



ANNO QUADRAGESIMO SEXTO

GEORGI II. REGIS.

Cap. 1.

An Act for altering and amending an Act passed in the Twelfth Year of His present Majesty, intituled *An Act for lighting such Part of the Town of Islington as lies in the Parish of St. Mary, Islington, in the County of Middlesex, and for establishing a Regular Nightly Watch therein*, and for removing and preventing Nuisances within the said Town and Parish. [22d March 1806.]

WHEREAS an Act was passed in the Twelfth Year of the Reign of His present Majesty, intituled *An Act for lighting such Part of the Town of Islington as lies in the Parish of Saint Mary, Islington, in the County of Middlesex, and for establishing a Regular Nightly Watch therein*: And whereas by the said Act only certain Parts of the said Town and Parish were authorized to be lighted and watched, and a very considerable Number of Houses and Buildings having been erected and built within the said Town and Parish, and many new Streets made and formed therein, since the passing of the said Act, it would be of public Utility and Convenience that the Commissioners should be empowered to cause such Parts of the said Town and Parish as they may think necessary to be so lighted and watched in future: And whereas the said recited Act hath in many other Respects been found insufficient to answer the Purposes thereby intended: And whereas the said Town and Parish is subject to various Encroachments, Obstructions, Nuisances, and Annoyances, and it would be of great Benefit and Convenience to the

[Loc. & Per.] 12 G. 3. c. 17.

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Inhabitants

Recited Act
extended to
all Parts of
the Town
and Parish.

Inhabitants of the said Town and Parish if the same were removed and prevented in future: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the said recited Act, and all the Powers, Authorities, Clauses, Matters, and Things therein contained (except so far as relates to Exemptions from Stamp Duties), shall be and are hereby extended to all and every Part of the said Town and Parish of *Islington*, as fully and effectually to all Intents and Purposes as if the same had been included in the said recited Act; and the Commissioners appointed by or in pursuance of the said recited Act or this Act, and all Collectors and other Persons acting under them, are hereby authorized and empowered to put the said recited Act and this Act in Execution in every Square, Street, Lane, or other Place situate within the said Town and Parish of *Islington*; any thing in the said recited Act contained to the contrary notwithstanding.

Commissioners to direct what Parts of the Town and Parish to be lighted and watched, &c.

II. Provided always, and be it further enacted, That the said Commissioners, or any Nine or more of them, at any of their Meetings, shall and may and they are hereby authorized from Time to Time to direct what Parts of the said Town and Parish shall be lighted and watched; and in case the Inhabitants of any Street or other Place in the said Town or Parish, the Rates and Assessments whereof shall not be sufficient to defray the Expences of lighting and watching the same, shall make Application to the said Commissioners to have such Street or other Place lighted and watched, it shall and may be lawful for the said Commissioners, or any Nine or more of them, to contract and agree with such Inhabitants for the Payment of such further Sum or Sums of Money which such Expences shall amount unto, over and above the Rate or Rates, Assessment or Assessments, assessed upon and paid by such Inhabitants by virtue of the said recited Act or this Act.

Part of former Act repealed, and Power given to make Rates.

III. And be it further enacted, That so much of the said recited Act as relates to the Meeting of the Commissioners appointed in or by virtue of the said Act on the Fifteenth Day of *February*, or within Fourteen Days after in every Year, to ascertain the Sums of Money necessary to be raised for the Purposes of the said Act; and so much thereof as relates to the Meeting of the said Commissioners within Fourteen Days next after the Sums required have been ascertained, to make the Rates or Assessments, and the Mode of levying the said Rates and Assessments, shall be and the same is hereby repealed; and that from and after the passing of this Act the said Commissioners, or any Nine or more of them, shall and may and they are hereby authorized and empowered, for the Purposes of defraying the Charges and Expences of purchasing Watchboxes, and placing the same; for buying, setting up, maintaining, lighting, and repairing the Lamps, or for Payment of such Sums of Money agreed to be given to any Person or Persons who shall contract with the said Commissioners for providing Lamps, and lighting and maintaining the same; and also the Expences

of keeping and maintaining the nightly Watch, Patroles, and Beadles, or Supervisors, within the said Parish, and other Expences which may be incurred in putting the said recited Act and this Act in Execution, once in every Year, or oftener if they shall see proper, to make a Rate or Rates, Assessment or Assessments, upon all and every the present and future Tenants and Occupiers of any House, Shop, Warehouse, Brew-house, Coach-house, Stable, Cellar, Vault, or any other Building, Tenement, or Hereditament, now erected or hereafter to be erected within the said Town and Parish, so as such Rate or Rates, Assessment or Assessments, do not in the Whole exceed the Sum of Three Shillings in the Pound in any one Year, according to the yearly Rent, or yearly improved Value of the Premises, and as the same are ascertained and rated in and by the Poor Rate Books of the said Parish for the Time being, which said Rate or Rates, Assessment or Assessments, shall be paid Quarterly.

