, Aqueduct, Waterway, Feeder, Pond, or Springhead, Well, Drain, Sewer, or Ditch, then and in every such Case the said Commissioners, Body or Bodies Politic or Corporate, or such Person or Persons as aforesaid, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds, and such Penalty or Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than One Imparlance, shall be allowed, and the whole thereof shall be paid to the Person or Persons who shall inform or sue for the same; provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Three Calendar Months from the Time in which such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased and determined; provided also, that over and above and in addition to the said Penalty of Two hundred Pounds, and whether such Penalty shall have been sued for or recovered or not, and in case any of the said Washings or other waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be emptied, drained, conducted, or conveyed, or caused or suffered

Penalty for  
conveying  
Washings  
into Rivers,  
Streams,  
&c.

[*Local.*]

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to



to run or flow in manner aforesaid, into any River, Brook, or running Stream, or any Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, or Springhead or Well, or into any Drain, Sewer, or Ditch communicating therewith, 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 whom the same shall belong, or by any other Person or Persons whomsoever, to the said Commissioners, or Body or Bodies Politic or Corporate, or to such Person or Persons as aforesaid, and the said Commissioners, or the Person or Persons, Body or Bodies Politic or Corporate, or such Person or Persons as aforesaid, shall not, within Twenty-four Hours after such Notice shall have been given, stop, hinder, or prevent all and every such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things, from being emptied, drained, conducted, or conveyed, or from running or flowing, in manner aforesaid, and every such Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case the said Commissioners, or Body or Bodies Politic or Corporate, or such Person or Persons as aforesaid, shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be so emptied, drained, conducted, or conveyed, or caused or suffered to run or flow, in manner aforesaid, or such other Annoyance, Act, or Thing shall be so done or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered and levied in such and the like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered and levied, and shall be paid to the Informer, or to the Person or Persons who, in the Judgment of the Justice or Justices before whom the Conviction shall take place, shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed.

Penalty for  
allowing  
Escape of  
Gas.

XLV. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up by the said Commissioners, or Body or Bodies Politic or Corporate, or any Person or Persons making, furnishing, or supplying any Gas used, burnt, or consumed within the Limits of this Act, for lighting any Street, Highway, or Place, or any House, Manufactory, or other Building therein, shall at their own Expence, immediately after Notice thereof by Parole or in Writing from any Person or Persons whomsoever, given to the said Commissioners, or to the Clerk or other Officer or Agent of the said Commissioners, or any such Body or Bodies Politic or Corporate, or Person or Persons, stop and prevent such Gas from escaping; and in case the said Commissioners, or Body or Bodies Politic or Corporate, or Person or Persons, shall not, within Twelve Hours next after such Notice by Parole or in Writing being given of any such Escape of Gas, as far as possible stop and prevent the Gas from escaping, and thereby remove the Cause of Complaint, that then and in every such Case the said Commissioners, or Body or Bodies Politic or Corporate, or Person or Persons, shall for every such Offence forfeit and pay the Sum of Five Pounds for each and every Day after the Expiration of Twenty-four Hours from the Time of giving any such Notice during which the Gas shall be suffered to escape as aforesaid, which Penalty shall from Time to Time be recoverable in a summary Way, on the Oath of One or more credible Witness or Wit-



nesses, by Information to be laid and exhibited before One or more Justice or Justices of the Peace for the County of *Surrey*, and shall and may be recovered and levied, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the said Commissioners, or such Body or Bodies Politic or Corporate, or Person or Persons, by the Warrant of any Justice or Justices of the Peace as aforesaid, in manner herein-after directed.

