



ANNO SEXTO

VICTORIÆ REGINÆ.

Cap. xxxiii.

An Act for the Improvement of the *Norland Estate* in the Parish of *Saint Mary Abbots Kensington* in the County of *Middlesex*. [31st May 1843.]

WHEREAS a certain Square called *Norland Square*, and a certain Crescent called *Royal Crescent*, and certain Terraces, Streets, or Rows of Houses called *Norland Terrace*, *Norland Place*, *Union Terrace*, *Prince's Road*, *Queen's Road*, *Norland Road*, and *Addison Road North*, have been either wholly built, or are partly built and will be shortly completed, on certain Freehold Pieces or Parcels of Land situate in the Parish of *Saint Mary Abbots Kensington* in the County of *Middlesex*, called or known by the Name of the "*Norland Estate*," which Estate is bounded on the North by Lands of *Stephen Bird* and *George Smith*, on the South by the Turnpike Road leading from *Notting Hill* to *Shepherd's Bush*, on the East by a Lane leading Northwards out of the said Turnpike Road to a Place called *Notting Dale* or the *Potteries*, and on the West by Lands of the *West London Railway Company*, the Trustees of the *Latimer Charity*, and of *James Whitchurch*; and it is in contemplation to build other Squares, Crescents, Streets, or Rows of Houses, some of which have been already planned and laid out on the said Estate: And whereas it would be of great Convenience and Advantage to the Owners and Occupiers of Houses on the said Estate, and also of

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First Commissioners.

public Advantage, if Power were given for lighting and cleansing the said Estate, and for paving, gravelling, watering, repairing, and otherwise improving the said Squares, Crescents, Streets, or Rows of Houses now or hereafter to be made on the said Estate, and it will also be desirable to provide for the Maintenance of the Gardens or Pleasure Grounds now or hereafter to be made or laid out on the said Estate; but the said Objects cannot be effectually attained without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *George Saunt Archer, Robert Cantwell, Frederick Chinnock, Hugh Gibb, Richard Emptage Gower, Nehemiah Southwell Price, John Richards, Charles Richardson, Rowland Ryley, John Saunders, William Slark the younger, and Charles Stewart*, shall be the first Commissioners for carrying this Act into execution, and shall continue in Office until other Commissioners shall be elected in their Place in manner herein-after mentioned.

Qualification of Commissioners.

II. And be it enacted, That every Commissioner under this Act shall be a resident Inhabitant on the said *Norland* Estate, and be rated by virtue of and for the Purposes of this Act in the annual Sum of Fifty Pounds or upwards, or shall be beneficially seised or possessed or in the Enjoyment, in his own Right or in the Right of his Wife, of the Rents and Profits of a Dwelling House or other Tenement upon the said Estate of the annual Value of Fifty Pounds at the least, for a Term of Years originally created for not less than Seventy Years, and of which not less than Twenty Years are unexpired, or for any greater Estate.

Same Property not to give 2 Qualifications.

III. Provided always, and be it enacted, That the same Property shall not give a Qualification to Two Commissioners at the same Time as Owner and Occupier thereof.

No Bankrupt or Insolvent to be a Commissioner.

IV. And be it enacted, That no Bankrupt or Insolvent, or Person not qualified as herein-before mentioned, shall be capable of being or continuing a Commissioner.

No Person holding Office or concerned in a Contract to be a Commissioner.

V. And be it enacted, That if at any Time subsequently to the Appointment or Election of any Commissioner he shall accept or continue to hold any Office or Place of Trust or Profit under this Act, or be concerned in any Contract, or participate in any Manner in any Work to be done under the Authority of this Act, such Person shall cease to be a Commissioner, and his Office shall thereupon become vacant.

Shareholders in Companies established under Act of Parliament not disqualified by reason of Contracts.

VI. Provided always, and be it enacted, That no Person, being a Shareholder or Member of any Joint Stock Company established by Act of Parliament or Royal Charter, shall be prevented from acting as a Commissioner by reason of any Contract entered into between such Company and the Commissioners; but no such Commissioner, being a Member of such Company, shall vote on any Question relating

relating to the Execution of this Act in which such Company may be interested.

VII. And be it enacted, That a Person shall not be incapable of acting as a Justice of the Peace in any Matter relating to the Execution of this Act by reason of his being a Commissioner. Commissioner not incapable of acting as Justice.

VIII. And be it enacted, That no Person shall be capable of acting as a Commissioner (except in administering the Declaration herein-after mentioned) until he shall have made and signed, before One of the Commissioners, a Declaration to the Effect following; (that is to say,) Commissioners to make a Declaration.

‘ I *A.B.* do solemnly declare, That I will faithfully and impartially, according to the best of my Skill and Judgment, execute all the Powers and Authorities reposed in me as a Commissioner by virtue of an Act passed in the Sixth Year of the Reign of Her Majesty Queen *Victoria*, intituled *An Act* [*here insert the Title of this Act*], and also that I am a resident Inhabitant on the *Norland* Estate in the Parish of *Saint Mary Abbots Kensington* in the County of *Middlesex*, and am rated to the Rates made by virtue of and for the Purposes of the said Act at the annual Sum of Fifty Pounds at the least, [*or*] that I am beneficially seised or possessed or in the Enjoyment, in my own Right *or* in Right of my Wife, of the Rents and Profits of a Dwelling House or Tenement upon the *Norland* Estate in the Parish of *Saint Mary Abbots Kensington* in the County of *Middlesex* of the annual Value of Fifty Pounds, for a Term of Years originally created for not less than Seventy Years, and of which not less than Twenty Years are now unexpired, [*or*] for an Estate greater than a Term of Years.’

IX. And be it enacted, That any Person who shall falsely or corruptly make and subscribe a Declaration under this Act, knowing the same to be untrue in any Particular, shall be deemed guilty of a Misdemeanor. False Declaration a Misdemeanor.

X. And be it enacted, That at the First Meeting of Commissioners at which any Person shall attend as one of such Commissioners such Person shall make and subscribe the Declaration herein required; and it shall be lawful for any Person attending as one of such Commissioners, whether he shall himself have made such Declaration or not, to administer such Declaration. Declaration to be taken at the First Meeting.

XI. And be it enacted, That if any Person shall act as a Commissioner, being incapacitated to act, or not being duly qualified, or before he shall have made and subscribed such Declaration as aforesaid, or after having become disqualified, he shall for every such Offence forfeit the Sum of Fifty Pounds, and such Penalty may be recovered, with full Costs of Suit, in any of Her Majesty's Courts of Record at *Westminster*, by any Person who shall sue for the same, by Action of Debt or on the Case; and in every Action for the Recovery of such Penalty the Person so sued shall prove that he was qualified and had made and subscribed the Declaration aforesaid, or he shall pay Penalty on Commissioner acting not being qualified.

pay the said Penalty and Costs, without any other Proof or Evidence on the Part of the Plaintiff than that such Person had acted as Commissioner in the Execution of this Act; nevertheless all Acts and Proceedings of any Person acting as a Commissioner, being incapacitated, not duly qualified, or being disqualified, done previously to the Recovery of the Penalty, shall be as valid as if such Person had been duly qualified.

Commis-
sioners to go
out of Office
by Rotation.

XII. And be it enacted, That the Commissioners appointed by this Act shall go out of Office by Rotation, as follows; (that is to say), in the Month of *June* in the Year One thousand eight hundred and forty-four One Fourth of such Commissioners shall go out of Office, and at the same Time in the following Year One Third of the remaining Commissioners shall go out of Office, and at the same Time in the following Year One Half of the Remainder of the Commissioners shall go out of Office, and at the same Time in the following Year the Remainder of the Commissioners shall go out of Office, and at the same Time in every subsequent Year One Fourth of the Commissioners, being those who have been longest in Office, shall go out of Office, and in each Instance the Places of the retiring Commissioners shall be supplied by the Election of a similar Number of Commissioners as herein-after provided.

Commission-
ers re-eligible.

XIII. And be it enacted, That every Commissioner going out of Office may be re-elected, and after such Re-election he shall, with reference to going out by Rotation, be considered as a new Commissioner.

Rotation List
of Commis-
sioners to
be formed.

XIV. And in order to determine the Rotation by which the Commissioners are required to go out of Office, be it enacted, That within Two Months after the passing of this Act the Commissioners shall meet at the *Norland Arms Tavern*, situate on the *Norland Estate*, or some other convenient Place within the Parish of *Saint Mary Abbots Kensington*, for the Purpose of forming a Rotation List of the Commissioners; and at such Meeting the Clerk to the Commissioners, or some other Person to be previously appointed by the Commissioners for that Purpose, shall write the Names of all the then Commissioners on separate Slips of Paper, all as nearly as may be of equal Size, and having folded them up in the same Manner he shall put them in a Box, and shall draw out such Slips in succession, and the Names upon the Slips so drawn shall be inserted by such Clerk in a List in the Order in which they shall be so drawn, and such List shall be kept by such Clerk for the Purposes of this Act, and the Names in such List shall be numbered consecutively, and the Commissioners shall retire from Office in the Order in which their Names appear on such List, according to the Proportion herein-before mentioned.

Qualification
of Electors.

XV. And be it enacted, That every Person who shall be a resident Inhabitant on the said *Norland Estate*, and be rated by virtue of and for the Purposes of this Act in the annual Sum of Twenty Pounds or upwards, or shall be beneficially seised or possessed or in the Enjoyment, in his own Right or in the Right of his Wife, of the Rents and Profits of a Dwelling House or other Tenement upon the said Estate
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of the annual Value of Twenty Pounds at the least for a Term of Years originally created for not less than Seventy Years, and of which not less than Twenty Years are unexpired, or for any greater Estate, shall be entitled to vote in the Election of Commissioners to supply the Places of those retiring by Rotation.

XVI. Provided always, and be it enacted, That the same Property shall not give to any Person the Right to vote both as Owner and Occupier thereof.

Same Property not to give Right to vote twice.

XVII. And be it enacted, That for the Purpose of such Election a Meeting of the Persons entitled to vote thereat shall be held at the *Norland Arms* Tavern situate on the said *Norland* Estate, or at some other convenient Place in the Parish of *Saint Mary Abbots Kensington* aforesaid, on the First *Wednesday* in the Month of *June* in each Year, between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon; and between the Hours aforesaid the Persons by whom such Election is to be made shall respectively deliver to the Clerk of the said Commissioners, or in his unavoidable Absence to some Person authorized for that Purpose by the Commissioners, a Paper containing the Names of the Persons for whom they respectively vote to fill the Office of Commissioners, and the Persons, not exceeding the Number of Commissioners proper to be elected at such Meeting, having the Majority of Votes at such Election, shall be Commissioners for the Purpose of carrying this Act into execution; and if at any such Election there be an Equality of Votes for Two or more Persons, the Clerk to the said Commissioners, or such Person as aforesaid, shall, if necessary, to prevent an Excess in the Number of Commissioners, decide by Lot upon the Person to be elected.

Manner of Election for supplying periodical Vacancies.

XVIII. And be it enacted, That if any of the Commissioners shall die, resign, or refuse to act, or shall neglect to attend at Six successive Meetings of the said Commissioners, or shall be disqualified or cease to be a Commissioner from any other Cause than that of going out of Office by Rotation, it shall be lawful for the remaining Commissioners, if they think fit, to elect another Commissioner to his Place; and every Commissioner so elected shall continue in Office only so long as the Person in whose Place he shall be elected would have been entitled to continue had he remained in Office.

Mode of supplying occasional Vacancies.

XIX. And be it enacted, That the said Commissioners shall within Two Months after the passing of this Act hold their First General Meeting at the *Norland Arms* Tavern aforesaid, or at some other convenient Place in the Parish of *Saint Mary Abbots Kensington* aforesaid, between the Hours of Ten of the Clock in the Forenoon and Two of the Clock in the Afternoon, and proceed to put this Act into execution; and a yearly General Meeting of the Commissioners shall be held on the First *Wednesday* in the Month of *June* at the Place and between the Hours aforesaid, unless some other Place shall be appointed by the Commissioners; and it shall be lawful for the Commissioners present at such first or any subsequent Meeting

First and other Meetings.

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from Time to Time to adjourn such Meeting to the same or any other Place within the said Parish ; and if at any such Meeting there shall not be Three Commissioners present within One Hour after the Time appointed for such Meeting then it shall be lawful for the Commissioners present, or the major Part of them, or any One Commissioner if only One be present, to adjourn such Meeting to another Day ; and if the Meeting shall not be adjourned then it shall be lawful for any Two of the Commissioners, or their Clerk, to appoint a Meeting to be held at any convenient Place within the said Parish, and not less than Seven Days Notice shall be given of such intended Meeting.