IV. And be it further enacted, That in case any Person or Persons charged with any such Rate or Rates, Assessment or Assessments, shall refuse or neglect, after Demand made by the Collector or Collectors for the Time being, to pay the Money rated or assessed upon him, her, or them respectively, it shall be lawful for any One or more of His Majesty's Justices of the Peace for the said County, and he and they is and are hereby authorized and required to summon by Writing under his or their Hand and Seal, or Hands and Seals, all and every Person and Persons so charged, and who shall have so refused or neglected as aforesaid, to appear before such Justice or Justices, at a Time and Place to be mentioned in such Summons (Service by such Collector or Collectors, or any of the Constables, Headboroughs, or Beadles, of the said Parish of every such Summons, either by delivering the same to the Person or Persons thereby intended to be summoned, or leaving the same at his, her, or their usual or last known Place of Abode, to be deemed sufficient); and if any Person or Persons so summoned shall refuse or neglect to attend at the Time and Place mentioned in such Summons or Summonses, or if he, she, or they do or shall attend, and shall not make it appear to such Justice or Justices, that he, she, or they is or are not chargeable with such Rate or Rates according to the said recited Act or this Act, then all and every the Person and Persons who shall have been so summoned, shall pay as well such Rate and Arrears of Rate, as the reasonable Costs and Charges of such Summons; and in all Cases where the said Rate or Assessment, Costs and Charges, shall not be paid upon the Return of such Summons, it shall be lawful to and for such Justice or Justices who shall have issued the same, and he and they is and are hereby authorized and required (on Oath being made before him or them of Demand having been made, and of the due Service of such Summons or Summonses as aforesaid), to grant a Warrant or Warrants, under his or their Hand and Seal, or Hands and Seals, authorizing and directing such Collector or Collectors, or any Constable or Constables, Headborough or Headboroughs, Beadle or Beadles of the said Parish, to levy such Rate or Assessment, Rates or Assessments respectively, and all Arrears thereof; and the Expence of the Summons, and of the Warrant, by Distress of the Goods and Chattels of the Party so neglecting

Power to levy Rates.

[*Loc. & Per.*]

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or refusing; and if within Five Days next after any such Distress shall be so made, the said Rate or Rates, Assessment or Assessments, and Arrears, and the Costs and Charges of the said Summons and Warrant, and of such Distress, and of keeping such Goods and Chattels, shall not be paid and satisfied, it shall be lawful for such Collector or Collectors, Constable or Constables, Headborough or Headboroughs, Beadle or Beadles, to cause the said Goods and Chattels, or so much thereof as shall be sufficient, to be appraised by One or more sworn Appraiser or Appraisers, and sold to pay the said Rate or Rates, Assessment or Assessments, together with such Arrears, Costs, Charges, and Expences as aforesaid, and the reasonable Charges of such Appraiser or Appraisers for his or their Trouble, returning the Overplus of the Money arising by such Sale (if any), to the Owner or Owners of the Goods and Chattels respectively, on Demand thereof made by him, her, or them; any thing in the said recited Act to the contrary notwithstanding.

Power to pay
Collectors.

V. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any Nine or more of them, at any public Meeting to be holden for the Purpose of putting the said recited Act or this Act in Execution, and they are hereby authorized and empowered, by and out of the Monies raised and collected by virtue and in pursuance of the said recited Act or of this Act, to make such Allowance to such Collector or Collectors for his or their Trouble in collecting the same, as they the said Commissioners, or any Nine or more of them so assembled as aforesaid, shall think fit and reasonable, any thing in the said Act to the contrary notwithstanding.

Power to
borrow Mo-
ney on An-
nuities.

VI. And for the more effectually enabling the said Commissioners to execute the Purposes of this Act, be it further enacted, That it shall be lawful for the said Commissioners, or any Nine or more of them, and they are hereby authorized and empowered, from Time to Time, when they shall judge necessary, by Writing under their Hands and Seals, to grant Annuities to any Person or Persons who shall contribute, advance, and pay into the Hands of the Treasurer to the said Commissioners any Sum or Sums of Money for the absolute Purchase of any Annuity or Annuities, to be paid and payable during the natural Life of every Contributor, or the natural Life of such Person as shall be nominated by or on the Behalf of such Contributor, at the Time of the Payment of his or her Contribution or Purchase Money, so as that no such Annuity do exceed the Rate of Twelve Pounds for One hundred Pounds for a Year, and so that the whole Money to be raised by the granting of Annuities as aforesaid do not exceed the Sum of Two thousand Pounds; and the Grant of every such Annuity shall be in the Words or to the Effect following:

Form of
Grant of
Annuity.

WE

of the Commissioners appointed by or in pursuance of an Act of Parliament made in the Forty-sixth Year of the Reign of King George the Third, intituled [*here set forth the Title of this Act*], in consideration

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ation of the Sum of _____ paid by _____
 to _____ the Treasurer appointed in pursuance of
 the said Act, do hereby grant unto the said _____
 Executors, Administrators, and Assigns, an Annuity or yearly Sum
 of _____ out of the Rates or Assessments granted or arising
 by virtue of the said Act; which Annuity or yearly Sum of _____
 shall be paid to the said _____ Executors,
 Administrators, and Assigns, at _____ upon the
 _____ in every Year during the natural Life of
 and the first Payment thereof shall be made
 upon the _____ next ensuing the Date of these
 Presents.

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

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

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

I _____ being entitled to an Annuity of _____ Form of Transfer.
 secured to _____ my Executors, Admi-
 nistrators, and Assigns, by Grant of an Annuity, bearing Date the _____
 Day of _____ under the Hands and Seals of _____
 of the Commissioners
 acting in the Execution of a certain Act of Parliament made in the
 Forty-sixth Year of the Reign of His Majesty King George the
 Third [*here set forth the Title of this Act*] upon the Credit, or
 arising out of the Rates or Assessments granted by the said Act, do
 hereby transfer all my Right and Title in and to the same, and all
 Money now due and owing thereon, unto
 _____ Executors, Administrators, and Assigns. Dated
 the _____ Day of _____

IX. And

Grants of Annuities and Transfers entered and Books examined.