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

XLVII. And be it further enacted, That whenever the Water of any Company of Proprietors, or other the Owners or Proprietors of any Waterworks within the said District, shall be contaminated or affected by the Gas of the said Commissioners, or of the Body or Bodies Politic or Corporate, Company or Companies of Proprietors, or other Person or Persons as aforesaid, the said Commissioners, 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 Company of Proprietors, or other the Owners or Proprietors of any Waterworks; and in case any such Water shall be contaminated or affected by Gas in any Way whatsoever, then and in every such Case the said Commissioners, 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 any of the Directors, or by the Treasurer, or by the Manager or chief Clerk for the Time being of and for the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks, or by any Person using the Water, to be left at the usual Office or Place of transacting Business of the said Commissioners, Body or Bodies, Company or Companies, or 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, or contaminating or affecting the Water of the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks; and in case the said Commissioners, Body or Bodies, or other Person or Persons

Commissioners, or Persons contracting to light with Gas, liable to be indicted.

Commissioners, &c. to prevent Escape of Gas and Contamination of Water.



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 Commissioners, Body or Bodies, or other Person or Persons as aforesaid, shall, on each and every Complaint whereof Notice shall be given as aforesaid, forfeit and pay to the Treasurer for the Time being, or to any One of the Directors for the Time being of the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks, for the Use and Benefit of the same Proprietors or Owners, 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 the Water of the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks, shall be and remain contaminated, tainted, or affected by the Gas of the said Commissioners, Body or Bodies, or other Person or Persons as aforesaid; 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, Manager, or chief Clerk for the Time being of the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks, or by and in the Name of any One or more of the Directors of the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks, at the Option of the Parties prosecuting such Information against the said Commissioners, Body or Bodies, or other Person or Persons as aforesaid, before any Justice of the Peace for the said District, with Costs, to be assessed by such Justice, and to be levied by Distress and Sale of the Goods and Chattels of the said Commissioners, Body or Bodies, 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, or to One of the Directors for the Time being of the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks, for the Use of the same Proprietors or Owners.

For ascertaining if the Water is contaminated.

XLVIII. And whereas it may be or become a Question, upon such Complaint as aforesaid, whether the said Water be contaminated or affected by the Gas of the said Commissioners, Body or Bodies, or other Person or Persons as aforesaid; be it therefore enacted, That in every such Case it shall and may be lawful to and for the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks, to dig to and about, and search and examine, the Mains, Pipes, Conduits, and Apparatus of the said Commissioners, Body or Bodies, or other Person or Persons as aforesaid, for the Purpose of ascertaining whether such Contamination proceed or be occasioned by the Gas of the said Commissioners, Body or Bodies, 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 Commissioners, Body or Bodies, 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



the said Commissioners, Body or Bodies, 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 the Examination it shall appear that such Contamination has not arisen from any such Escape of Gas from any of the Mains, Pipes, or Conduits of the said Commissioners, Body or Bodies, or other Person or Persons as aforesaid, then in such Case the said Company or Proprietors, or other the Owners or Proprietors of any Waterworks, shall bear and pay all the Costs and Expences of such Examination, Repair, and Search, and shall also make good to the said Commissioners, Body or Bodies, or other Person or Persons as aforesaid, any Loss, or Injury, or Damage which may be occasioned to the said Mains, Pipes, Conduits, or Apparatus of the said Commissioners, Body or Bodies, or other Person or Persons as aforesaid, in and by such Search and Examination, and also to the Pavement of the said Streets so broken up or disturbed in such Search or Examination, the Amount of such Injury, Loss, or Damage to be ascertained and determined, if necessary, by such Justice or Justices of the Peace as aforesaid.

