



ANNO QUADRAGESIMO SEXTO

GEORGI II. REGIS.

Cap. 134.

An Act for ornamenting and embellishing the Centre or Area of *Bloomsbury Square*, in the Parish of *Saint George Bloomsbury*, in the County of *Middlesex*; and for preventing Hackney Coaches standing or plying for Hire in and near the said Square.

[21st July 1806.]

WHEREAS the Centre or Area of *Bloomsbury Square*, in the Parish of *Saint George Bloomsbury*, in the County of *Middlesex*, is the Property of the Most Noble *John Duke of Bedford*, and all the Houses in the said Square, excepting Two, are also the Property of the said Duke: And whereas it would be much to the Benefit and Advantage of the Owners and Occupiers of the Houses in the said Square, if the said Centre or Area of the same, which is now inclosed and railed with Iron Rails, was planted and laid out with Walks and ornamented and embellished, and made into a Pleasure Ground; and if Provision was made for raising Money to defray the Expence of forming, making, planting, ornamenting, and embellishing such Inclosure or Pleasure Ground, and of continuing and keeping the same and the Rails thereof in Order and Repair; and if the standing of Hackney Coaches for Hire in the said Square and in certain Places immediately adjoining thereto was removed and prevented; but as the same cannot be effected without the Aid of Parliament; may it therefore please Your Majesty

[*Loc. & Per.*]

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that

Commissioners.

that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Owner or Owners for the Time being of the Freehold and Inheritance of the Houses encompassing and forming the said Square, and their respective Heirs and Assigns, and the Occupiers of the said Houses for the Time being, shall be and they are hereby appointed Commissioners for putting this Act in Execution.

Meetings of Commissioners.

II. And be it further enacted, That the said Commissioners for the Time being respectively shall first meet together at such Time and Place as they or any Three or more of them shall appoint, by Notice under their Hands to be affixed on the principal outer Door of the Church of *Saint George Bloomsbury*, and proceed in the Execution of this Act, and from Time to Time afterwards adjourn themselves to, and meet at any Time and Place, and as often as they shall think proper; and if at any Time there shall not appear at any such Meeting a sufficient Number of the said Commissioners to act in the Execution of this Act, any One of the said Commissioners for the Time being, present at such Meeting, or their Clerk, may adjourn the same to another Day; and in case of no Commissioner attending, or of any Neglect or Omission to adjourn any such Meeting, any Three of the said Commissioners, or their Clerk for the Time being, shall and may call a Meeting at the Place where the last Meeting of the said Commissioners was appointed to be held, or was held, by Notice or Summons to be left at each of the Houses in the said Square at least Seven Days before such Meeting; and that at all Meetings to be held in pursuance of this Act the said Commissioners shall defray their own Expences (excepting for the Use of the Room or Apartment where such Meeting shall be held, which shall be paid out of the Rates or Assessments); and no Act of the said Commissioners shall be valid, unless made or done at some Meeting to be held by virtue of this Act (except the calling of Meetings as aforesaid); and all the Powers and Authorities by this Act granted to or vested in the said Commissioners shall and may from Time to Time be exercised by the major Part of them present at any Meeting to be holden as aforesaid, the Number of such Commissioners present at such Meeting not being less than Three; and in all Cases where the Number of Votes upon any Question shall be equal (including the Chairman's Vote) the Chairman shall have the casting Vote; and at every Meeting to be held in pursuance of this Act, the first Business shall be the Election of a Chairman to preside at the same.

III. Provided always, and be it further enacted, That no Person or Persons shall be capable of acting as a Commissioner or Commissioners by virtue of this Act, (except in giving the Notice of their first or any other Meeting, and also except in administering the Oath or in the appointing of a Proxy as herein-after mentioned), until he shall have taken the following Oath; (that is to say,)

Commissioners Oath.

‘ I Do swear, That I will faithfully, impartially, and honestly, according to
 ‘ the best of my Skill and Judgement, execute the Trust reposed in me;
 ‘ and hear and determine all such Matters and Things as shall be brought
 ‘ before me as a Commissioner, by virtue of an Act passed in the Forty-
 ‘ sixth

‘ sixth Year of the Reign of King *George* the Third, intituled, *an Act*,
 ‘ [set forth the Title of this Act].

‘ So help me GOD.’

And which Oath it shall be lawful for any One of the said Commissioners to administer to the other.

IV. Provided nevertheless, and be it further enacted, That it shall be lawful for the Commissioners acting under and by virtue of this Act, and they are hereby authorized to hold any special Meeting between their then last Meeting and the Day to which any subsequent Meeting shall have been adjourned, so that such Meeting shall be required by Three or more of the said Commissioners, and such Notice thereof given as last aforesaid at least Seven Days before the Time to be appointed for the same, and so as that such Notice shall be signed by the Clerk of the said Commissioners, and specify the Cause or Causes of such Special Meeting.