IX. And Copies of all Grants of Annuities which shall be made in pursuance of this Act, and Extracts or Memorials of all Transfers thereof; shall be entered in a Book to be kept for that Purpose by the Clerk to the said Commissioners; which Extracts or Memorials shall specify and contain the Dates, Names of the Parties, and the Annuities thereby transferred; to which Book any Person interested shall at all seasonable Times have Access, and shall have free Liberty to inspect the same, without Fee or Reward; and after such Entry made of any such Transfer, every such Transfer, so entered, shall entitle the Person to whom the same shall be made, and his, her, or their respective Executors, Administrators, and Assigns, to the Benefit of the Annuity thereby transferred.

Commissioners to appoint Patroles.

X. And be it further enacted, That the said Commissioners, or any Seven or more of them, at any of their Meetings, shall and may order, direct, and appoint what Number of Patroles they shall judge necessary or proper to be provided and kept in the said Town and Parish for each Year, and what Duty they are to perform, how they shall be armed and cloathed, how long they shall continue on Duty, what Wages shall be allowed them for such their Attendance and Service, and the Supervisor or Supervisors of the Watch who shall be appointed in pursuance of the said recited Act; and he or they are hereby directed and required to inspect the Conduct of the several Patroles, and keep an Account, in a Book to be provided, of their Attendances; and shall also inspect the Lamps, and make an Entry of the Number which may be omitted to be lighted, or shall not continue lighted the whole Time specified in the Contract for lighting the same; which Accounts shall be laid before the said Commissioners at their several Meetings; and the said Commissioners, or any Seven or more of them, are hereby authorized to direct such Salary or Allowance as they shall think proper to be paid to such Supervisor or Supervisors; all which Wages, Salaries, or Allowances, shall be paid out of the Rates or Assessments raised or to be raised in pursuance of the said recited Act and this Act; any thing in the said recited Act to the contrary notwithstanding.

Commissioners may reward Watchmen, Patroles, or Supervisors.

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

Victuallers not to suffer Watchmen or Patroles to be in their Houses during the Hours of Duty.

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

exceeding Twenty Shillings, and for the second and every other Offence any Sum not exceeding Forty Shillings.

XIII. And be it further enacted, That the said Commissioners, or any Seven or more of them, at any of their Meetings, shall and may direct what Number of Watchboxes shall be provided, and where the same shall be placed; and shall also direct Lamp Irons to be put or affixed against the Walls of all or any of the several Houses or Tenements within the said Town and Parish, or into, upon, or against the Rails before the Area, or in such Manner and in such other Places as the said Commissioners shall think proper and convenient.

To direct Number of Watch boxes and Lamp-irons, and to fix the same.

XIV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any Nine or more of them, at any of their Meetings, if they shall see proper, to pay any Peace Officer or Officers belonging to any of the Police Offices, for any Services they may be called upon to perform for the Benefit of the said Town and Parish, in such Proportions as the said Commissioners shall think fit and reasonable; and also to give such Sums of Money to any or all of the Constables and Headboroughs of the said Parish of *Saint Mary Islington*, for any extra Services over and above the usual Duties required of them by virtue of their Offices, and which they may be called upon by the said Commissioners, or by the Inhabitants in Vestry assembled, to perform within or out of the said Town and Parish.

Powers to allow Payment to Constables, &c.

XV. And be it further enacted, That if any Person or Persons shall obstruct, hinder, or molest any Officer, Supervisor, Watchman, Patrole, or any other Person or Persons whomsoever, employed by virtue of the said recited Act or this Act, in the Performance or Execution of his or their Duty, every such Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Ten Pounds, nor less than Five Pounds.

Penalty on Persons obstructing Watchmen, &c. during their Duty.

XVI. And be it further enacted, That the said Commissioners, or any Fifteen or more of them, may, and they are hereby authorized and empowered, at any of their Meetings, to contract and agree in Writing, with any Person or Persons for the cleansing and keeping clean all or any of the Roads (not included in any Turnpike Act), Streets, Lanes, Courts, Yards, Alleys, Footpaths, Passages, or Places within the said Town and Parish, and for doing and performing every Thing relative thereto, and shall take Security from every such Contractor for the due Performance of his or her Contract; and which Contract and Contracts shall specify the Particulars contracted for, and the Sum or Sums of Money, Price or Prices agreed upon to be paid, received, or taken by the said Commissioners and Contractor or Contractors respectively, and the Time or Times when all or any the Matters and Things agreed or contracted for shall be done and performed, and the Penalties to be suffered in case of Non-performance thereof, and all and every other such Particulars and Covenants as the said Commissioners or any Fifteen or more of them shall see necessary or think proper; all and every of which Contracts shall be entered in a Book or Books to

Power to contract for cleansing the Roads, &c.

[Loc. & Per.]

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be kept for that Purpose by the Clerk or Clerks to the said Commissioners, but previous to the making any such Contract, Fourteen Days Notice at the least shall be given in some Newspaper circulated within the said Town and Parish, and by Writing affixed on the Church Door of the said Parish, expressing the Intention of the said Commissioners to enter into such Contract; and the said Commissioners are hereby empowered to purchase, lease, or otherwise agree for a proper and convenient Place or Places for depositing the Dirt, Dust, Rubbish, Cinders, Ashes, and other Filth to be from Time to Time swept together and collected by such Contractor or Contractors, until the same is fit for Sale; and the said Commissioners are hereby authorized to sell and dispose of the same, and apply the Money arising therefrom to the Purposes of the said recited Act and this Act.