XLIX. And be it further enacted, That all and every the Pipes or other Conduits to be laid or used for the Conveyance of Gas in, under, through, along, across, or round any Street, Lane, Passage, or other Place in the said District, shall be so laid at the greatest practicable Distance, and whenever the Width of the Carriageway in such Street, Lane, Road, Passage, or Place will allow thereof, at the Distance of Four Feet at least, as well from the nearest Part of any Water Pipe already laid down or hereafter to be laid down for the Conveyance of Water in, under, through, along, across, or round any of the said Streets, Passages, or other Places in the said District, as also from the nearest Part of any Main or Conduit Pipe already laid down or hereafter to be laid down by or by the Order of the said Commissioners, or of any Gas Light Company, or Person or Persons whomsoever, for the Conveyance of Gas in, under, through, along, across, or round any Street, Road, Passage, or other Place in the said District, unless in Cases where it shall be unavoidably necessary to lay any such Pipes across any of the Pipes of any Water Company, or any Gas Light Company, or of any Person or Persons whomsoever, in which Cases the said Pipes shall be laid over and above such Water Pipes, or such Pipes of any Gas Light Company, or of any Person or Persons whomsoever (as the Case may be), at the greatest practicable Distance therefrom, and shall form therewith a Right Angle ; and that in such Cases the said Pipes so crossing the said Pipes of any Water Works Company, or any Gas Light Company, or of any Person or Persons whomsoever, shall be at least Nine Feet in Length, so that no Joint of any of the said Pipes shall be nearer to any Part of the said Pipes of any Water Works Company, or any Gas Light Company, than Four Feet at least ; and that in laying down the said Pipes the said Commissioners, or Person or Persons, Body or Bodies Politic or Corporate, or Person or Persons whomsoever, shall in no Case join Two or more Gas Pipes together previous to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall in such Trench properly form the Jointing with the other Pipes to be added thereto,

[*Local.*],

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thereto, with proper and sufficient Materials; and also to make and keep all and every such Pipes, and all Pipes connected or communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively air-tight, and in all and every respect prevent the said Gas from escaping therefrom and from any Part thereof, upon pain of forfeiting for every Offence the Sum of Five Pounds, to be recovered as any Penalty is herein directed to be recovered, and shall be paid to the Company of Proprietors of the Water Works or Gas Light Company, as the Case may be.

Time for  
laying Pipes.

L. And be it further enacted, That no Part of the Streets, Highways, or public Places within the said District shall be broken or taken up for the Purpose of laying down any new Main of Pipes, or any new Service of Pipes, in the Months of *December, January, or February*; and that if any Water or Gas Company, or other Person, shall break or take up any Part of such Streets, Highways, or public Places in violation hereof, then such Company or other Person so offending shall forfeit and pay the Sum of Ten Pounds for every Square Foot of such Street, Highway, or public Place so broken or taken up.

Watchmen  
to be ap-  
pointed.

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

Watchmen  
empowered  
to apprehend  
suspected  
and disorderly  
Persons.

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

Victuallers  
not to suffer  
Watchmen  
to be in their

LIII. And be it further enacted, That if any Victualler or Keeper of any Public House or Liquor Shop shall knowingly and willingly harbour or entertain any Watchmen employed by the said Commissioners, or  
permit



permit or suffer any such Watchman to remain in his or her Public House or Liquor Shop during any Part of the Time appointed for his being on Duty as aforesaid, every such Victualler or Keeper of a Public House or Liquor Shop shall for the first Offence, being thereof duly convicted, forfeit and pay any Sum not exceeding Ten Shillings, and for the Second and every other Offence any Sum not exceeding Twenty Shillings.

Houses during the Hours of Duty.

LIV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any Five or more of them, 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 Commissioners, or any Five or more of them, shall think reasonable, such Compensation to be paid out of any Money to be raised for the Purposes of this Act.

Commissioners may compensate Watchmen.

LV. And be it further enacted, That each and every the Watchmen and Night Patrole shall upon his Appointment by the said Commissioners to be such Watchmen or Night Patrole, be sworn in as Constable of the said District before any Justice or Justices of the Peace of the said County, and act as such while in the Execution of the Powers and Authorities of this Act; and they are hereby invested with and shall have and enjoy the like Powers and Authorities, Privileges and Immunities, as any Constable or Constables is or are invested with, or have and enjoy by Law.

Watchmen to be sworn in as Constables.