Special
Meetings.

XX. And be it enacted, That it shall be lawful for the said Commissioners to hold Special Meetings, and any Three or more of the Commissioners may require a Special Meeting to be held, but no such Meeting shall be held unless Seven Days Notice thereof shall be given.

Quorum of
Commis-
sioners.

XXI. And be it enacted, That all Powers of this Act may be exercised by any Three or more of the Commissioners present at any Meeting holden in pursuance of this Act, and no Business shall be transacted at any Meeting of the Commissioners unless Three or more Commissioners shall be present at such Meeting.

How Notices
of Meetings
are to be
given.

XXII. And be it enacted, That all Notices of any Meeting to be held under the Authority of this Act shall be in Writing, and shall be delivered or sent by the Post to or left at the usual Place of Abode of each of the Commissioners Three clear Days at the least previous to such Meeting ; and every Notice shall specify the Time and Place of Meeting, and in case of a Special Meeting shall specify the Object thereof ; but no Business shall be transacted at any Special Meeting except such as is stated in the Notice thereof.

Expences at
Meetings.

XXIII. And be it enacted, That at all Meetings of the Commissioners they shall defray their own Expences, except for the Use of the Room in which the Meeting is held.

Order of
Business at
Meetings of
Commis-
sioners.

XXIV. And be it enacted, That at every Meeting of the Commissioners One of the Commissioners present shall be elected Chairman by the Majority of the Votes of the Commissioners present at such Meeting, and all Questions considered at any such Meeting shall be decided by the Votes of the Majority present ; and if there be an equal Division of Votes the Chairman, in addition to his own Vote as a Commissioner or Member of the Committee, shall have a casting Vote : Provided always, that if at any such Meeting there shall be an Equality of Votes in the Election of the Chairman, then One of the Commissioners having an equal Number of Votes, whose Name would stand first if the Names of the Commissioners present were alphabetically arranged, shall be Chairman of such Meeting.

No Resolu-
tion of Com-
missioners to
be revoked at

XXV. And be it enacted, That no Resolution or other Act of any Meeting of the Commissioners shall be revoked or altered at any subsequent Meeting unless such subsequent Meeting be called expressly

expressly for such Alteration or Revocation by Notice given Seven Days at least previous to the holding thereof, nor unless such Revocation or Alteration be determined upon by a Majority consisting of Two Thirds of the Commissioners present at such subsequent Meeting, if the Number of the Commissioners present at such subsequent Meeting be not greater than the Number present when such Resolution was made or such Act was done, or if the Number of the Commissioners present at such subsequent Meeting be greater than the Number present at such former Meeting, then by a simple Majority.

a subsequent Meeting unless under certain Circumstances.

XXVI. And be it enacted, That it shall be lawful for the Commissioners to enter into Contracts with any Persons for the Execution of any Works directed or authorized by this Act to be done by the said Commissioners, and for furnishing any Materials for the same, or which may be required by the Commissioners, and every such Contract shall be in Writing, and shall specify the Works to be done, and the Materials to be furnished, and a Copy thereof shall be entered in a Book to be kept by the Clerk of the Commissioners for that Purpose.

For what Contracts may be made.

XXVII. And be it enacted, That every such Contract shall be signed by any Three of the Commissioners, and shall also be duly executed by the other Parties thereto, and such Contracts shall be binding on the Commissioners, and Actions and Suits may be maintained thereon, and Damages and Costs recovered, by or against the Commissioners, or the other Parties failing in the Execution thereof.

How to be signed.

XXVIII. And be it enacted, That during the Execution of any such Contract the Works in course of being done under such Contracts, and all the Materials of every Description brought upon or near such Works for the Purpose of being used in the Execution of such Contracts, shall, for the Purpose of protecting the same from Injury by Indictment, as herein-after mentioned, be held to be the Property of such Commissioners.

Materials for Works contracted for to be considered the Property of the Commissioners.

XXIX. And be it enacted, That it shall be lawful for the Commissioners, by their Clerk, to prefer any Bill of Indictment against any Person who shall steal, take, or carry away, deface or injure, any Property, Article, or Thing belonging to the said Commissioners, and in any such Bill of Indictment it shall be sufficient to state generally the Property, Article, or Thing in respect of which such Bill of Indictment shall be preferred to be the Property of the Commissioners for executing this Act, without naming the Members thereof.

Indictments, how to be preferred.

XXX. And be it enacted, That nothing in any Deed or Contract by this Act authorized to be made by or on the behalf of the Commissioners for any of the Purposes of this Act shall extend to charge or affect the Persons of any of the Commissioners, or their Heirs, Executors, or Administrators, or their or any of their own proper Lands or Goods, with or for the Performance of any thing contained in

Commissioners not to be personally liable.

Liability of
their Funds.

in any such Instrument, but the Amount of all Damages, Costs, and Charges recovered in any Action or Suit in consequence of any such Instrument, or which any such Commissioner shall otherwise be put to by virtue of this Act, shall respectively be discharged out of the Monies to arise by virtue of this Act, or other the Goods and Chattels vested in the Commissioners by virtue of their Office, unless such Action or Suit, or any such Damages or Charges, have arisen in consequence of wilful Neglect or Default on the Part of the Commissioners incurring the same, or unless such Action or Suit have been defended without the Order or Direction of the Commissioners.

Actions or
Suits to be
brought in
the Name of
any Two
Commis-
sioners or
their Clerk.

XXXI. And be it enacted, That in all Actions and Suits in respect of any Matter or Thing relating to the Execution of this Act, to be brought by or against the Commissioners, it shall be sufficient to state the Names of any Two of the Commissioners, or the Name of their Clerk, as the Party, Plaintiff or Defendant, representing the Commissioners in any such Action or Suit, and no such Action or Suit shall abate or be discontinued by the Death of any such Commissioner, or by the Death, Suspension, or Removal of such Clerk.

Executions
against
Goods of
Commis-
sioners.

XXXII. And be it enacted, That Executions upon every Judgment or Decree against the Commissioners in any such Action or Suit shall be executed only against the Goods and Chattels belonging to the Commissioners by virtue of their Office.

Indemnity to
Commission-
ers and Clerk.

XXXIII. And be it enacted, That every such Commissioner or Clerk in whose Name any such legal Proceedings shall be carried on, either as Plaintiff or Defendant, on behalf of the Commissioners, shall be reimbursed, out of the Monies which shall come into the Hands of the Treasurer of the Commissioners by virtue of his Office, all Damages, Costs, Charges, and Expences to which any such Commissioner or Clerk may be put or with which he may become chargeable by reason of his being so made Plaintiff or Defendant, and no such Commissioner or Clerk shall be personally liable for the Payment of the same, unless such Action or Suit shall have arisen in consequence of his own wilful Neglect or Default, or unless, if such Action have been brought by the Clerk or Two Commissioners or more, as aforesaid, it shall have been so brought without the Order or Direction of the Commissioners.

Proceedings
to be entered
in a Book,
and be open
for Inspec-
tion.

XXXIV. And be it enacted, That the Commissioners shall cause Notes, Minutes, or Copies, as the Case may require, of all Appointments made or Contracts entered into by them, and of the Orders and Proceedings of all Meetings, as well ordinary as special, of the Commissioners, to be duly entered in Books to be from Time to Time provided for the Purpose, which shall be kept under the Superintendence of the Commissioners; and every such Entry shall be signed by the Chairman of the Meeting at which the Matter in respect of which such Entry is made was moved or discussed; and such Entry, so signed, shall be received as Evidence in all Courts, and before all Judges, Justices, and others, without Proof
of

of such respective Meetings having been duly convened, or of the Persons making or entering such Orders or Proceedings being Commissioners, or of the Signature of the Chairman, all of which last-mentioned Matters shall be presumed; and all such Books shall at all reasonable Times be open to the Inspection of the Commissioners, and any of the Creditors or Ratepayers or other Parties interested.

XXXV. And be it further enacted, That the said Commissioners shall from Time to Time appoint a Treasurer, Clerk, Collector, and Assessor, and such other Officers as they shall think fit, with such Salaries and Allowances as they shall think reasonable, and may remove such Clerk, Treasurer, Collector, Assessor, and Officers, and appoint others in their Stead. Commis-
sioners to
appoint Treas-
urer and
other Officers.

XXXVI. And be it enacted, That neither the Person who shall hold the Office of Clerk, nor the Partner of such Clerk, nor any Person in the Service or Employ of such Clerk or of his Partner, shall be eligible to be Treasurer; and that neither the Person who shall be the Treasurer, nor the Partner of such Treasurer, nor any Person in the Service or Employ of such Treasurer or of his Partner, shall be eligible to be the Clerk; and if any Person offend in any of the following Cases he shall forfeit One hundred Pounds; (that is to say,) Offices of
Clerk and
Treasurer to
be separate.

Penalty.

If any Person accept both the Office of Clerk and Treasurer:

If any Person, being the Partner of such Clerk, or in the Service or Employ of such Clerk or of his Partner, accept the Office of Treasurer, or act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer:

If any Person, being the Treasurer or the Partner of such Treasurer, or in the Service or Employ of such Treasurer or of his Partner, accept the Office of Clerk or act as Deputy of such Clerk, or in any Manner officiate for such Clerk:

If any such Clerk or Treasurer hold any Place of Profit or Trust under the Commissioners other than that of Clerk or Treasurer, as the Case may be:

And any Person may sue for such Penalty, either by Action of Debt or on the Case, in any of Her Majesty's Superior Courts of Record at *Westminster*, and shall on Recovery thereof be entitled to full Costs of Suit.

XXXVII. And be it enacted, That if any such Treasurer, Clerk, Collector, or other Officer employed by the Commissioners exact, take, or accept, on account of any thing done by virtue of his Office, or in relation to the Functions of the Commissioners, any Fee or Reward whatsoever, other than the Salaries, Rewards, or Allowances allowed by the Commissioners, or be in anywise concerned or interested in any Bargain or Contract made by the Commissioners, he shall be incapable of being afterwards employed by the Commissioners, and he shall forfeit Fifty Pounds to any Person who shall sue for the same as aforesaid. Officer tak-
ing Fees to
lose his Office.

Penalty.

XXXVIII. And be it enacted, That the Commissioners shall take from their Treasurer, and also from all other Officers in their Employ Commis-
sioners to
take Security
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from all
Officers in-
trusted with
Money.

intrusted with the Receipt or Disbursement of Money, sufficient Security for the due Execution of their respective Offices, and for answering and paying, as the Commissioners shall from Time to Time require, all Sums of Money which shall be by them respectively received, and also for their giving and making respectively true Accounts in Writing from Time to Time, when required by the Commissioners so to do, of all Monies by them respectively received or collected for the Purposes of this Act, and when, of whom, and for what the same were so received or collected.

Officers to
account.

XXXIX. And be it enacted, That every Officer appointed or employed by the Commissioners by virtue of this Act shall from Time to Time, when required by the Commissioners, make out and deliver to them, or to any Person appointed by them for that Purpose, a true and perfect Account in Writing under his Hand of all Monies received by him on behalf of the Commissioners; and such Account shall state how, and to whom, and for what Purpose such Monies have been disposed of; and, together with such Account, such Officers shall deliver the Vouchers and Receipts for such Payments; and every such Officer shall pay to the Commissioners, or to any Person appointed by them to receive the same, all Monies which shall appear to be owing from him upon the Balance of such Accounts.

Remedy
against Offi-
cers failing to
account.