Duty of Scavenger.

XVII. And be it further enacted, That the Person or Persons employed by or contracting with the said Commissioners for cleansing the said Roads, Streets, Lanes, Courts, Yards, Alleys, Footpaths, Passages, and Places within the said Town and Parish; or the Person or Persons employed by or acting under the Direction of such Person or Persons so contracting with the said Commissioners, shall Three Days in every Week, at or between such Hours of those Days as the Commissioners aforesaid shall from Time to Time appoint, bring, or cause to be brought, Carts or other convenient Carriages into all the said Roads, Streets, Lanes, and Places within the said Town and Parish where such Carts or other Carriages can pass; and shall, at or before his or their Approach, by Sound of Bell, Voice, or otherwise, give Notice to the Inhabitants of his or their coming; and give the like Notice in every Court, Passage, or Place within the said Town and Parish into which such Carts or other Carriages cannot pass; and such Person or Persons aforesaid shall fetch the Dust, Dirt, Rubbish, Cinders, Ashes, and other Filth, (except Filth from any Privy or Necessary House), from the several Premises within the said Town and Parish; and shall sweep up, collect together, and put into such Carts or other Carriages, all such Dust, Dirt, Rubbish, Cinders, Ashes, and other Filth, (except as aforesaid); all which Dust, Dirt, Rubbish, Cinders, Ashes, and other Filth, such Person or Persons shall then immediately, or as soon as may be, carry away, or cause to be carried away to the Place or Places appointed for depositing the same, upon pain of forfeiting any Sum not exceeding Forty Shillings for every Offence or Neglect therein.

No Person to carry away Dust, &c. but Contractor.

XVIII. And be it further enacted, That if any Dustman or Collector of Dust, Ashes, or Cinders, or any other Person or Persons other than the Scavenger or Scavengers who shall be appointed by or contract with the said Commissioners, or those employed under him or them, shall collect or carry away any Dust, Ashes, or Cinders, from any House, Out-house, or other Premises within the said Town and Parish, then and in every such Case it shall be lawful for any Person or Persons whomsoever who shall see such Offence committed to seize, and also for any Person or Persons to assist in seizing the Offender or Offenders, and without any Warrant to convey and deliver him or them into the Custody of a Peace Officer, in order to be secured and conveyed before some

some Justice of Peace for the said County of *Middlesex*; and every such Person or Persons so offending shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence: Provided always, that the Inhabitants of the said Town and Parish may reserve any Dust, Dirt, Dung, Cinders, or Ashes upon their own Premises, and make use of the same for manuring or improving any Lands belonging to or occupied by them; but in case the Person or Persons so reserving such Dust, Dirt, Rubbish, Dung, Cinders, or Ashes, shall thereby annoy any of the Inhabitants of the said Town and Parish, and shall not remove the same within Seven Days after Notice in Writing being given to him or them for that Purpose, by the Supervisor or Supervisors appointed by the said Commissioners, such Person or Persons shall forfeit and pay the Sum of Ten Shillings for every Day such Annoyance shall be permitted to remain next after the Expiration of such Notice given as aforesaid.

Inhabitants
may reserve
Dust, &c.

but remove
the same on
Notice,

XIX. And be it further enacted, That if any Person or Persons whosoever shall throw, cast, or lay, or cause to be thrown, cast, or laid, any Night Soil, Dust, Dirt, Dung, Offal, Rubbish, Ashes, Oyster Shells, or other Filth or Annoyance whatsoever, into any Road, Street, Lane, or other public Passage, Footpath, or Place, or into any Sewer, Drain, Sink, or Watercourse within the said Town and Parish, every such Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Twenty Shillings.

Preventing
Ashes or
Dirt being
thrown into
the Streets,
&c.

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

Penalty not
to extend to
Rubbish or
Dirt occa-
sioned by
building or
repairing
Houses.

XXI. And be it further enacted, That if any Person or Persons shall run, drive, carry, or place, or cause to be run, driven, drawn, or placed on any of the Footpaths in any of the said Roads, Streets, Lanes, Passages,

Penalty on
causing An-
noyances in
the Streets,

Passages, and Places within the said Town and Parish, any Coach, Waggon, Cart, Dray, or other Carriage, or any Wheel, Sledge, Wheelbarrow, Handbarrow, or Truck; or shall roll any Cask, or shall ride, drive, lead, or place, or cause to be rode, driven, led, or placed, any Horse, Ass, Mule, or other Beast or Cattle, upon any of the Footpaths aforesaid; or shall kill, slaughter, singe, scald, dress, or cut up any Beast or Swine, Calf, Sheep, Lamb, or other Cattle, in any of the said Roads, Streets, Lanes, Passages, Footpaths, or Places, or shall hoop, cleanse, wash, or scald any Cask, or hew or saw, or cause to be hewed or sawn, any Stone, Wood, or Timber, or bind, make, or repair the Wheel of any Carriage, or shoe, bleed, or farrier, (except in case of Accidents), or turn or drive loose any Horse in any of the said Roads, Streets, Lanes, Passages, Footpaths, or Places; every Person offending in any of the Cases aforesaid shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings; and it shall be lawful for the Supervisor or Supervisors appointed by the said Commissioners, or any other Person or Persons whomsoever, who shall see any of such Offences committed, to seize, and also for any other Person or Persons to assist in seizing the Offender or Offenders, and without any other Warrant to convey and deliver him, her, or them, into the Custody of a Peace Officer, in order to be secured and conveyed before some Justice of the Peace for the County of *Middlesex*, who, upon Proof being made upon Oath of any such Offence or Offences as aforesaid, shall commit the Offender or Offenders to the House of Correction for the said County, for any Time not exceeding Twenty-eight Days, nor less than Ten Days, unless the said Penalty, and all Charges attending the same, shall be sooner paid.