LVI. And be it further enacted, That some Time in the Month of *June* in every Year after the Year of passing this Act a fair and just Account shall be made and wrote out of all Monies received and paid by virtue or in pursuance of this Act, and how and to whom and for what Purposes the same shall have been laid out, paid, and expended; and a Copy or Duplicate of such Account, signed by Five or more of the said Commissioners, shall be deposited with the Clerk of the said Commissioners, who shall permit any Person or Persons so rated as aforesaid, or any Person or Persons on his or her Behalf, to inspect the same at all seasonable Times, paying One Shilling for every such Inspection, and shall upon Demand forthwith give Copies of the same or any Part thereof to any such Person, paying at the Rate of Sixpence for every One hundred Words, and so in proportion for any less Number of Words.

Accounts to be made up yearly for Inspection.

LVII. And be it further enacted, That the said Commissioners may sue or be sued for or concerning any thing which shall be done by virtue or in pursuance of this Act in the Name of their Clerk for the Time being, or in the Name or Names of any One or more of the said Commissioners; and that no Action or Suit to be brought or commenced by the Direction of or against the said Commissioners by virtue of this Act shall abate or be discontinued by the Death, Removal, or Default of such Clerk or Commissioner or Commissioners, but shall be continued and carried on in the Name or Names of the Clerk for the Time being, or of the Commissioner or Commissioners in whose Name or Names the same shall have been brought; but the Clerk for the Time being, or such Commissioner or Commissioners, shall always be deemed Plaintiff or Plaintiffs or Defendant or Defendants in such Action or Suit (as the Case may be): Provided always, that all Costs and Expences to be

Commissioners may sue and be sued in the Name of their Clerk, &c.



be incurred by the said Commissioners or their Clerk in prosecuting or defending any Action or Suit touching the Execution of this Act, shall be defrayed out of the Money arising by virtue of this Act: Provided always, that such Commissioner or Commissioners, or Clerk, shall not on that Account be deemed an inadmissible Witness or Witnesses in any such Action or Suit.

Recovery  
and Applica-  
tion of Penal-  
ties, Fines,  
and Forfeit-  
ures.

LVIII. And be it further enacted, That all Offences whatsoever which by virtue or under the Authority of this Act are or shall be subject to or punishable with any pecuniary Penalties, Fines, or Forfeitures, for the Recovery of which no express Provision is herein-before made, shall and may in every Case be heard, adjudged, and determined by or before any Justice or Justices of the Peace in and for the said County of *Surrey*, in a summary Way, upon Information or Complaint made and exhibited (and which shall in every Case be made and exhibited within Three Calendar Months next after the committing of such Offences respectively, and not afterwards); and upon any such Information or Complaint as aforesaid the said Justice or Justices shall summon the Party accused, and examine into the Matter thereof; and if upon the Confession of the Party or Parties accused, or on the Oath of any One or more credible Witness or Witnesses, the Party or Parties accused shall have been convicted of having committed such Offence or Offences, then and in every such Case the said Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, hereby made payable in respect of such Offence or Offences, together with the Costs of Conviction, to be ascertained by such Justice or Justices, shall be forthwith paid by the Party or Parties so convicted as aforesaid; and in case such Party or Parties so convicted shall refuse or neglect to pay the same forthwith, then the same shall and may, by Warrant or Warrants under the Hand and Seal or Hands and Seals of any such Justice or Justices, (which he and they is and are hereby authorized and empowered to grant,) be levied and recovered, together with the Costs of Conviction and Recovery, to be ascertained by such Justice or Justices, by Distress and Sale of the Goods and Chattels of such Offender or Offenders, wherever such Goods and Chattels can be found, rendering the Overplus of the Money arising by such Sale (if any), after deducting the reasonable Charges of taking, keeping, and selling such Goods and Chattels, to the Party or Parties whose Goods or Chattels shall be so distrained; and the whole of such Penalty shall be paid to the Overseer of the Poor of the Parish of *Lambeth*, and applied to the Relief of the Poor of the said Parish; and it shall and may 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 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 or Justices is and are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant or Warrants it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, and such Costs as aforesaid, and the same shall not be forthwith paid, or in



case it shall appear to such Justice or Justices, either by the Confession of the Offender or Offenders, or otherwise, that the Offender or Offenders hath or have not sufficient Goods and Chattels whereon such Penalties, Fines, or Forfeitures, and Costs, may be levied, were a Warrant of Distress issued, such Justice or Justices shall not be required to issue a 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 House of Correction for the said County of *Surrey*, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, or until such Offender or Offenders shall have fully paid such Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, 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.