XL. And be it enacted, That if any such Officer shall fail to render such Accounts, or to produce and deliver up all Vouchers and the Receipts relating to the same, in his Possession or Power, or to pay the Balance thereof, when thereunto required, or if for Three Days after being thereto required he shall fail to deliver up to the Commissioners, or to any Person appointed by them to receive the same, all Papers and Writings, Property, Effects, Matters, and Things, in his Possession or Power, relating to the Execution of this Act, or belonging to the Commissioners, then, on Complaint thereof being made to any Justice acting within the Jurisdiction where such Officer may be found, such Justice shall summon such Officer to appear before any Two or more Justices or a Magistrate of the Metropolitan Police Court, at a Time and Place to be set forth in such Summons, to answer to such Charge; and upon the Appearance of such Officer, or, in his Absence, upon Proof that such Summons was personally served upon such Officer, or left at his last known Residence or Place of Abode, such Justice may by Warrant under his Hand and Seal cause such Officer to be brought before such Justices or Magistrate; or if such Officer cannot be found, then in his Absence such Justices or Magistrate may hear and determine the Matter in a summary Way, and may adjust and declare the Balance owing by such Officer; and if it appear, either upon Confession of such Officer, or upon Evidence, or upon Inspection of the Account, that any Monies of the Commissioners are in the Hands of such Officer, or owing by him to the Commissioners, such Justices or Magistrate may order such Officer to pay the same forthwith, and if he shall fail to pay the Amount it shall be lawful for such Justices or Magistrate to grant a Warrant to levy the same by Distress, or in default thereof to commit the Offender to Gaol, there to remain without

without Bail for any Time not exceeding Three Calendar Months; and in any of the following Cases, (that is to say,)

If such Officer do not appear before such Justices or Magistrate at the Time appointed; or

If such Officer appear, but fail to make out such Account in Writing; or

If such Officer refuse to produce and deliver to the Justices or Magistrate the several Vouchers and Receipts relating to such Account in his Possession or Power; or

If such Officer refuse to deliver up any Books, Papers, or Writings, Property, Effects, Matters, or Things, relating to the Execution of the Act, or belonging to the Commissioners, in his Possession or Power;

Such Justices or Magistrate may lawfully commit such Offender to Gaol; and in every such Case of Commitment the Prisoner shall remain in Custody, without Bail, until he have made out and delivered such Accounts, and delivered up the Vouchers and Receipts, if any, relating thereto, in his Possession or Power, and have delivered up such Books, Papers, Writings, Property, Effects, Matters, and Things, if any, in his Possession or Power: Provided always, that if any Commissioner, or other Person acting on behalf of the Commissioners, shall make Oath that he has good Reason to believe and does believe that it is the Intention of such Officer to abscond, it shall be lawful for such Justice before whom the Complaint is made, instead of issuing his Summons as herein-before directed, to issue his Warrant for the apprehending and bringing such Officer before such Two or more Justices or Magistrate as aforesaid; but no Person directed to execute such Warrant shall keep such Officer in Custody longer than Twelve Hours without bringing him before Two Justices or a Magistrate of the Metropolitan Police Court, to answer the Charge as herein-before directed.

XLI. And be it enacted, That no such Proceedings against or dealing with any such Officer as aforesaid shall deprive the Commissioners of any Remedy which they might otherwise have against the Surety of such Officer. Commitment not to discharge Sureties.

XLII. And be it enacted, That the Commissioners shall cause a Book to be kept by their Clerk, in which such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received and expended for the Purposes of this Act, and of the several Matters for which such Sums of Money shall have been received or expended; and such Book shall at all seasonable Times be open to the Inspection of the Commissioners, and of every Creditor on the Rate and Assessment by this Act authorized to be made, and of every Person paying such Rate or Assessment, without any Fee being demanded for such Inspection; and it shall be lawful for any of the Commissioners, Creditors, and other Persons aforesaid, at seasonable Times, to take Copies of or Extracts from the said Book, without paying any thing for the same; and if, on Request for that Purpose, the Clerk shall fail to permit any of the Commissioners, Creditors, or Persons aforesaid to inspect such Books of Account to be kept, and to be open to Inspection.
Book,

Book, or to take Copies or Extracts as aforesaid, such Clerk shall for each such Default forfeit a Sum not exceeding Five Pounds.

Accounts to be settled and examined at the annual Meeting.

To be final unless appealed from.

XLIII. And be it enacted, That the Accounts of all Monies received and expended by the Commissioners during the preceding Year ending on the Twenty-fifth Day of *March*, or some other convenient Day, shall be produced at the ordinary Meeting of the Commissioners which shall take place on the First *Wednesday* in the Month of *June* in every Year, or at some Adjournment thereof, at which Meeting it shall be lawful for all Persons interested to be present, and such Accounts shall be examined and settled by the Commissioners, and if the same shall be found just and true they shall be allowed by the Commissioners, and certified accordingly, under the Hand of the Chairman of such Meeting; and after such Account shall have been so allowed and signed the same shall be final in regard to all Persons whomsoever, unless an Appeal be prosecuted against such Accounts at One of the Two then next General Quarter Sessions of the Peace for the County of *Middlesex*, which Appeal it shall be lawful for any Person interested in such Account to institute and prosecute, Notice in Writing of such Appeal having been given to the Clerk of the Commissioners Fourteen Days at least before the hearing of such Appeal.

Statement of Accounts to be prepared, and to be open for Inspection.

XLIV. Provided always, and be it enacted, That Ten Days at the least previously to such Examination and Settlement as aforesaid the Commissioners shall cause a full and true Statement and Account to be drawn out of all Rates or Assessments made, and of all Contracts entered into, and of all Monies received and expended, by virtue of this Act during the preceding Year, and also of all Debts then owing by the Commissioners, and they shall allow such Statement and Account to remain for Inspection at the Office of the Commissioners, or of their Clerk; and every Creditor on the Rates and Assessments by this Act authorized to be made, and every Person paying any such Rate or Assessment, or any Person acting on behalf of any such Creditor or Rate-payer, may at all reasonable Times inspect such Statement and Account; and the Clerk shall, on Demand, furnish a Copy of such Statement and Account, or any Part thereof, to any such Creditor or Rate-payer, upon being paid at the Rate of Sixpence for every One hundred Words, and so in proportion for a less Number of Words.

An Annual Account to be prepared, and a Copy thereof transmitted to the Clerk of the Peace.

XLV. And be it enacted, That the Commissioners shall every Year cause an annual Account in abstract to be prepared, showing the total Receipt and Expenditure of all Funds levied by virtue of this Act, for the Year ending on the Twenty-fifth Day of *March* or some other convenient Day in each Year, under the several distinct Heads of Receipt and Expenditure, with a Statement of the Balance of such Account, duly audited and certified by the Clerk for the Time being of the Commissioners, and shall transmit a Copy of the said Account, free of Charge, to the Clerk of the Peace for the County of *Middlesex*, on or before the Thirty-first Day of *January* then next; which Account shall be open to the Inspection of the Public

Public at all reasonable Times, on Payment of the Sum of One Shilling for every such Inspection: Provided always, that if the Commissioners shall omit to prepare and transmit such Account as aforesaid they shall forfeit for every such Omission the Sum of Twenty Pounds.

XLVI. And be it enacted, That it shall be lawful for the said Commissioners from Time to Time to borrow at Interest on the Credit of the several Rates or Assessments by this Act granted, and other Property vested in such Commissioners, any Sum of Money which, together with any Sum previously borrowed, shall not exceed the Sum of Ten thousand Pounds, and, in the event of any Part of such Sum of Money being repaid, the Commissioners to reborrow the same, and so *toties quoties*, but so nevertheless that there shall not be owing on the Security aforesaid any more than the Sum of Ten thousand Pounds in the whole at any one Time; and for securing the Repayment of the Monies so borrowed, with Interest, the Commissioners, or any Three of them, may assign over the said Rates, Assessments, and Property, or any Part thereof, to the Person who shall advance or lend such Money, or his Trustee, as a Security for the Payment of the Money so to be borrowed, together with Interest for the same.

Power to
borrow on
Mortgage.

XLVII. And be it enacted, That every such Assignment or Mortgage shall be by Deed duly stamped, in which the Consideration shall be truly stated, and every such Deed shall be under the Hands and Seals of Three of the Commissioners, and may be according to the Form in Schedule (A.) to this Act annexed, or to the like Effect.

Form of
Mortgage.

XLVIII. And be it enacted, That all Persons to whom such Mortgages or Assignments shall be made, or who shall be entitled to the Monies thereby secured, shall, in proportion to the Sums therein respectively mentioned, be Creditors on the said Rates or Assessments, equally one with another, without any Preference in respect of the Priority of advancing such Monies, or of the Dates of any such Assignments respectively.

Mortgages to
be without
Preference.

XLIX. And be it enacted, That it shall be lawful for the Commissioners to raise all or any Part of the Money to be borrowed for the Purposes of this Act by granting Annuities for Lives instead of Assignments as aforesaid, and for that Purpose for the Commissioners or any Three or more of them to charge the Rates and Assessments granted by this Act with an Annuity, to determine on a Life or Lives in being, in favour of any Person who shall advance to the Commissioners any Sum of Money for the Purchase of the same.

Commission-
ers may raise
Money by
Annuity,

L. And be it enacted, That every such Grant of Annuity shall be by Deed duly stamped, in which the Consideration shall be truly stated, and shall be made under the Hands and Seals of Three of the Commissioners, and may be in the Form in Schedule (B.) to this Act annexed, or to the like Effect.

Form of
Grant of
Annuity.

For preventing improvident Grants of Annuities.

LI. And for preventing improvident Grants of Annuities, be it enacted, That the Price to be paid for any such Annuity shall not be less than the Price of a similar Annuity paid by Law for such Annuity granted by the Commissioners for the Reduction of the National Debt.

Annuities to rank after Mortgages.

LII. And be it enacted, That every Annuity so granted shall be paid out of the Rates or Assessments, according to the Grant of such Annuity, and shall have Priority after any Mortgage or Assignment granted under this Act.

Expences of Mortgages and Annuities.

LIII. And be it enacted, That the Expences of every Mortgage or Assignment and Grant of Annuity shall from Time to Time be defrayed by the Commissioners out of the Money raised by the same.

Register of Mortgages and Annuities to be kept, and to be open to Inspection.

LIV. And be it enacted, That a Register of such Mortgages or Assignments and Annuities shall be kept by the Clerk to the Commissioners, and within Fourteen Days after the Date of any such Mortgage or Assignment or Annuity an Entry or Memorial of the Number and Date thereof, and of the Names of the Parties thereto, with their proper Additions, shall be made in such Register; and such Register may be perused at all reasonable Times by any Person interested therein, without Fee or Reward.

Assignment of Mortgages and Annuities.

LV. And be it enacted, That from Time to Time any Party entitled to any such Mortgage or Assignment or Annuity may transfer his Right and Interest therein to any other Person by Deed duly stamped, wherein the Consideration shall be truly stated; and any such Transfer may be according to the Form in the Schedule (C.) to this Act annexed, or to the like Effect.

Register of Transfers to be kept.

LVI. And be it enacted, That within Thirty Days after the Date of such Transfer it shall be produced to the Clerk to the Commissioners, and thereupon such Clerk shall cause an Entry or Memorial thereof to be made in the same Manner as in the Case of the original Mortgage or Assignment or Annuity, and for such Entry the Clerk may demand a Sum not exceeding Five Shillings; and after such Entry every such Transfer shall entitle the Transferee, his Executors, Administrators, or Assigns, to the full Benefit of the original Mortgage or Assignment or Annuity in all respects; and no Party, having made such Transfer, shall have Power to make void, release, or discharge the Mortgage or Assignment or Annuity so transferred, or any Money thereby secured.

Interest on Mortgages to be paid half-yearly.

LVII. And be it enacted, That, unless otherwise provided by any Mortgage or Assignment, the Interest of the Money borrowed upon every such Mortgage or Assignment shall be paid half-yearly to the several Parties entitled thereto.

Power to take up Money at a less Rate of Interest.

LVIII. And be it enacted, That if the Commissioners can at any Time borrow or take up any Sums of Money for any of the Purposes of this Act at a lower Rate of Interest than any Securities given by them,

them, and which shall then be in force, shall bear, then from Time to Time it shall be lawful for them to borrow such Sums of Money as they shall think proper, at such lower Rate as aforesaid, in order to pay off and discharge the Securities bearing such higher Rate of Interest, and to charge the Rates and Assessments payable under this Act, and other Property vested in the Commissioners, or any Part thereof, with Payment of such Sum and such lower Rate of Interest, in such Manner and subject to such Regulations as are herein contained with respect to other Monies borrowed on Mortgage.

LIX. And in order that no undue Preference may be given in paying off any Mortgages or Assignments, be it enacted, That when and as often as the Commissioners shall, under the Provisions of this Act, be enabled and think it expedient to pay off One or more out of the Number of such Mortgages upon which the same Rate of Interest shall be payable, or a Part of the Money secured on any such Mortgages, they shall cause the several Numbers of such Mortgages to be written upon distinct Slips of Paper of an equal Size, and all such Slips shall be rolled or folded up in a similar Form, and put into a Box, and the Clerk to the Commissioners shall, in the Presence of Three or more of the Commissioners, draw separately out of the said Box One of the said Slips, and thereupon the Mortgage corresponding with the Number so drawn, or the Part of the Money due thereon so proposed to be paid off, shall accordingly be paid off by the Commissioners; and after every such Ballot the Commissioners shall cause a Notice, signed by their Clerk, to be given to the Person entitled to the Money to be paid off pursuant to such Ballot, and such Notice shall express the Principal Sum proposed to be paid off, and that the same will be paid, together with the Interest due thereon, at a Place to be specified in such Notice, at the Expiration of Six Calendar Months from the Date of giving such Notice; and at the Expiration of such Period the Interest of the Principal Money to be paid off shall cease, unless such Principal Money and Interest be not paid, on Demand, pursuant to such Notice, but such Principal Money, and the Interest thereof to the End of the said Six Calendar Months, shall nevertheless be payable on Demand.