Penalty on exposing to Sale Goods, Wares, &c. on the Footpaths, &c.

XXII. And be it further enacted, That if any Person or Persons shall place, or in any way expose to Sale, or cause, permit, or suffer to be set, placed, or exposed to Sale, any Goods, Wares, or Merchandize, either on the Footpaths or Carriage Ways or Sides thereof, within the said Town and Parish, every Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings.

Persons not to be subject to Penalty unless Information laid by Direction of Commissioners.

XXIII. Provided always, and be it enacted, That no Person or Persons exposing to Sale any Goods, Wares, or Merchandize as aforesaid, shall be subject or liable to any Penalty or Penalties for so doing, unless Information thereof shall be laid by the Supervisor or Supervisors appointed by virtue of the said recited Act, and who shall have received Directions for that Purpose from the said Commissioners, or any Nine or more of them at any of their Meetings.

Penalty on Carriages left in the Roads, &c.

XXIV. And be it further enacted, That if any Waggon, Cart, Dray, or other such Carriage shall be left to stand or remain in any of the said Roads, Streets, Lanes, Passages, or Places, with or without Horses or other Cattle, for any Time longer than shall be necessary for the loading or unloading thereof; or if any Hackney or Stage Coach, Diligence, Post Chaise, or other Carriage let to hire, shall be left to stand or remain in any of the said Roads, Streets, Lanes, Passages, and Places as aforesaid without Horses, any longer Time than shall be necessary for the taking up or setting down the Passengers, and for loading and unloading

ing their Baggage; or if any Swine or other Beast or Cattle shall be permitted to wander or be in or about any of the said Roads, Streets, Lanes, Passages, Footpaths, and Places; or if any Timber, Bricks, Lime, Mortar, Sand, Stone, Slates, Hay, Straw, Wood, Faggots, Tiles, Coals, Boards, Tubs, Goods, Wares, Merchandize, or other Materials or Things whatsoever, shall be laid or placed and left to remain in any of the said Roads, Streets, Lanes, Passages, Footpaths, and Places for any longer Time than shall be necessary for moving and housing the same; or if any Coal Ashes (except in the Time of Frost only, and to prevent Accidents), or any other Nuisance or Annoyance whatsoever, be thrown, cast, or laid in any of the said Roads, Streets, Lanes, Passages, Footpaths, or Places, then and in every such Case the Owner or Driver of every such Waggon, Cart, Dray, Coach, Diligence, Post Chaise, or other Carriage, and the Owner of any such Swine or other Beast or Cattle, and of any such Bricks, Goods, Wares, Merchandize, Materials, or Things which shall be left or suffered to remain in any of the said Roads, Streets, Lanes, Passages, Footpaths, or Places, and the Person or Persons who shall so throw, cast, or lay, or cause to be thrown, cast, or laid, any Coal Ashes, or any other Nuisance or Annoyance whatsoever as aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings nor less than Twenty Shillings.

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

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Stall,

on Swine or other Cattle wandering in the Roads, &c.; on Timber, Bricks, Stone, &c. being left in the Roads.

Power to remove Obstructions, Nuisances, &c.

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

Commissioners may purchase Lands.

XXVI. And be it further enacted, That it shall be lawful for the said Commissioners, or any Nine or more of them, to treat, contract, and agree with the Owners of and Persons interested in the Lands or Hereditaments mentioned in the Schedule hereunto annexed, for the Purchase thereof; and it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Husbands, Guardians, Trustees or Feoffees in Trust, Committees, Executors, Administrators, and all other Trustees whatsoever, not only for and on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of their Cestuique Trusts, whether Femes Covert, Infants, or Issue unborn, Lunatics, Idiots, or other Person or Persons whomsoever, and for all Femes Covert who are or shall be seised of or interested in their own Right; and to and for all and every Person and Persons whomsoever who are or shall be possessed of and interested in any such Lands or Hereditaments, to sell and convey unto the said Commissioners, or any Nine or more of them, all or any of such Lands or Hereditaments, or any Part thereof, for the Purposes aforesaid; and all Contracts, Sales, and Conveyances which shall be so made shall be valid to all Intents and Purposes, any Law, Statute, Usage, or other Matter to the contrary in anywise notwithstanding; and all such Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Husbands, Guardians, Trustees, Feoffees, Committees, Executors, Administrators, and all other Persons, shall be and are hereby indemnified for what they shall do by virtue or in pursuance of this Act.