LIX. Provided always, 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 or Justices of the Peace, in pursuance of the Directions of this Act, as or by way of Compensation or Satisfaction for any Materials, Costs, Damages, Spoil, or Injury of any Nature or Kind whatsoever done or committed by the said Commissioners, or any Person or Persons acting by or under their Authority, or under the Authority of this Act, and such Sum or Sums of Money shall not be paid by the said Commissioners to the Party or Parties entitled to receive the same within Five Days after Demand in Writing shall have been made, stating the Order of such Justice or Justices from the Clerk of the said Commissioners or their Treasurer, in pursuance of the Direction or Order made by such Justice, 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 Commissioners by virtue of this Act, or the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices of the Peace, which Warrant any such Justice or Justices is and are hereby authorized and required to grant under his Hand and Seal, or their Hands and Seals, on Application made to him or them 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, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Surplus 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, upon Demand, to the said Commissioners, or to their Treasurer for the Time being, as the Case may be.

Compensation for Materials, Damages, &c. may be levied on the Goods vested in the Commissioners.

LX. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable by Information before a Justice or Justices of the Peace, it shall and may be lawful for any Justice or Justices of the Peace to whom Complaint is by this Act authorized to be made of any Offence against this Act to summon the Party complained against before him or them, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict

Justices may proceed by Summons in the Recovery of Penalties.

[*Local.*]

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the



the Offender, and to adjudge him or her 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 or Justices; and all such Proceedings by Summons, without Information, shall be as good and effectual, to all Intents and Purposes, as if an Information in Writing was exhibited.

Form of Con-  
viction.

LXI. And be it further enacted, That all and every Justice and Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act shall and may cause the Conviction to be drawn in the following Form, or to the like Effect; (that is to say,)

‘ Surrey } BE it remembered, That on the                      Day of  
‘ to wit. }                      in the                      Year of the Reign of His Majesty  
‘ A. B. is convicted before                      of His Majesty’s Justices  
‘ of the Peace for the said County, by virtue of an Act made in the  
‘ Seventh Year of the Reign of His Majesty King *George* the Fourth,  
‘ intituled [*set forth the Title of the Act, and specify the Offence, and the*  
‘ *Time and Place when and where the same was committed, as the Case may*  
‘ *be*]. Given under our Hands and Seals [*or my Hand and Seal*] the  
‘ Day and Year aforesaid.’

Power to ad-  
minister  
Oaths.

LXII. And be it further enacted, That in all Cases where any Justice or Justices of the Peace is or are by this Act authorized or required to examine any Person or Persons on Oath, it shall be lawful for such Justice or Justices respectively to administer such Oath; and that if any Person or Persons shall, upon his or her Examination upon Oath before such Justice or Justices respectively, wilfully and corruptly give false Evidence, such Person or Persons so offending, and being thereof duly convicted shall be and is and are hereby declared to be subject and liable to such Pains and Penalties as by any Law now in being Persons convicted of wilful and corrupt Perjury are subject and liable to.

For compell-  
ing the At-  
tendance of  
Witnesses.

LXIII. 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 upon 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.

Inhabitants  
may be Wit-  
nesses.