Mode of
paying off
Mortgages.

LX. And be it enacted, That the Money which shall be raised on the Credit of the Rates and Assessments hereby authorized to be levied shall be applied, in the first place, in paying the Charges and Expences of obtaining and passing this Act, or incident thereto, and afterwards in making such Improvements within the Limits of this Act as are hereby authorized, and as the Commissioners shall direct to be made.

Application
of Monies to
be borrowed.

LXI. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to make such Bye Laws for regulating the carrying on of their Business, and for the Government of the Officers, Servants, or other Persons in their Employ, as they shall think fit, and to repeal or alter any such Bye Laws as they shall think fit, so as no such Bye Laws be contrary to the Laws of *England*, or the Provisions of this Act, and so as the same be reduced into Writing, and signed by Three or more Commissioners.

Commis-
sioners may
make Bye
Laws to
govern them-
selves and
their Ser-
vants.

LXII. And

Fines for
Breach of
such Bye
Laws.

LXII. And be it enacted, That it shall be lawful for the Commissioners by such Bye Laws to impose such reasonable Forfeitures and Fines upon their Officers and Servants, or other Persons in their Employ, offending against the same, as they shall think fit, not exceeding Five Pounds for each Offence: Provided always, that such Bye Laws shall be so framed as to allow the Justices before whom any Penalty imposed thereby may be sought to be recovered to order the Whole or a Part only of such Penalty to be paid.

Service of
Notice on
Commis-
sioners.

LXIII. And be it enacted, That any Summons, Notice, or Writ, or other Proceeding at Law or in Equity, requiring to be served upon the Commissioners, may lawfully be served by delivering the same personally to the Clerk of the Commissioners, or to some Inmate, at his usual Place of Abode, or by leaving the same at the Office of the Commissioners, or in case there be no Clerk, or his Place of Abode shall be unknown, then by delivering the same to any One Commissioner, or to some Inmate of the Place of Abode of any such Commissioner.

Authentica-
tion of
Notices.

LXIV. And be it enacted, That every Summons, Demand, or Notice, or other such Document, under this Act, may be in Writing or Print, or partly in Writing or Print, and if the same require Authentication by the Commissioners the Signature thereof by One Commissioner, or by the Clerk of the Commissioners, shall be a sufficient Authentication.

Releases to
Witnesses.

LXV. And be it enacted, That in all legal Proceedings under this Act it shall be lawful for any Three or more of the Commissioners, by Order of the Commissioners, to grant general or other Releases for the Purpose of qualifying any Person in the Service of the Commissioners to give Evidence as a Witness; and every such Release or Discharge shall be under the Hands and Seals of the Parties giving the same.

Tender of
Amends.

LXVI. And with respect to Actions brought in respect of any Proceedings under the Provisions of this Act, be it enacted, That if, before an Action be brought, any Party having committed any Irregularity, Trespass, or other wrongful Proceeding in the Execution of this Act, or by virtue of any Power or Authority thereby given, make sufficient Tender of Satisfaction, the Plaintiff shall not recover in any Action brought on account of such Irregularity, Trespass, or other wrongful Proceeding; and if no such Tender shall have been made it shall be lawful for the Party offending, by Leave of the Court where such Action shall be pending, at any Time before Issue joined, to pay into Court such Sum of Money as he shall think fit, and thereupon such Proceeding shall be had as in other Cases where Defendants are allowed to pay Money into Court.

Limits of
this Act.

LXVII. And be it enacted, That this Act shall be put in force within the Limits of the said *Norland* Estate as herein-before described.

LXVIII. And

LXVIII. And be it enacted, That if at any Time hereafter any Person who shall for the Time being be the Owner or Proprietor thereof shall be willing to give up to the said Commissioners any Part of the said Estate as and for a Garden, Pleasure Ground, or other Inclosure for the Use of the Inhabitants of any of the Squares, Crescents, Terraces, or Houses on the said Estate, and shall by Writing under his Hand offer so to do, it shall be lawful for the said Commissioners, if they shall think fit, to accept such Offer, and also, if the said Offer shall be made upon any Terms or Conditions, to perform and fulfil the same; and in such Case the said Commissioners shall cause a Copy of such Offer to be entered in their Books, and thereupon, or if such Offer shall be made on any Terms or Conditions, from and after the Performance of such Terms and Conditions, the entire and absolute Control over and Management of such Part of the said Estate which shall be comprised in such Offer shall vest in the said Commissioners; and it shall and may be lawful to and for the said Commissioners to inclose, lay out, fence, plant, gravel, maintain, repair, and embellish the same, and the Fences and Walks thereof, and to keep the same so inclosed, fenced, planted, gravelled, maintained, repaired, and embellished.

Power to the Commissioners to accept any Part of the Estate as a public Garden, &c.

LXIX. And be it enacted, That every Garden, Pleasure Ground, or other Inclosure, the Management of which shall become vested in the said Commissioners under the Provisions herein contained, shall be respectively kept private; (that is to say,) every Garden, Pleasure Ground, or Inclosure in the Centre, Area, or Front of any Square, Crescent, Terrace, or Row of Houses shall be kept for the Use and Enjoyment of Persons occupying Houses in such Square, Crescent, Terrace, or Row respectively, and for the Use and Enjoyment of such other Persons occupying Houses on the said Estate, and their Families, as the said Commissioners shall from Time to Time admit into and allow to use and enjoy the same; and sufficient Locks shall always be kept on the Gates of such Garden, Pleasure Ground, and Inclosure respectively, and no Person or Persons, other than a Person or Persons who shall be entitled under the Provision lastly hereinbefore contained to the Use and Enjoyment of such Garden, Pleasure Ground, or Inclosure, or a Servant or Servants of such Person or Persons, shall be entitled to have or use any Key or Keys of the Locks of any Garden, Pleasure Ground, or Inclosure aforesaid, unless with the Consent in Writing of the said Commissioners.

Area of Square and Crescent to be private.

LXX. And be it enacted, That if any Person or Persons shall make, or cause or procure to be made, any Key or Keys for the Purpose of opening any Lock or Locks affixed on or to any of the Gates of the said Garden, Pleasure Ground, or Inclosure, the Management of which shall be vested in the said Commissioners, without the Consent in Writing of the said Commissioners, or shall sell, or cause or procure to be sold, or shall offer for Sale, without such Consent as aforesaid, any such Key or Keys to any Person or Persons whomsoever, or if any Person shall knowingly purchase or use any such Key so unlawfully made or sold, he, she, or they shall for every such Offence forfeit any Sum not exceeding Five Pounds; and the said Commissioners, or any One or more of them, or any Person to be

Persons making Keys without the Permission of Commissioners liable to Penalty.

[*Local.*]

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appointed

appointed by them as aforesaid, are and is hereby authorized and empowered to seize and keep or destroy any such Key or Keys as aforesaid.

Power to
exclude from
the Gardens,
&c. offensive
Persons.

LXXI. Provided always, and be it enacted, That it shall be lawful for the said Commissioners (if they shall think fit so to do) to exclude any Person or Persons who shall on any fair and reasonable Ground be deemed offensive to the other Inhabitants of any of the said Squares, Crescents, Terraces, Rows of Houses, or any considerable Number of them, and the Families and Servants of any such Person or Persons, from the Use and Enjoyment of the Gardens, Pleasure Grounds, or Inclosures, the Management of which shall be vested in the said Commissioners or any of them, and to take and adopt all reasonable Measures for effecting the Exclusion of such Person or Persons, and his, her, or their Families and Servants.

Streets, &c.
vested in the
Commis-
sioners.

LXXII. And be it enacted, That the Management of all the present and future Streets and Ways within the Limits of this Act, and the Pavement and other Materials of such Streets, and all Lamps, Lamp Irons, Lamp Posts, Grates, Gutters, Erections or Buildings, Materials, Implements, and other Things, provided by the Commissioners for the Purposes of this Act, and also the Iron Rails, Fences, Gates, and Locks, and other Things of and belonging to the said Gardens, Pleasure Grounds, or Inclosures, and the Plants, Shrubs, and Herbage in the same for the Time being, and also the Dust, Ashes, and Filth to be collected from the said Streets and Ways, shall be the Property of and are hereby vested in the said Commissioners; and the Commissioners shall have full Power to sell and dispose of, for the Purposes of this Act, any of the said Articles and Things which they shall think proper.

Commis-
sioners to
cause Streets
to be paved.

LXXIII. And be it enacted, That it shall be lawful for the said Commissioners from Time to Time to cause all or any of the present or future Streets, Footways, and Carriageways within the Limits of this Act, or any Part thereof, to be properly formed, levelled, paved, gravelled, and repaired, and the Ground or Soil to be raised, lowered, and altered in such Manner and with such Materials as they shall think proper.

Penalty on
Persons
altering
Pavements.

LXXIV. And be it enacted, That if any Person shall take up or make any Alteration in the Pavement or Carriageway or Footway in any Street within the Limits of this Act, without the Consent in Writing of the Commissioners, except when it may be necessary for repairing any Vault or Drain under such Street, or other such Purpose, every Person so offending shall for every such Offence forfeit a Sum not exceeding Five Pounds; and in case the Person so taking up or altering such Pavement or Carriageway or Footway shall not, within Ten Days after Notice in Writing by the Surveyor to the Commissioners, cause the same to be reinstated as nearly as may be, the Commissioners shall cause the same to be done, and the Charges thereof shall be paid by the Person who shall have taken up or altered such Pavement or Carriageway or Footway.

LXXV. Pro-

LXXV. Provided always, and be it enacted, That nothing in this Act contained shall prejudice, limit, or interfere with any of the Rights, Privileges, Powers, and Authorities vested in or belonging to the Grand Junction Waterworks Company and the Company of Proprietors of the *West Middlesex* Waterworks respectively; but that all such Rights, Privileges, Powers, and Authorities shall be as good, valid, and effectual as if this Act had not been passed.

Act not to prejudice the Grand Junction or West Middlesex Waterworks Companies.

LXXVI. And be it enacted, That the Owner or Occupier of any House or Building abutting upon any Street within the Limits of this Act shall, if required by the Commissioners, pave or form with Stones or such Materials as the Commissioners shall prescribe, upon the Sides of such Street, for the whole Length of such House or Building and the Premises occupied therewith, a Causeway or Footway for the Use of Foot Passengers to such a Depth as the Commissioners shall think fit.

Owner or Occupier to pave Footways if required.

LXXVII. And be it enacted, That it shall be lawful for the Commissioners to pave or make, with such Materials as they shall think fit, any Causeways or Footways for the Use of Foot Passengers in or on the Sides of any Street within the Limits of this Act.

Commissioners may pave Footways.

LXXVIII. And be it enacted, That all Causeways or Footways within the Limits of this Act, whether made by the Commissioners or otherwise, which the Commissioners shall deem necessary to be kept up, shall be kept in repair by the Commissioners.

Footways to be kept in repair by the Commissioners.

LXXIX. Provided always, and be it enacted, That nothing herein contained shall render the Commissioners liable to keep in repair any Footway, Causeway, or Carriageway within the Limits of this Act, or be liable to be indicted at Common Law for the Want of the sufficient Repair of the same, after such Footway, Causeway, or Carriageway shall have been dedicated to the Use of the Public.

Except any Footways dedicated to the Public.

LXXX. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to place such Fences and Posts on the Side of any Footways or Carriageways within the Limits of this Act as may protect such Footways from any Carriage or Animals going on the same; and also to place any Posts in any Carriageways, so as to make the Crossings thereof less dangerous for Foot Passengers; and also from Time to Time to repair any such Fences or Posts, or to remove the same, or any other Obstructions to any Carriageway or Footway within the Limits of this Act, as they shall think fit.

Commissioners may place Fences to Footways.

LXXXI. And be it enacted, That if any Person shall wilfully or maliciously destroy, injure, or damage any of the Footways, Carriageways, or Streets within the Limits of this Act, or any Part thereof, or any Post, Rail, Lamp Post, Lamp Iron, Lamp, Watchbox, or other Materials, Utensils, or Things which shall be provided by or in pursuance of the Directions of the said Commissioners, or any of the Iron Railing, Fences, Gates, Locks, Trees, Plants, Shrubs, Herbage,

Penalty for wilfully damaging the Pavements, Lamps, &c.