XXVII. And

XXVII. And be it further enacted, That if any such Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, Husbands, Guardians, Trustees, Feoffees, Committees, Executors, Administrators, or any other Person or Persons interested in any such Lands or Hereditaments, upon Notice to him, her, or them given, or left in Writing at the Dwelling House or Dwelling Houses, Place or Places of Abode of such Person or Persons, or of the principal Officer or Officers of any such Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, or at the House of the Tenant in Possession of the said Lands and Hereditaments, shall for the Space of Ten Days next after such Notice given or left as aforesaid neglect or refuse to treat, or shall not agree in the Premises, or by reason of Absence shall be prevented from treating, then and in every such Case the said Commissioners, or any Nine or more of them, shall cause such Damage, Value, or Recompence to be inquired into and ascertained by a Jury of Twelve indifferent Men of the County of *Middlesex*; and in order thereto the said Commissioners, or any Nine or more of them, are hereby empowered and required from Time to Time, as Occasion shall require, to summon and call before such Jury and examine upon Oath all and every Person and Persons whomsoever who shall be thought necessary and proper to be examined concerning the Premises (which Oath any One or more of the said Commissioners is and are hereby empowered to administer), and such Commissioners or any Nine or more of them shall, by ordering a View or otherwise, use all lawful Ways and Means as well for their own as for the said Jury's Information in the Premises; and after the said Jury shall have inquired of and assessed such Damage and Recompence, they the said Commissioners, or any Nine or more of them, shall thereupon order, adjudge, and determine the Sum or Sums of Money so assessed by the said Jury, to be paid to the said Owners and other Persons interested in the said Lands and Hereditaments, according to the Verdict or Inquisition of such Jury; which said Verdict or Inquisition, and Judgment, Order, and Determination thereon, shall be final, binding, and conclusive to all Intents and Purposes, against all Parties and Persons whomsoever claiming or to claim any Estate in Possession, Reversion, or otherwise, their Heirs and Successors, as well absent as present, Infants, Females Covert, Lunatics, Idiots, and Persons under any other Disability whatsoever, Bodies Politic, Corporate, and Collegiate, Corporations Aggregate or Sole, as well as all and every other Person and Persons whomsoever; and for summoning and returning such Juries the said Commissioners, or any Nine or more of them, are hereby empowered to issue their Warrant or Warrants to the Sheriff of the County of *Middlesex*, commanding him to impanel, summon, and return an indifferent Jury of Twenty-four Persons qualified to serve upon Juries, to appear before the said Commissioners, or any Nine or more of them, at such Time and Place as in such Warrant or Warrants shall be appointed; and such Sheriff, or his Deputy or Deputies, is and are hereby required to impanel, summon, and return such Number of Persons accordingly; and out of the Persons so impanelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said Commissioners, or any Nine or more of them, shall and they are hereby empowered and required to swear or cause to be sworn Twelve Men, who shall be a Jury

Where Persons interested neglect or refuse to treat,

the Damages and Recompence to be settled by a Jury.

Verdict of the Jury to be final.

Trustees to issue Warrants to the Sheriff to impanel a Jury.

Jury for the Purposes aforesaid; and in Default of a sufficient Number of Jurymen, the said Sheriff, or his Deputy or Deputies, shall return other honest and indifferent Men of the Standers-by, or that can speedily be procured to attend that Service, to the Number of Twelve; and all Persons concerned shall have their lawful Challenges against any of the said Jurymen when they come to be sworn, but shall not challenge the Array; and the said Commissioners, or any Nine or more of them acting in the Premises, shall have Power from Time to Time, to impose any reasonable Fine or Fines upon such Sheriff or his Deputy or Deputies, making Default in the Premises; and on any of the said Persons that shall be summoned and returned on such Jury, and who shall not appear, or appearing shall refuse to be sworn on the said Jury, or being sworn, shall refuse to give, or shall not give their Verdict, or in any other Manner wilfully neglect their Duty therein, contrary to the true Intent and Meaning of this Act; and on any of the Persons, who, being required to give Evidence before the said Jury, shall refuse or neglect to appear, or appearing shall refuse to be sworn and examined, or to give Evidence, so that no Fine be more than Five Pounds on any Person for One Offence.

Jury may be challenged.

Fines.

How the Expences of the Jury and Witnesses are to be borne.

XXVIII. And be it further enacted, That in case any Jury or Juries to be summoned and sworn pursuant to the Authority of this Act, shall give and deliver a Verdict or Assessment for more Money as a Recompence or Satisfaction for the Right, Interest, or Property of any Person or Persons in any such Lands or Hereditaments than what shall have been agreed to and offered by the said Commissioners, or any Nine or more of them, before the summoning and returning of the said Jury or Juries, as a Recompence or Satisfaction for any such Right, Interest, or Property, then and in such Case, the Costs and Expences of summoning and maintaining the Jury and Witnesses, and all other Expences attending the hearing and determining of such Difference, shall be borne and paid by the Treasurer to the said Commissioners, out of any Money which shall then be in his Hands, or out of the Monies to be received by virtue of the said recited Act or this Act; but if any Jury or Juries, so summoned and sworn as aforesaid, shall give in and deliver a Verdict or Assessment for no more or for less Money than shall have been agreed to and offered by the said Commissioners, or any Nine or more of them, before the summoning and returning the said Jury or Juries, as a Recompence and Satisfaction for any such Right, Interest, or Property in any such Lands or Hereditaments, then the Costs and Expences of summoning and maintaining the said Jury and Witnesses, and all other Expences as aforesaid, shall be borne and paid by the Person or Persons with whom the said Commissioners shall have such Controversy or Dispute; which said Costs and Expences, having been ascertained and settled by some Justice of the Peace for the County of *Middlesex*, not interested in the Matter in question, (who is hereby required to examine and settle the same), shall and may be deducted out of the Money so assessed and adjudged, as so much Money advanced to and for the Use of such Person or Persons, and the Payment or Tender of the Remainder of such Monies shall be deemed and taken, to all Intents and Purposes, to be a Payment or Tender of the whole Sum or Sums so assessed and adjudged, or otherwise such Costs and Expences,

Expences, in case the same be not paid upon Demand, after being so ascertained and settled as aforesaid, may be recovered by the Clerk or Clerks to the said Commissioners, by the Ways and Means herein-after provided for Recovery of Penalties and Forfeitures: Provided always, that in all Cases where any Person or Persons shall, by reason of Absence, have been prevented, from treating, such Costs and Expences shall be borne and paid by the said Commissioners, or any Nine or more of them, in Manner aforesaid.