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

LXV. Pro-



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

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

LXVI. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate or Assessment which shall be made or be demanded in pursuance of this Act, or by any Order, Judgment, or Determination of the said Commissioners, or any Five or more of them, or by any Penalty imposed, or by any Conviction made, or by any other Thing done in pursuance of this Act (save and except in such Case where any Order, Judgment, or Determination is herein directed to be final or conclusive, and save and except in such Cases for which any particular Method of Relief is herein appointed), such Person or Persons may appeal to the Justices of the Peace at any General Quarter Sessions of the Peace to be holden for the County of *Surrey* within Six Calendar Months next after the Cause of Complaint shall have arisen, or at any Adjournment of such Sessions, the Person or Persons appealing first giving or causing to be given to the Clerk of the said Commissioners Fourteen Days Notice in Writing of his, her, or their Intention to bring such Appeal, and of the Cause or Matter thereof, and within Fourteen Days next after such Notice entering into a Recognizance before some Justice of the Peace for the said County, with Two sufficient Sureties, conditioned to try such Appeal, and to abide the Order of and to pay such Costs as shall be awarded by the Justices at such Sessions or Adjournment thereof; and the Justices of the said Sessions or Adjournment thereof, upon due Proof of such Notice having been given and of such Recognizance having been entered into as aforesaid, shall hear and finally determine every such Appeal in a summary Way, and award such Costs to the Party appealing or appealed against as the said Justices shall think proper, and shall and may, at their Discretion, discharge or mitigate all or any of the Penalties or Forfeitures incurred by the Party or Parties appealing; and the Determination of the said Justices at their said General Quarter Sessions, or Adjournment thereof, shall be final, binding, and conclusive, to all Intents and Purposes whatsoever.

Appeal.

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

On Appeal  
from Rate,  
Quarter Ses-  
sions may  
amend it  
without  
quashing it,  
or if neces-  
sary may  
quash the  
Rate.



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

Distress not  
unlawful for  
Want of  
Form.

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

Plaintiff not  
to recover  
unless Notice  
given, nor  
after Tender  
of Amends.

LXIX. Provided always, That no Plaintiff or Plaintiffs shall recover upon any such Action for Irregularity, or for any Trespass or other wrongful Proceeding, unless Notice in Writing shall be given to the Defendant or Defendants, Ten Days before any such Action shall be commenced, of such intended Action, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in such Action if Tender of sufficient Amends hath been made to him, her, or them, or his, her, or their Attorney, by or on the Behalf of the Defendant or Defendants, before such Action brought; and in case no such Tender shall have been made it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court, after such Action shall have been brought, at any Time before Issue joined, to pay into Court such Sum of Money as he or they shall think fit, whereupon such Proceedings, Order, and 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.

Proceedings  
not to be  
quashed for  
Want of  
Form.

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

Limitation  
of Actions.

LXXI. Provided always, and be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of this Act, until Fourteen Days Notice be thereof given to the Defendant or Defendants, or after sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, or after Six Calendar Months next after the Fact committed; and every such Action or Suit shall be brought and tried in the County where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in every such Action or Suit shall or may, at his or their Election, plead specially or the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and







*in the Twenty-fifth Year of the Reign of His present Majesty King George the Third, for more effectually repairing the Roads 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 granting other Powers for those Purposes; and by an Act passed in the Fifty-eighth Year of the Reign of His said late Majesty, intituled An Act to continue the Term, and to amend, alter, and enlarge the Powers of an Act passed in the Forty-second Year of His present Majesty's Reign, for repealing an Act of the Twenty-fifth Year of His said present Majesty, for repairing the Roads 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 other Roads therein mentioned, and for making a new Road from Kennington Lane to Camberwell Green in the said County of Surrey, or by either of the said Acts; and that all and every the Clauses, Powers, Authorities, Provisoos, Directions, Regulations, and Provisions therein contained and thereby granted shall continue, and be as full, ample, and effectual, for all Intents and Purposes, as if this Act had not been passed: Provided always, that nothing herein contained shall extend or be construed to extend to prevent the Commissioners for putting this Act into execution, or any Person or Persons with whom they may contract, from taking the Dust and Ashes from all and every the House or Houses on the Line of the said Road, or from enforcing the Penalties from all Persons who shall or may refuse to deliver the said Dust and Ashes to the said Contractor or Contractors, or shall otherwise dispose of the same contrary to the Provisions of this Act, or to prevent or interfere with the Power of the said Commissioners to watch and light the said Roads under and according to the Provisions of this Act; any thing herein contained to the contrary notwithstanding.*

Public Act.

LXXIV. 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 other Persons, without being specially pleaded.

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