Persons
damaging
Pavements,
Lamps, &c.
to make
Satisfaction.

Herbage, or Gravel Walks of or belonging to the said Gardens, Pleasure Grounds, or Inclosures, or shall break through or get over the Fence of the said Gardens, Pleasure Grounds, or Inclosures, or any of them, or any Part thereof respectively, every such Person shall for every such Offence forfeit a Sum not exceeding Five Pounds; and every such Person, and also every Person by whom any of the said Footways, Carriageways, or Streets, Lamp Posts, Lamp Irons, Lamps, Watchboxes, Iron Railing, Fences, Gates, Locks, Trees, Plants, Shrubs, Herbage, Gravel Walks, Materials, Utensils, and Things, or any of them, or any Part thereof respectively, shall be carelessly or accidentally destroyed or damaged, shall make full Satisfaction for the Damage or Injury done or committed by him, her, or them respectively; and unless such full Satisfaction shall be forthwith made, any Two or more Justices of the Peace, or Magistrate of the Metropolitan Police Court, upon Application to him for the Purpose by or on behalf of the said Commissioners, may award such Sum of Money to be paid to the said Commissioners by way of Satisfaction for such Damage as such Justices or Magistrate shall think reasonable, and the same shall be recovered in the Manner herein-after provided for the Recovery of any Penalty or Forfeiture to be inflicted or imposed under the Provisions of this Act.

Inheritance
of the Pro-
perty not to
be affected by
this Act.

LXXXII. Provided always, and be it enacted and declared, That nothing herein contained shall be construed, adjudged, deemed, or taken to alter the Inheritance or Property of the said Footways or Carriageways, Gardens, Pleasure Grounds, and Inclosures respectively, or of the Use thereof, but that the Freehold Inheritance and Property, and the Use thereof, shall remain and belong to the Person or Persons entitled thereto, in such and the same Manner as if this Act had never been made.

Inhabitants
rated under
this Act to
be free from
paving and
lighting
Rates, &c.

LXXXIII. And be it enacted, That every Inhabitant or Owner who shall be assessed for the Rates made under this Act for any Lands or Tenements within the Limits of this Act shall be released and free from all Rates and Assessments towards the paving and lighting any other Street, Road, or Place within the Parish of *Saint Mary Abbots Kensington* in respect of such Lands or Tenements.

Houses to be
numbered,
and Streets
named.

LXXXIV. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to cause the Houses and Buildings in the Streets within the Limits of this Act to be numbered, and to cause to be affixed or painted, in a conspicuous Part of some House, Building, or Place, at or near each End, Corner, or Entrance of every such Street, the Name by which such Street is to be known; and if any Person shall destroy, pull down, or deface any such Number or Name, or shall put up any Number or Name different to the Number or Name put up by the Commissioners, he shall forfeit a Sum not exceeding Forty Shillings for every such Offence.

Commission-
ers may close
Streets dur-
ing Repairs.

LXXXV. And be it enacted, That it shall be lawful for the Commissioners, during such Time as any Street within the Limits of this Act is making or repairing, or during the making of any Sewer

or Drain, to close such Street, or any Part of the same, by such Ways or Means as they shall think fit.

LXXXVI. And whereas many Works, Acts, and Things are required by this Act to be done by the Owners and Occupiers of Houses, Buildings, or Land, and other Persons, for the Improvement of the Streets within the Limits of this Act, and for other Purposes herein-before mentioned, and it is necessary to provide for the Execution of all such Works, Acts, or Things in case the same shall not be done by the Persons required to do the same; be it enacted, That wherever any such Works, Acts, or Things shall not be done by the Owner or Occupier, or other Person required to do the same by the Provisions of this Act, in the Manner or at the Time prescribed by this Act, or by any Notice given by the Commissioners for that Purpose in pursuance of this Act, or, if no Time shall be prescribed, within a reasonable Time, it shall be lawful for the Commissioners to cause such Works, Acts, or Things to be done, and the Expences which shall be incurred by the Commissioners in respect of such Works, Acts, or Things shall be repaid to them by the Owner, Occupier, or other Person by whom the same ought to have been done.

In default of the Party liable to execute any Works hereby required, the Commissioners may execute the Works, and recover over.

LXXXVII. And be it enacted, That in all Cases where any such Works, Acts, or Things are required by this Act to be done by the Owner or Occupier of any House, Building, or Land, (without designating by which of the said Parties the same ought to be done,) and the Occupier of such House, Building, or Land shall be the Tenant of the same at a Rent amounting to or exceeding Three Fourths of the net annual Value thereof, the Expences which shall be incurred by or recovered from the Occupier in respect of such Works, Acts, or Things shall be repaid to such Occupier by the Owner of the House, Building, or Land, and the Owner shall allow such Occupier the Amount of all such Expences out of the Rent from Time to Time becoming due to him, as if the same had been actually paid to him as Part of such Rent.

Occupiers to recover against Owners in certain Cases.

LXXXVIII. And be it enacted, That in all Cases, except as herein-before mentioned, where any Works, Acts, or Things are required by this Act to be done by the Owner or Occupier of any House, Building, or Land (without designating as aforesaid), the Expences which shall be incurred by or be recovered from any such Owner or Occupier in respect of such Works, Acts, or Things shall be divided between the Owner and Occupier in the Proportion of the Value of their respective Interests in such House, Building, or Land; and in estimating the Value of such Interests the Owner shall be deemed to be entitled to such House, Building, or Land in Fee Simple, subject only to the Term or Interest of the Occupier therein; and if any such Owner or Occupier shall voluntarily or by Compulsion pay more than his Share of the Expences, estimated as aforesaid, of any such Works, Acts, or Things, the Excess shall be repaid to him by the Occupier or Owner (as the Case may be); and if the same be not so paid on Demand, or if the Amount of the same shall be disputed, such Excess shall be ascertained and

Adjustment between Owners and Occupiers.

[Local.]

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recovered

recovered in the same Manner as any Damages for the ascertaining and Recovery of which no special Provision is contained in this Act are directed to be ascertained and recovered; and if such Excess shall be payable by the Owner, he shall allow the same, or so much thereof as shall not be repaid by him, to the Occupier out of the Rent from Time to Time due or becoming due to him, as if the same had been actually paid to him as Part of such Rent.

Streets to be
cleansed and
watered.

LXXXIX. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to cause all or any of the Streets, Ways, and public Places within the Limits of this Act to be cleansed and watered, and the Dirt, Ashes, and Rubbish, except any such as shall be reserved by the Occupiers for their own Use, to be removed from any House or Premises within the Limits of this Act, at such Time and in such Manner as they shall appoint.

Occupiers
allowed to
use their own
Ashes, &c.

XC. Provided always, and be it enacted, That it shall be lawful for any Occupier of any House or Premises within the Limits of this Act to keep and remove any such Dirt, Ashes, or Rubbish as shall be made on his own Premises, and shall be reserved for Manure, so as the same be not a Nuisance to the Inhabitants residing near such Premises.

Duties of the
Street Sca-
vengers to be
performed
under Penal-
ties.

XCI. And be it enacted, That the Persons employed by or contracting from Time to Time with the Commissioners for cleansing and watering the Streets within the Limits of this Act, or any of them, or for removing the Dirt, Ashes, and Rubbish from any House or Premises therein, shall be called the Scavengers; and such Scavengers, or their Servants, shall, on such Days, and at such Hours, and in such Manner as the Commissioners shall from Time to Time appoint, sufficiently water the said Streets, or such of them as they shall respectively contract or be employed to water, and shall collect together all Dirt, Ashes, and Rubbish from all such Streets and Houses and Premises which they shall contract or be employed to collect Dirt, Ashes, and Rubbish from within the Limits of this Act, except such Dirt, Ashes, and Rubbish as shall be kept by the Occupiers of such Houses and Premises for their own Use under the Provisions herein contained, and shall carry away the Dirt, Ashes, and Rubbish so collected to such Place as shall be appointed by the Commissioners for the depositing of the same; and if any such Scavenger fail to water any Street which he shall contract or be employed to water at the Time or in manner appointed by the Commissioners, or to remove any Dirt, Ashes, or Rubbish which he shall contract or be employed to remove at the Time or in the Manner prescribed by the Commissioners for that Purpose, or shall deposit any of such Dirt, Ashes, or Rubbish in any other Place than such as shall be appointed by the Commissioners for that Purpose, he shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Penalty on
Occupiers
obstructing
Scavengers.

XCII. And be it enacted, That every Occupier of a House or other Building within the Limits of this Act shall forfeit any Sum not exceeding Forty Shillings for every Time he shall prevent any Scavenger

Scavenger or his Servants from removing any Dirt, Ashes, or Rubbish which such Scavenger is hereby authorized to remove from his House or Premises.

XCIII. And be it enacted, That if any Person, other than the Scavenger for the Time being, or some Person employed by him, shall collect or carry away any Dirt, Ashes, or Filth from any Street within the Limits of this Act, or from any House or Building there, except as aforesaid, he shall forfeit for every such Offence a Sum not exceeding Forty Shillings.

Penalty on other Persons than Scavengers removing Dirt.

XCIV. And be it enacted, That the respective Occupiers of Houses, Buildings, Yards, and Lands within or adjoining the Streets within the Limits of this Act shall, Once in every Day (*Sundays* excepted), before Ten of the Clock in the Forenoon of each Day, cause to be swept and cleansed the Footways and Pavements in front or at the Side of their respective Buildings, Yards, and Lands; and every such Occupier making default herein shall for every such Offence forfeit a Sum not exceeding Five Shillings: Provided always, that for the Purpose aforesaid the Owner of any House let out into divided Apartments shall be deemed the Occupier.

Occupiers to cause Footways to be swept.

XCV. And be it enacted, That it shall be lawful for the Commissioners to compound, for such Time as they shall think fit, with any Person liable to sweep or clean any Footway under the Provisions of this Act, for sweeping and cleaning the same, in manner by this Act directed.

Commissioners may compound for sweeping Footways;

XCVI. And be it enacted, That it shall be lawful for the Commissioners to cause any Footway within the Limits of this Act to be swept or cleansed in such Manner and at such Times as they shall think fit.

or may cause them to be swept.

XCVII. And be it enacted, That if any Foundry, Candle House, Melting House, Melting Place, or Soap House hereafter to be erected or made, or any Slaughter House, Boiling House for Offal, Hogsty, unclosed or uncovered Yard or Place for the Deposit or sifting of Lime, Necessary House, Dunghill, Manure Heap, or other offensive Place, Building, or Matter, in or near any Street within the Limits of this Act, shall be a Nuisance to any Inhabitant, it shall be lawful for the Commissioners, upon Complaint made by any Inhabitant, to inquire into the Matter of such Complaint; and if the Commissioners shall consider such Building, Place, or Matter of which such Complaint shall be made to be a Nuisance, it shall be lawful for them, by Notice in Writing, to order the Person by or on whose Behalf such Nuisance is carried on, kept, or made to discontinue or remedy the same.

Commissioners may order Nuisances to be abated.

XCVIII. And be it enacted, That if such Nuisance as aforesaid shall not be discontinued or remedied within Three Days after the Service of such Notice, the Person by or on whose Behalf such Nuisance is carried on, kept, or made shall be liable to a Penalty not exceeding Five Pounds for every Day during which such Nuisance shall

Penalty for Disobedience to Commissioners Order.

shall be continued or unremedied after the Expiration of Three Days from the Service of the said Notice: Provided always, that when any Person who shall think himself aggrieved by any Order of the Commissioners shall, according to the Provisions contained in this Act, appeal against such Order, such Person shall not be liable to discontinue or remedy the Nuisance mentioned therein, or to pay any Penalty, until after the Expiration of Three Days after the Determination of such Appeal and the Confirmation of the Order of the Commissioners, unless such Appeal shall cease to be prosecuted.

Commis-
sioners em-
powered to
light Streets.

XCIX. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to cause the several Streets within the Limits of this Act to be lighted with Gas, Oil, or otherwise, at such Times and in such Manner as they shall think fit, and to provide such Lamps, Lamp Posts, Lamp Irons, Pipes, and other Works as may be necessary for that Purpose.

Agreement
between the
Brentford
Gas Company
and Charles
Richardson,
Esq. to be
adopted by
the Commis-
sioners.