XXIX. And be it further enacted, That upon Payment of the Sum or Sums of Money so to be assessed and adjudged as aforesaid, after such Deduction as aforesaid, to the Person or Persons to whom the same shall be so adjudged, for the Purchase of the said Lands or Hereditaments, or for the Purchase of any Estate or Interest therein, such Person or Persons shall make and execute, or procure to be made and executed, good, valid, and legal Conveyances, Surrenders, Assignments, and Assurances in the Law, to the said Commissioners and their Successors, in Trust for the Purposes hereby intended, or any Person or Persons in Trust for them, of the said Lands and Hereditaments, or of such Estate or Interest for which such Sum or Sums of Money shall be so adjudged; and shall procure all necessary Parties to execute such Conveyances, Surrenders, Assignments, and Assurances, and shall do all Acts, Matters, and Things, necessary and requisite to make and derive a good, clear, and perfect Title thereto, to the said Commissioners and their Successors, in Trust for effecting the Purposes hereby intended; and such Conveyances, Surrenders, Assignments, and Assurances, shall contain all such reasonable and usual Covenants as shall on the Part of the said Commissioners be required.

Upon Payment of the Value assessed, the Estate to be conveyed.

XXX. And be it further enacted, That immediately after the Execution of such Conveyances, Surrenders, Assignments, or Assurances, or after such Verdicts, Judgments, and Proceedings of the said Justices and Juries, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand in Law and Equity, of the Person or Persons theretofore interested in the Lands or Hereditaments to be purchased as aforesaid, shall vest in the said Commissioners and their Successors, in Trust for effecting the Purposes hereby intended, and they shall be deemed in Law to be in the actual Seisin or Possession thereof to all Intents and Purposes whatsoever, as fully and effectually as if every Person having any Estate in the Premises had actually conveyed the same by Lease and Release, Bargain and Sale inrolled, Feoffment with Livery of Seisin, Fine, Common Recovery, Surrender, or any other Conveyance or Assurance whatsoever; and such Payment shall not only bar all Right, Title, Interest, Claim, and Demand of the Person or Persons to whose Credit such Payment shall have been made, but also shall extend to and be deemed and construed to bar the Dower and Dowery of the Wife and Wives of such Person and Persons, and all Estates Tail, and other Estates in Possession, Reversion, Remainder, or Expectancy, and the Issue and Issues of such Person and Persons, and every Person claiming under them, as effectually as Fines or Common Recoveries would do if levied or suffered by the proper Parties in due Form of Law.

Immediately after Conveyances, Verdicts, &c. Estates to vest in the Commissioners.

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XXXI. And

Application
of Compens-
ation, if
amounting to
200*l*.

XXXI. And be it further enacted, That if any Money shall be paid, or agreed or awarded to be paid, for the Purchase of any Lands or Garden Ground, purchased, taken, or used by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Body Politic, Corporate, or Collegiate, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee, for or on Behalf of any Infant, Lunatic, Idiot, Feme Covert, or other Cestuique Trust, or to any Person whose Lands or Garden Grounds are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the Commissioners for executing this Act, to the Intent that such Money shall be applied, under the Direction, and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands or Garden Grounds, in the Purchase or Redemption of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands or Garden Grounds, or affecting other Lands or Garden Grounds standing settled therewith, to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands or Garden Grounds, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands or Garden Grounds which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing, undetermined, and capable of taking Effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court, upon Application thereto, be invested by the said Accountant General, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands or Garden Grounds, to be purchased by virtue of this Act, in case such Purchase or Settlement were made.

Application
of Compens-
ation, if less
than 200*l*,
and exceed-
ing 20*l*.

XXXII. Provided always, and be it enacted, That if any Money so agreed or awarded to be paid for any Lands or Garden Grounds, purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or be equal to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons

for the Time being entitled to the Rents and Profits of the Lands or Garden Grounds so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiocy, or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by any Seven or more of the said Commissioners for executing this Act, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends arising thereon, may be applied in any Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction and Approbation of the Court of Chancery.

XXXIII. Provided also, and be it enacted, That where such Money so agreed or awarded to be paid as next before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would, for the Time being, have been entitled to the Rents and Profits of the Lands or Garden Grounds so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Commissioners shall think fit; or in case of Infancy, Idiocy, or Lunacy, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Application of Compensation, if less than 20l.

XXXIV. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands or Garden Grounds, to be purchased by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises, to the Satisfaction of the said Commissioners; or in case such Person or Persons, to whom such Sum or Sums of Money shall be so awarded as aforesaid, cannot be found; or if the Person or Persons entitled to such Lands or Garden Grounds be not known or discovered, then and in every such Case it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, to order the said Sum or Sums of Money so awarded as aforesaid, to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account, to the Credit of the Parties interested in the said Lands or Garden Grounds, (describing them), subject to the Order, Controul, and Disposition of the said Court of Chancery; which said Court of Chancery, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds; and to order Distribution thereof, or Payment of the Dividends thereof,

In case of not making out Titles;

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

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

thereof, according to the respective Estate or Estates; Title or Interest of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank aforesaid.