C. And whereas by Articles of Agreement bearing Date on the Twenty-third Day of *November* One thousand eight hundred and forty-two, and made between the *Brentford* Gas Light Company of the one Part, and *Charles Richardson* Esquire of the other Part, for the Considerations therein mentioned, it was agreed amongst other things in manner following; (that is to say,) that the said Company should forthwith at their own Expence provide, lay, and fix the requisite and proper Mains, Pipes, Standards, Lamp Irons, Lanterns, and Fittings for so many public Lights or Lamps, and in such Places as should from Time to Time be required by the said *Charles Richardson*, his Executors, Administrators, Assigns, or Appointees, at an average Distance not exceeding Sixty Yards from each other, or such other Distances as the said Parties thereto should mutually agree upon, on a certain Estate called the *Norland* Estate, situate at or near *Notting Hill* in the said County of *Middlesex*, belonging to the said *Charles Richardson*, and should keep the same in proper Repair and properly cleansed during the Term of Seven Years from the Twenty-fifth Day of *December* then next, and should every Day during that Term supply each of the said Lanterns with a proper Quantity of Gas for forming a Batswing Light, consuming Five Cubic Feet of Gas *per Hour*, and should light the same at Sunset and extinguish the same at Sunrise, and keep the same properly burning from Sunset until Sunrise, for the Sum of Seven Pounds a Year for each Lamp, and so in proportion for any less Period than a Year; and it was also agreed, that in case at any Time during the said Term of Seven Years an Act of Parliament should be obtained for lighting the said Estate called *Norland* Estate, and the Trustees or Commissioners appointed by such Act should choose to avail themselves of the Benefit of that Contract in the Stead of the said *Charles Richardson*, or should otherwise agree with the said Company for lighting the said Estate, then and in such Case the Covenants entered into by the said *Charles Richardson* with the said Company should cease and determine from the Time when the said Trustees or Commissioners should be bound to fulfil the same, but not so as in any Manner to exonerate the said *Charles Richardson* from the due Fulfilment

Fulfilment of the same up to that Time : And whereas it would be just and expedient that the said Contract and Agreement should be adopted by the said Commissioners, and that the said *Charles Richardson* should be relieved therefrom ; be it therefore enacted, That the said Agreement shall for all Intents and Purposes be as binding upon the said Commissioners as if the same had been made and entered into with the said *Brentford* Gas Light Company by the said Commissioners, and the Names of the said Commissioners had been used and inserted therein and signed thereto, instead of the Name of the said *Charles Richardson* ; and from and after the passing of this Act, and the Adoption of the said Contract by the Commissioners, the said *Charles Richardson* shall be freed and discharged from the said Agreement (except as to any prior Breach thereof which may have been committed by him) as absolutely as if the same had not been made or entered into by him.

CI. And for the Purpose of enabling the Commissioners, or any Person or Persons with their Permission, to light the said Streets or any of them, or to supply the Inhabitants of the said *Norland* Estate with Water, be it enacted, That it shall be lawful for the Commissioners, or any such Person or Persons under the Control and Direction of the Commissioners, to break up the Soil or Pavement of any Street within the Limits of this Act, and to lay and fix therein such Pipes, Lamp Irons, Lamp Posts, Plugs, and other Works as they or he may deem necessary for lighting the same or supplying the Inhabitants thereof with Water, and also to lay and place against any Houses, Buildings, and Inclosures such Pipes, Lamp Posts, Lamp Irons, and Lamps, and other Works, as they may deem necessary for the Purposes of lighting the said Estate : Provided always, that the Commissioners shall not lay or continue any Lamp, Lamp Post, Lamp Iron, Pipe, or other Work against or through any private Building, Inclosure, or Land, except with the Consent of the Owner or Occupier thereof.

Power to
break up
Streets and
lay down
Pipes.

CII. And in order to raise Money for carrying the several Purposes of this Act into execution, be it enacted, That it shall be lawful for the Commissioners, once in every Year after the passing of this Act, to be computed from the Twenty-fifth Day of *March* One thousand eight hundred and forty-three, or oftener if they shall think it necessary, to make One or more equal Rates or Rates, Assessment or Assessments, to be signed by the Commissioners, upon the Occupiers of all Houses, Shops, Coach-houses, Stables, Cellars, Buildings, Gardens, Lands, Tenements, or Hereditaments whatsoever, within the Limits of this Act, according to the annual Value of the same, so as such Rates or Assessments do not exceed in any One Year the Sum of Three Shillings in the Pound on such annual Value, except for the Purpose of forming such Sinking Fund as herein-after authorized to be made.

Power to
levy Rates.

CIII. And for the Purpose of relieving such of the Residents on the said Estate as shall not be entitled to the Use and Enjoyment of any of the said Gardens, Pleasure Grounds, and Inclosures, the Management of which shall become vested in the Commissioners

Allowance to
be made out
of the Rates
assessed on
Persons ex-
cluded from

[*Local.*]

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under

the Gardens
and Shrub-
beries.

under the Provisions herein-before contained, from the Expences connected therewith, the said Commissioners are hereby required and directed once in every Year (by such Comparison of or Average taken from the Expenditure of all or any of the Years next preceding the making such Estimate, or by such other Means as the said Commissioners shall think fit,) to cause an Estimate to be made of the Proportion which the annual Expenditure of maintaining and embellishing the said Gardens, Pleasure Grounds, or Inclosures, or otherwise connected therewith, shall or may bear to the Amount of the whole annual Expenditure authorized by this Act, and shall upon the Collection and Payment of every Rate which shall be made or collected under the Authority of this Act, after the Expiration of One Year from the passing hereof, make and allow to every Person who shall not for the Time being be entitled to be admitted into or to the Use and Enjoyment of any such Gardens, Pleasure Grounds, or Inclosures, an Abatement, Deduction, or Allowance out of the Sum actually rated or assessed upon, or which would otherwise be payable by him, which shall bear such and the like Proportion thereto as the estimated Amount of such annual Expenditure of maintaining and embellishing the said Gardens, Pleasure Grounds, and Inclosures aforesaid, or otherwise connected therewith, shall bear to the estimated Amount of the whole annual Expenditure hereby authorized to be made.

Rate to be
open to the
Inspection of
Rate-payers.

CIV. And be it enacted, That immediately after any Rate shall be made, the same shall be open to the Inspection of any Person rated in such Rate at all seasonable Times, and any such Persons may take Copies or Extracts from such Rate, without paying any thing for the same; and if the Person having the Custody of such Rate shall refuse to or shall not permit any Person so rated as aforesaid to take Copies or Extracts from such Rate, he shall forfeit for every such Offence any Sum not exceeding Five Pounds.

Rates to be
vested in
the Com-
missioners.

CV. And be it enacted, That the several Rates made under this Act shall be vested in the Commissioners, and shall be payable at such Times as they shall direct to the Collectors to be appointed by them.

Value of Pro-
perty to be
according to
Poor Rate.

CVI. And be it enacted, That the annual Value of all Property rateable under this Act shall be ascertained according to the next preceding annual Assessment for the Relief of the Poor of the said Parish of *Saint Mary Abbots Kensington*, except in such Cases as are herein-after mentioned.

Poor Rates
to be open to
Inspection
by Com-
missioners.

CVII. And be it enacted, That it shall be lawful for the Commissioners, or for any Person by them authorized, from Time to Time to inspect the several Poor Rates for the said Parish of *Saint Mary Abbots Kensington*, and the Assessments by which the same are made, and to take Copies of or Extracts therefrom respectively; and if any Person having the Custody of such Rates or Assessments shall not suffer the Commissioners, or any Person authorized by them, to inspect the same, or take Copies thereof or Extracts therefrom, he shall

shall forfeit a Sum not exceeding Forty Shillings for every such Offence.

CVIII. Provided always, and be it enacted, That if at any Time the Rate for the Relief of the Poor of the said Parish shall, in the Judgment of the Commissioners, be an unfair Criterion by which the Rates or Assessments under this Act should be made, it shall be lawful for them to cause a Valuation to be made of all the rateable Property within the Limits of this Act, by some competent Person to be appointed by them for that Purpose, and the Rates or Assessments to be made by the Commissioners for the Purposes of this Act shall be made upon such Valuation.

If Poor Rate be an unfair Criterion, a Valuation to be made.

CIX. And be it enacted, That before any such Valuation shall be made the Person appointed to make such Valuation shall make and subscribe a solemn Declaration to make such Valuation fairly and impartially according to the best of his Judgment, and an Entry or Minute shall be made in the Book of the Commissioners of his Proceedings, of the making and subscribing of such Declaration, and of the Date of making the same, and any Justice to whom Application may be made for that Purpose is hereby required to administer such Declaration.

Valuer to make a Declaration.

CX. And be it enacted, That in every such Valuation the Property rateable under this Act shall be computed at its net annual Value.

Net annual Value.

CXI. And be it enacted, That the Books of Rates of the Commissioners, and all Entries made therein in manner by this Act directed, shall be received as Evidence of the Rates imposed by virtue of this Act.

Rate Books to be Evidence.

CXII. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to amend any Rate by virtue of this Act, by inserting therein the Name of any Person who ought to have been rated, or by striking out the Name of any Person who ought not to have been rated, or by raising or reducing the Sum at which any Person shall have been rated, if it shall appear to them that such Person has been underrated or overrated, or by making such other Amendments therein as will make such Rate conformable to this Act, and no such Amendment shall be held to avoid the Rate: Provided always, that every Person who shall be aggrieved by any such Alteration shall have the same Right of Appeal therefrom as he would have had if his Name had been originally inserted in such Rate, and no such Alteration had been made; and every Person whose Rate shall be altered shall be entitled to Seven Days Notice of such Alteration before the Rate shall be payable by him.

Rates may be amended.

CXIII. And be it enacted, That if any Person shall think himself aggrieved by any Rate, on the Ground of Inequality, Unfairness, or Incorrectness of the Valuation of any rateable Property included therein, he may appeal to the Justices acting in and for the Petty Sessions Division of *Kensington* at any Special Session which may be holden for the Purpose of determining any Appeals against the Poor Rates,

Appeal to Petty Sessions on the Ground of Inequality of Rates, &c.

Rates, but no such Appeal shall be entertained unless Notice of the Objection in Writing shall have been given to the Party appealed against Seven Days at least before the Day appointed for such Special Session.

Determina-
tion of Petty
Sessions to
be final,
unless ap-
pealed from.

CXIV. And be it enacted, That the Justices assembled at any Special Sessions for which any such Notice of Appeal shall have been given, or at any Adjournment thereof, shall hear and determine all such Appeals, and the Determination of such Justices shall be final, unless the same be appealed from in manner herein-after mentioned: Provided always, that it shall not be lawful for the Justices in such Special Petty Sessions assembled to inquire into the Liability of any Property to be rated, but only into the true Value thereof, and the Fairness of the Amount at which the same may be rated; nor shall any Order of such Justices be of any Force pending an Appeal concerning the same Matter to the Court of General or Quarter Sessions, or in opposition to the Order of such Court upon any such Appeal.

Parties may
appeal to
Quarter Ses-
sions against
Rate, &c.

CXV. And be it enacted, That if any Person shall think himself aggrieved by any Rate made under the Authority of this Act, or by any Matters included in or omitted from the same, or by any Determination of the Justices in Petty Sessions assembled, he may appeal to the next General or Quarter Sessions, but no such Appeal against the Rate, or any Matter contained in or omitted from the same, shall be entertained at such General or Quarter Sessions, unless reasonable Notice in Writing of such Appeal, stating the Nature and Ground thereof, be given to the Commissioners, but the same shall be adjourned to the next General or Quarter Sessions; nor shall any Appeal against the Determination of the Justices in Petty Sessions assembled be entertained, unless the Party appealing against such Determination shall, within Fourteen Days after the same shall have been made, give Notice in Writing of such Appeal, stating the Matter or Cause thereof, to the Party in whose Favour such Determination shall have been made, and within Five Days after such Notice shall enter into a Recognizance before some Justice, with sufficient Sureties, conditioned to try the same at the then next General or Quarter Sessions, and to abide the Order of such Court, and to pay such Costs as shall be awarded at such General or Quarter Sessions, or any Adjournment thereof.

Court to
make such
Order as they
think rea-
sonable.

CXVI. And be it enacted, That at the General or Quarter Sessions for which any such Notice of Appeal shall be given the Court shall proceed to hear and determine the Appeal in a summary Way, except when the Court are hereby directed to adjourn the same, and except when the Court shall think fit to adjourn the Appeal to the following Sessions, which they are hereby authorized to do, and in all such Cases the Court shall hear and determine the Appeal at such last-mentioned Sessions.

On Appeal,
Quarter Ses-
sions and
Petty Sessions
to have same

CXVII. And be it enacted, That the Court of Quarter Sessions and the Justices in Petty Sessions assembled respectively shall, in any Appeal against any Rate made under the Authorities of this Act, have the same Powers of amending or quashing such Rates as are by

by Law vested in them respectively for amending or quashing the Rates for the Relief of the Poor within their several Jurisdictions upon Appeals against such Rates, and shall likewise have respectively, in any Appeal against any Rate made under the Authority of this Act, the same Powers of awarding Costs, to be paid by or to any of the Parties to an Appeal, and of recovering such Costs, as are now vested in them respectively for awarding and recovering Costs in an Appeal against any Rate for the Relief of the Poor within their several Jurisdictions.

Powers of amending and quashing Rates, and of awarding Costs, as in Appeals against Poor Rates.

CXVIII. And be it enacted, That no Person, although liable to the Payment of Money towards the Rates authorized to be raised under this Act, shall by reason thereof be deemed to be an incompetent Witness in any Proceeding before a Court of Justice under this Act, or be disabled to act as a Justice in the Execution of the same.

Liability to Rates not to disqualify Witnesses or Justices.

CXIX. And be it enacted, That if any Person rated under the Authority of this Act shall not pay any of the said Rates due from him for the Space of Fourteen Days after Demand thereof in Writing by the Commissioners or their Collector, it shall be lawful for the Commissioners, in case such Person shall reside without the Limits of this Act, in the Name or Names of any One or more of them, or of their Clerk, to recover the same, with full Costs of Suit, by Action of Debt in any of Her Majesty's Courts of Record at *Westminster*; or any Justice shall, on the Application of the Commissioners or their Collector, summon any such Person to appear before him, at a Time to be mentioned in the Summons, to show Cause why the Rates due from him should not be paid, and if such Person shall not appear pursuant to such Summons, or appearing shall not show a reasonable Cause for the Nonpayment of such Rate, the same shall be levied by Distress, and such Justice shall issue his Warrant accordingly.

Rates may be recovered by Action or by Distress.

CXX. And be it enacted, That the Warrant of Distress for the Nonpayment of any Rate may include one Person or several Persons, and may be to the Effect mentioned in Schedule (D.) to this Act annexed.

Form of Warrant of Distress.

CXXI. And be it enacted, That in all Cases where a Distress is hereby authorized to be made every Constable authorized by the Warrant to levy any Sum mentioned therein shall, upon being required by a Collector of the Rates, aid in making a Distress or Sale, pursuant to such Warrant; and every Constable who shall refuse to do so shall be liable to a Penalty not exceeding Five Pounds.

Constables to assist in making Distress.

CXXII. Provided always, and be it enacted, That it shall be lawful for the Commissioners, or any Two Justices in Petty Sessions assembled, upon the Complaint of any Occupier of any House, Building, Tenement, or Hereditaments subject to the Payment of the said Rates or Assessments, to mitigate, reduce, or remit the Payment of the same on account of the Poverty or Inability of any Person liable to the Payment of the Rate, as the said Commissioners or Justices shall think reasonable.

Power to Commissioners or Justices to remit Rate.

[*Local.*]

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CXXIII. And

Owners to
pay the Rate
in certain
Cases.

CXXIII. And be it enacted, That the Owners of all Houses, Buildings, and other rateable Property within the Limits of this Act, the yearly Rent or Value whereof respectively shall not exceed Twenty Pounds, or which shall be let to weekly or monthly Tenants, or in separate Apartments, shall be rated to and pay Rates by this Act directed to be made, instead of the Occupiers thereof.

Not neces-
sary to name
the Owner
where un-
known.

CXXIV. And be it enacted, That whenever the Name of any such Owner shall not be known to the Commissioners, or to the Person making the Rates, it shall be sufficient to rate such Owner in the Rate Book of the Commissioners as the Owner of the Property to be rated by the Designation of the "Owner," without stating his Name.

Receiver of
Rents to be
deemed the
Owner.

CXXV. And in order to prevent any Dispute touching the Word "Owner" for the Purposes of rating under the Authority of this Act, be it enacted, That the Person receiving the Rents of any Houses, Buildings, or other rateable Property within the Limits of this Act from the Occupier thereof on his own Account, or as Agent of any other Person, shall be deemed the "Owner" of the same for the Purposes of such rating.

Tenants
under exist-
ing Leases to
repay the
Owner.

CXXVI. Provided always, and be it enacted, That when any Owner shall be rated in respect of any Houses, Buildings, or other rateable Property which shall be in the Occupation of a Tenant under any Lease or Agreement made prior to the passing of this Act, such Tenant shall repay to the Owner all Sums which shall be paid by the Owner on account of any Rates made under this Act during the Continuance of such Lease, unless it shall have been agreed that the Owner shall pay all Rates in respect of such Property.

In default of
Owner for
Six Months,
Occupier to
pay.

CXXVII. And be it enacted, That when the Owner of any Houses or other rateable Property shall have been rated in respect thereof, and the Rate shall have been unpaid for Six Months, it shall be lawful for the Commissioners or their Collector to recover the Amount of such Rate from the Occupier of such Houses, Buildings, or other rateable Property by the same Means as the same might have been recovered if such Occupier had been rated thereto: Provided always, that no Occupier shall be required to pay, nor shall his Goods and Chattels be distrained for, any further Sum than the Amount of Rent due from him at the Time when he shall have been required to pay, or of the issuing of the Warrant of Distress, unless he shall refuse to disclose the Amount of the Rent due from him on Application being made to him for that Purpose.

Owner to
repay the
Occupier.

CXXVIII. And be it enacted, That if the Amount of any Rate which, under the Provisions herein-before contained, ought to be borne by the Owner of any Houses, Buildings, or other rateable Property, shall be paid by the Occupier of the same, or levied on his Goods and Chattels, the Owner shall reimburse the Occupier, and it shall be lawful for such Occupier to deduct the Sums paid or levied, together with the Costs of the Distress, if any, paid by him, from the Rent due or to become due from him to such Owner.

CXXIX. And

CXXIX. And be it enacted, That if any Person shall quit or be about to quit any rateable Property before he shall have paid the Rates then payable by him in respect thereof, and shall not pay the same to the Commissioners or their Collector on Demand, it shall be lawful for any Justice of the Peace, having Jurisdiction in any County, City, or Place where such Person may reside or his Goods be found, to summon such Person to appear before him, at a Time to be mentioned in the Summons, to show Cause why the Rates should not be paid; and if no sufficient Cause for the Nonpayment of such Rates be shown accordingly, the same shall be levied by Distress, and such Justice shall issue his Warrant accordingly.

Remedy
against Per-
sons quitting
before Pay-
ment of
Rates.

CXXX. And be it enacted, That when any Rate shall have been made for a particular Period, and the Owner or Occupier who shall be rated to such Rate shall cease to be the Owner or Occupier of the Houses, Buildings, or other Property in respect whereof he shall be rated, before the End of such Period, such Owner or Occupier shall be liable to pay a Portion only of the Rate payable for the whole of such Period proportionate to the Time during which he continued to be Owner or Occupier; and in all Cases where any Person shall become the Owner or Occupier of any Houses, Buildings, or other Property so rated as aforesaid during any Part of the Period for which any Rate shall have been made, such Person shall pay a Portion of such Rate proportioned to the Time during which he shall have held or occupied the Houses, Buildings, or Property so rated.

Rates to be
apportioned
on Occupier
quitting.

CXXXI. And be it enacted, That if any Houses, Buildings, or other Property rateable under this Act shall be unoccupied, it shall be lawful for the Commissioners to rate the same, and the Person who shall next come into and occupy the same Houses, Buildings, or other Property shall be liable to pay all such Rates as shall have been made during the Period in which the said Houses, Buildings, and Property shall have been so unoccupied, and as shall be then due in respect thereof, in like Manner and under the like Penalty as if he had been originally rated.

Persons
entering on
unoccupied
Property to
pay the Rates
due in respect
thereof.

CXXXII. Provided always, and be it enacted, That until any such Houses, Buildings, or Property shall have been once let or occupied, and rated to the Relief of the Poor of the Parish of *Saint Mary Abbots Kensington*, such Houses, Buildings, and Property shall be exempted from the Payment of all Rates under and by virtue of this Act, and the Liability of such Houses, Buildings, and Property, and of the Owner and Occupier thereof, to be rated under and by virtue of this Act, shall commence from the Time when the same shall be first rated to the Relief of the Poor of the said Parish.

Houses to be
exempt from
Rates until
they have
been once let
and rated to
the Relief of
the Poor.

CXXXIII. And be it enacted, That where the Occupier of any House, Building, or Property in respect of which any Rates shall have been made during the Period when the same was unoccupied, shall, under the Provisions herein-before contained, have paid all such Rates as were due, the Owner of such House, Building, and Property

Owner to
repay Occu-
pier Rates in
arrear paid
by him.

Property shall repay to the Occupier thereof, on Demand, the Amount so paid by him, and it shall be lawful for such Occupier to deduct the Amount of the said Rate so paid by him from the Rent due or to become due from him to the Owner of the same House, Building, or Property.

Application
of the Rates.

CXXXIV. And be it enacted, That the Money which shall arise from the said Rates, and other Money to be received by the Commissioners under this Act, shall be applied in Payment of all such Expences as shall be incurred in and about the levying, collecting, or obtaining Payment of such Rates and other Money, including the Salaries or Allowances of any Person or Persons employed in collecting the same, and also in Payment of the Interest upon all Principal Monies which shall be borrowed on Mortgage of the said Rates, and of the Annuities granted by virtue of this Act, as the same shall respectively become due, and also in Payment of the Salaries of the Clerk, Treasurer, and other Officers to be appointed under this Act, and of defraying the Expences of carrying the several Purposes of this Act into execution, and in paying off the Principal Sums borrowed on the Credit of the Rates in such Order as the Commissioners shall direct.

Surplus
Money to be
vested and
accumulated.

CXXXV. And for better enabling the said Commissioners to pay off any Sum or Sums of Money which shall be charged by way of Mortgage on the said Rates, be it enacted, That it shall be lawful for the said Commissioners to lay out any Surplus Monies which shall at any Time remain in their Hands after satisfying the Purposes aforesaid, in the Name or Names of any Three or more of them, in any of the public Parliamentary Stocks or Funds of *Great Britain*, and to receive the Dividends and Interest thereof, and invest the same in like Manner, and so on to add Interest to Principal in the Nature of Compound Interest, in order to form an Accumulation, and from Time to Time to alter, vary, and transpose such Stocks or Funds for others of the same or the like Nature, and also to change the Names in which the same shall be invested for the Names of any others of the said Commissioners for the Time being (being not less than Three), as often as may be requisite, and also to sell out and dispose of such Stocks or Funds respectively, or any Part or Parts thereof, and to apply the Produce of the same in paying off any such Principal Sum of Money.

Rates may be
extended to
form a Sink-
ing Fund for
paying off
Debts.

CXXXVI. And be it enacted, That it shall be lawful for the said Commissioners, at any Time or Times, whilst any Principal Sum or Sums of Money shall be remaining due and charged on the said Rates, to levy and raise, by means of the said Rates, any Sum or Sums of Money (over and above the Amount which shall be actually necessary to be raised by means of the same Rates for the current Purposes of this Act, but not exceeding in any Case One Fifth of the whole of such Rates,) in order to be invested and accumulated as aforesaid, and to invest and accumulate the same accordingly, in the Nature of a Sinking Fund for the future Relief of such Rates from any such Debt or Debts to which the same may so happen to be liable: Provided always, that no such Sinking Fund as last mentioned

tioned shall ever be levied for the Purpose of redeeming any Annuity or Annuities.

CXXXVII. And with respect to any Money under the Provisions of this Act adjudged to be paid by the Commissioners, for which no other Mode of Proceeding is hereby prescribed, be it enacted, That if such Money be not paid by the Commissioners to the Party entitled to receive the same within Twenty-one Days after Demand thereof in Writing, stating the Order of the Justices for the Payment of such Money, the Amount shall be recovered by Distress of the Goods of the Commissioners, and, if no sufficient Goods of the Commissioners can be found, by Distress of the Goods of the Treasurer of the Commissioners; but no such Distress shall issue against the Goods of such Treasurer unless Seven Days previous Notice in Writing, stating the Amount so due, and demanding Payment thereof, shall have been given to such Treasurer or left at his usual Place of Abode.

Recovery of Money from the Commissioners.

CXXXVIII. And be it enacted, That if such Treasurer pay any Money under any such Distress as aforesaid it shall be lawful for him to retain the Amount so paid by him, and all Costs and Expences occasioned thereby, out of any Money belonging to the Commissioners coming into his Custody or Control, or to sue the Commissioners for the same in the same Manner as other Parties are by this Act enabled to sue the said Commissioners.