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

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

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

XXXVI. Provided also, and be it enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands or Garden Grounds to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Court of Chancery, and to be applied in the Purchase of other Lands or Garden Grounds to be settled to the like Uses in pursuance of this Act, it shall and may be lawful to and for the said Court of Chancery to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, to be paid by the said Commissioners out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Annoyances by Hogstyes, &c. to be removed.

XXXVII. And be it further enacted, That if any Hogstye, Laystall, Slaughter House, or Necessary House, in the said Town and Parish, shall, by the said Commissioners, or any Nine or more of them, be deemed a Nuisance to any of the Inhabitants thereof, or Persons residing therein, it shall and may be lawful to and for the said Commissioners, or any Nine or more of them, upon Complaint there-
of

of to them made by any Person or Persons, to order the Person or Persons keeping such Hogstye, Slaughter House, Laystall, or Necessary House, to remove the same within Seven Days next after due Notice of such Order; and in case the same shall not be removed in that Time, then the Person or Persons offending therein shall forfeit and pay the Sum of Ten Shillings for every Day that the same shall continue unremoved after the Expiration of the said Seven Days; but subject to Appeal in Manner herein-after mentioned.

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

Supervisor to inspect the Works, &c.

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

Commissioners empowered to make Bye-Laws.

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

Power to administer Oaths.

[*Loc. & Per.*]

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Perjury

Proviso for limiting the Time for Information of Offences.

Perjury are subject and liable to: Provided always, that no Person or Persons shall be subject or liable to the Payment of any Penalty or Forfeiture imposed by the said recited Act or this Act, for any Offence against the said recited Act, or this Act, unless Information shall be given of the Offence within Six Calendar Months next after such Offence shall have been committed.

Recovery of Penalties by Distress and Sale;

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

or Offenders may be committed.

Power for Justices to make Allowances to Informers.

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

Persons aggrieved may appeal to the Quarter Sessions, whose Order shall be final.

XLIII. And be it further enacted, That if any Person shall think himself or herself aggrieved by any Bye-Law, or any Thing done in pursuance of this Act, it shall and may be lawful for any such Person to appeal to the next General or Quarter Sessions of the Peace to be held for the said County of *Middlesex*; and it shall and may be lawful for the Justices assembled to make such Order therein as to them shall seem meet, which Order shall be final and conclusive: Provided always, that every such Appeal shall be tried and determined in the Manner directed by the said recited Act.

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

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

XLV. And be it further enacted, That no Inhabitant of the said Town or Parish shall, before any Justice or Justices of the Peace, or upon any Trial, Hearing, Examination, Appeal, or otherwise, in, about, touching, or concerning the said recited Act or this Act, or the Matters or Things therein and herein contained, be or be deemed an incompetent Witness, by reason of his or her being such Inhabitant, or paying the Rates of the said Town and Parish; and that any Justice of the Peace for the said County of *Middlesex* may act in the Execution of the said recited Act and this Act, notwithstanding he shall be an Inhabitant of the said Town or Parish, or pay the Rates thereof, any Law, Statute, or Usage to the contrary notwithstanding.

Inhabitants deemed competent Witnesses.

XLVI. And be it further enacted, That it shall and may be lawful to and for such Commissioners as aforesaid, or any Nine or more of them, from Time to Time, and at all Times hereafter, to compound and agree with any Person or Persons against whom such Commissioners shall bring or cause to be brought any Action or Actions, Suit or Suits, for any Penalty or Penalties contained in any Contract or Contracts made or entered into, or hereafter to be made or entered into, in pursuance of the said recited Act or of this Act, on account of the Breaches or Non-performance of any such Contract or Contracts, for such Sum or Sums of Money as they shall think proper, so as the Sum so compounded and agreed for be not less than the Injury or Damage actually sustained by the Breach or Non-performance of such Contract or Contracts, and all Costs, Charges, and Expences which shall be occasioned thereby.

Commissioners may compound Penalties.

XLVII. Provided always, and be it further enacted, That upon all Appeals from any of the Rates or Assessments to be made or imposed by the Authority of the said recited Act or this Act, the Justices of the Peace

Justices may amend the Rate appealed against

without
altering the
other Rates.

Peace (where they shall see just Cause of Relief) shall, and are hereby empowered to amend the said Rates and Assessments, in such Manner only as shall be necessary for giving Relief to the Person or Persons so appealing, without quashing or altering such Rates and Assessments with respect to any other Person or Persons mentioned in the same.

Expences of
the Act how
to be paid.

XLVIII. Provided always, and be it enacted, That the Charges and Expences of procuring and passing this Act shall be paid out of the first Monies that shall be raised by virtue of the said recited Act or this Act.

Public Act.

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

SCHEDULE to which this Act refers.

A Dwelling House, Wall, and Part of the Yard, situate near *Cumberland-Row*, in the Parish of *Saint Mary Islington*, belonging to Mistress *Elizabeth Rogers*, and in the Occupation of *Charles* and *Josiah Phelps*, Stone-Masons.

Part of the Wall and Garden Ground, situate the Corner of the *Lower Street*, in the Parish of *Saint Mary Islington*, and opposite the *Carved Red Lion* Public House, belonging to ——— *Greaves*, and in the Occupation of *John Rusby* and *Thomas Eyre*.

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