Reimbursement of the Treasurer.

CXXXIX. And for the Purpose of providing for the Recovery of Penalties or Forfeitures imposed by this Act, the Recovery of which is not otherwise provided for, be it enacted, That every such Penalty or Forfeiture may be recovered by summary Proceeding, upon Complaint made before any Justice; and on the Complaint being made to any such Justice he shall issue a Summons requiring the Party complained against to appear on a Day and at a Time and Place to be named in such Summons; and every such Summons shall be served on the Party offending, either in Person or by leaving the same with some Inmate at his usual Place of Abode; and either upon the Appearance, or upon the Default to appear, of the Party offending, it shall be lawful for any Two or more Justices or a Magistrate of the Metropolitan Police Court to proceed on the hearing of the Complaint; and upon Proof of the Offence, either by Confession of the Party complained against, or upon the Oath of One credible Witness or more, it shall be lawful for such Justices or Magistrate to convict the Offender, and upon such Conviction to adjudge the Offender to pay the Penalty or Forfeiture incurred, as well as such Costs attending the Conviction as such Justices or Magistrate shall think fit.

Penalties to be summarily recovered before any Justice.

CXL. And be it enacted, That if forthwith upon any such Adjudication as aforesaid the Amount of the Penalty or Forfeiture and of such Costs as aforesaid be not paid, the Amount of such Penalty and Costs, together with the Costs of the Distress, shall be levied by Distress, and any Justice shall issue his Warrant of Distress accordingly.

Penalties to be levied by Distress.

Application
of Penalties.

CXLI. And with respect to the Application of any Penalties or Forfeitures recovered by virtue of this Act, the Application whereof is not herein otherwise provided for, be it enacted, That the Justices or Magistrate by whom any such Penalty or Forfeiture shall be imposed shall award one Half thereof to the Informer, and the other Half, save as herein provided, to the said Commissioners, to be by them applied for the Purposes of this Act.

Penalties to
be sued for
within Six
Months.

CXLII. And be it enacted, That no Person shall be liable to the Payment of any Penalty or Forfeiture imposed by virtue of this Act for any Offence herein-before made cognizable before a Justice, unless the Complaint respecting such Offence shall have been made before such Justice within Six Months next after the Commission of such Offence.

Penalty on
Witnesses
making
Default.

CXLIII. And be it enacted, That it shall be lawful for any Justice to summon any Person to appear before him as a Witness in any Matter in which such Justice shall have Jurisdiction under the Provisions of this Act, at a Time and Place mentioned in such Summons, and to administer to him an Oath to testify the Truth in such Matter; and if any Person who shall be summoned as a Witness before any Justice touching any Offence committed against this Act, or any Matter in which such Justice shall have Jurisdiction by the Provisions of this Act, shall, without reasonable Excuse, refuse or neglect to appear at the Time and Place appointed for that Purpose, having been paid or tendered a reasonable Sum for his Expences, or if any Person appearing shall refuse to be examined upon Oath or to give Evidence before such Justice, every such Person shall forfeit a Sum not exceeding Five Pounds for every such Offence.

Transient
Offenders.

CXLIV. And with respect to Offenders whose Names and Residences are not known, be it enacted, That any Officer or Agent of the Commissioners, and all Persons called by him to his Assistance, may seize and detain any Person who shall have committed any Offence against the Provisions of this Act, and whose Name and Residence shall be unknown to such Officer or Agent, and may convey him with all convenient Despatch before some Justice, without any Warrant or other Authority than this Act; and such Justice shall proceed with all convenient Despatch to the Hearing and Determination of the Complaint against such Offender.

Form of
Conviction.

CXLV. And be it enacted, That the Justices before whom any Person shall be convicted of any Offence against this Act may cause the Conviction to be drawn up according to the Form in the Schedule (E.) to this Act annexed.

Informalities.

CXLVI. And be it enacted, That no Proceeding in pursuance of this Act shall be quashed or vacated for Want of Form, nor shall the same be removed, by Certiorari or otherwise, into any of the Superior Courts.

Distress, how
to be levied.

CXLVII. And be it enacted, That where in this Act any Sum of Money, whether in the Nature of Penalty or otherwise, is directed

to be levied by Distress, such Sum of Money shall be levied by Distress and Sale of the Goods and Chattels of the Party liable to pay the same, and the Overplus arising from the Sale of such Goods and Chattels, after satisfying such Sum of Money and the Expences of the Distress and Sale, shall be returned, on Demand, to the Party whose Goods shall have been distrained. ○

CXLVIII. And be it enacted, That no Distress levied by virtue of this Act shall be deemed unlawful, nor shall any Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall such Party be deemed a Trespasser *ab initio* on account of any Irregularity afterwards committed by him, but all Persons aggrieved by such Defect or Irregularity may recover full Satisfaction for the special Damage in an Action upon the Case.

Distress not unlawful for Want of Form.

CXLIX. And be it enacted, That if any Person shall think himself aggrieved by any Order, Determination, or Adjudication of any Justice other than the Determination of any Justices in Petty Sessions assembled, in an Appeal against any Rate made under the Authority of this Act, or of the Commissioners under the Provisions of this Act, he may appeal to the General Quarter Sessions, but no such Appeal shall be entertained unless it be made within Four Months next after the making of such Order, Determination, or Adjudication, nor unless Ten Days Notice in Writing of such Appeal, stating the Nature and Grounds thereof, be given to the Party against whom the Appeal shall be so brought, nor unless the Appellant forthwith after such Notice enter into Recognizances with Two sufficient Sureties before a Justice conditioned duly to prosecute such Appeal and to abide the Order of the Court thereon.

Parties may appeal to Quarter Sessions on giving Security.

CL. And be it enacted, That at the Quarter Sessions for which such Notice shall be given the Court shall proceed to hear and determine the Appeal in a summary Way, or they may, if they think fit, adjourn it to the following Sessions; and upon the Hearing of such Appeal the Court may, if they think fit, mitigate any Penalty or Forfeiture, or they may confirm or quash the Order, Determination, or Adjudication, and order any Money paid by the Appellant or levied by Distress upon his Goods to be returned to him, and may also order such further Satisfaction to be made to the Party injured as they may judge reasonable, and they may make such Order concerning the Costs, both of the Order, Determination, or Adjudication, and of the Appeal, as they may think reasonable.

Court to make such Order as they think reasonable.

CLI. Provided always, and be it enacted, That nothing in this Act contained shall prejudice, diminish, alter, limit, interfere with, take away, control, or suspend, or be held or construed to prejudice, diminish, alter, limit, interfere with, take away, control, or suspend, any of the Rights, Privileges, Jurisdictions, Powers, and Authorities vested in or belonging to the Commissioners of Sewers for the City and Liberty of *Westminster* and Part of the County of *Middlesex*; but that all such Rights, Privileges, Jurisdictions, Powers, and Authorities

Saving the Rights of the Commissioners of Sewers for the City of Westminster.

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

Interpreta-
tion Clause.

CLII. And be it enacted, That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction ; (that is to say,)

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number :

Words importing the Masculine Gender only shall include Females :

The Word "Month" shall mean Calendar Month :

The Word "Person" shall include Corporation, whether Aggregate or Sole :

The Word "Oath" shall include Affirmation in case of Quakers, or other Declaration or Solemnity lawfully substituted for an Oath, in case of any other Persons exempted by Law from the Necessity of taking an Oath :

The Word "Justice" shall mean any Justice of the Peace acting within the Limits of this Act :

The Words "General or Quarter Sessions" shall mean the General or Quarter Sessions of the Peace for the County of *Middlesex* :

The Word "Street" shall include any Square, Street, Court, or Alley, Lane, Road, Thoroughfare, or public Passage or Place within the Limits of this Act :

The Word "Lands" shall extend to Messuages, Lands, Tenements, and Hereditaments of any Tenure :

The Expression "Commissioners" shall mean the Commissioners for the Time being acting by virtue of this Act.

Expences of
Act.

CLIII. And be it enacted, That all the Charges and Expences incident to and attending upon the obtaining and passing of this Act shall be paid and defrayed out of the first Money to arise by virtue of this Act.

Public Act.

CLIV. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

The SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

Form of Mortgage Deeds.

By virtue of an Act passed, &c., intituled, &c., we, Three of the Commissioners appointed by [or by virtue of] the said Act, in consideration of the Sum of _____ paid to us by *A.B.* of _____ 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 hold to the said *A.B.*, his Executors, Administrators, and Assigns, from this Day until the said Sum of _____, with Interest at _____ per Cent. per Annum for the same, shall be fully paid and satisfied.

In witness whereof we have hereunto set our Hands and Seals this _____ Day of _____ One thousand eight hundred and _____.

SCHEDULE (B.)

Form of Grant of an Annuity.

By virtue of an Act passed, &c., intituled, &c., we, being _____ of the Commissioners appointed by the said Act, in consideration of the Sum of _____ paid by *A.B.* do grant unto the said *A.B.* an Annuity or yearly Sum of _____ to be issuing out of the Rates and Assessments arising by virtue of the said Act, to be paid to the said _____ during the Term of his natural Life [or, as the Case may be, to the said _____ his Executors, Administrators, or Assigns, during the natural Life of _____, or during the natural Lives of _____ and _____ and the Life of the Survivor], upon the _____ Day of _____ and the _____ Day of _____ in every Year during his natural Life [or, as the Case may be, during the natural Life of the said _____, or of the said _____ and the Survivor of them], the first Payment thereof to be made upon the _____ Day of _____ next ensuing the Date hereof.

In witness whereof we have hereunto set our Hands and Seals the _____ Day of _____ in the Year One thousand eight hundred and _____.

[*Local.*]

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SCHE-

SCHEDULE (C.)

Form of Transfer of Mortgage or Grant of Annuity.

I *A.B.* of in consideration of the Sum of
 paid to me by *C.D.* of do
 hereby transfer to the said *C.D.*, his Executors, Administrators, and
 Assigns, a certain Mortgage, Number [or a certain
 Grant of Annuity, Number *as the Case may be*], made by the
 Commissioners for executing [*the Title of the Act*], to
 bearing Date the Day of for securing
 the Sum of and Interest,
 [or for granting an Annuity of *as the Case may be*,
 or, if such Transfer be by Endorsement, the within Security,] and all
 my Right, Estate, and Interest in and to the Money thereby secured,
 [or the Annuity thereby granted], and in and to the Rates, Assess-
 ments, and Property thereby assigned. In witness whereof I have
 hereunto set my Hand and Seal this Day of One
 thousand eight hundred and .

SCHEDULE (D.)

Form of Warrant of Distress.

To One of the Collectors of the Rates under
 an Act passed, &c., intituled, &c., and to all Constables.

Whereas the under-mentioned Persons, now or late Owners or
 Occupiers of Premises within the have been
 duly rated in or are liable to the Payment of a Rate made on the
 Day of under the Authority
 of the said Act, and there are now due from them respectively the
 several Sums of Money against their Names herein-after respectively
 set down, which they have not paid, as appeareth upon Oath to me
 One of Her Majesty's Justices of the Peace for the ;
 and the said several Persons having been duly summoned to appear
 before me to answer the Premises, and not having shown sufficient
 Cause why such several Sums of Money should not be paid, these
 are therefore, in Her Majesty's Name, to require you, or any of you,
 forthwith to levy the said several Sums due as herein-before men-
 tioned by Distress and Sale of the respective Goods and Chattels of
 the Persons aforesaid, rendering to them respectively the Overplus
 (if any), the reasonable Charges of such Summons, Warrant, Distress,
 and Sale being first deducted ; and if no sufficient Distress can be
 had and taken, then that you certify the same to me, to the end
 that such further Proceedings may be had as the Law doth authorize
 and direct. And I do strictly charge and command all and singular
 the

the Constables _____ respectively to be aiding and assisting in all Things relating to the Premises.

Given under my Hand and Seal this _____ Day of _____ in the Year of our Lord One thousand eight hundred and _____.

			Sums due.		
			£	s.	d.
A.B.	-	-	-		
C.D.	-	-	-		

SCHEDULE (E.)

Form of Conviction.

to wit. } BE it remembered, That on the _____ Day of _____ in the Year of our Lord _____ A.B. is convicted before me C.D., One of Her Majesty's Justices of the Peace for the County of _____ [here describe the Offence generally, and the Time and Place when and where committed], contrary to an Act passed, &c., intituled, &c. [here insert the Title of this Act].

Given under my Hand and Seal the Day and Year first above written. _____ C.D.