Special Meetings may be held.

V. And be it further enacted, That no Order made by the said Commissioners shall be revoked or altered unless at some General Meeting to be holden as aforesaid, or at some special Meeting to be required as aforesaid; and also, unless a greater Number of Commissioners shall attend such Meeting to revoke or alter the same, than were present when such Order was made.

Power to revoke Orders.

VI. And be it further enacted, That the Owner and Owners for the Time being of the Freehold and Inheritance of any of the Houses in the said Square may, by Writing under his, her, and their Hand and Hands, appoint any Person to be his, her, and their Proxy during such Time as he, she, or they shall think proper, and to vote for him, her, or them at any Meeting of the said Commissioners, and to sign his, her, or their Name or Names, and do any other Act as a Commissioner and Commissioners; and that any Woman occupying any House in the said Square may, by Writing under her Hand, appoint any Person, being a Commissioner, to be her Proxy during such Time as she shall think proper, and to vote for her at any Meeting of the said Commissioners, and sign her Name, and do any other Act as a Commissioner; and every Act done by such respective Proxies shall have the same Force and Effect in every Respect as the same would have had if the Person or Persons appointing such Proxy had attended and done the same; such Appointment being produced and shewn at every such Meeting to the Commissioners then present (if required) previous to any Vote or Act done by virtue thereof: Provided always, that no Commissioner shall act as Proxy, or vote for more than Two Women at any such Meeting as aforesaid.

Freehold Proprietors and Women may vote by Proxy.

VII. And be it further enacted, That the said Commissioners may from Time to Time, by Writing under their Hands, appoint a Treasurer, Clerk, and Collector of the Rates or Assessments to be made as hereinafter mentioned, and such other Officers and Persons as they shall think necessary, and remove any such Officers or other Persons as they shall think proper, and appoint others in their Stead, and pay such Salaries and make such Allowances to all such Officers or Persons as they the said Commissioners shall think reasonable; and the said Commissioners shall

Commissioners may appoint Officers.

Proceedings
to be entered
in a Book,
and deemed
Evidence.

shall take such Security from every such Treasurer and Collector as they shall think proper; and all the Orders and Proceedings of the said Commissioners at any of their Meetings shall be entered in a Book or Books to be kept for that Purpose, and be signed by the Chairman of such Meeting; and being so signed, shall be deemed and taken to be Originals; and any such Book shall and may be produced, read in, and taken as Evidence in all Courts whatsoever.

Commissioners
to make
the Pleasure
Ground, &c.

VIII. And be it further enacted, That the said Commissioners shall, with all convenient Speed after the passing of this Act, cause the said Centre or Area of the said Square to be formed into a Pleasure Ground, and planted, ornamented, and embellished as they the said Commissioners shall think proper; and that the sole Power of forming, making, planting, ornamenting, and embellishing the said Inclosure or Pleasure Ground, and of continuing, maintaining, and keeping the same, and the Iron Rails, Kirb, and other Things belonging thereto in proper Order and Repair, shall be and the same is hereby vested in the said Commissioners, who shall at all Times maintain and keep the same in proper Order and Condition.

The Inheritance
of the
Pleasure
Ground not
to be altered.

IX. Provided always, and be it further enacted and declared, That nothing herein contained shall be construed, adjudged, deemed, or taken to alter the Inheritance or Property of the said Inclosure or Pleasure Ground; but that the Inheritance and Property thereof shall remain and be to and for the said *John Duke of Bedford*, his Heirs and Assigns, in such and the same Manner as if this Act had not been made; and that it shall be lawful for the said *John Duke of Bedford* and his Heirs, at any Time or Times hereafter, to erect or cause to be erected in any Part of the said Inclosure or Pleasure Ground any Statue or Statues, Column or Columns, or other ornamental Erection, but no other Building or Erection whatsoever.

Rails, &c
vested in Com-
missioners.

X. And be it further enacted, That the Property in the Iron Rails, Kirb, Gates, Lamp Irons, and other Things now made, set up, and affixed in or round the said Inclosure or Pleasure Ground, and in any Iron Rails, Kirb, Gates, Lamp-Irons, Trees, Shrubs, and other Things to be set up, affixed, or planted within or round the same, when so made, set up, affixed, and planted, shall be and are hereby vested in the said Commissioners for the Purposes of this Act; and the said Commissioners are hereby authorized and empowered to bring or cause to be brought any Action or Actions in the Name or Names of any One or more of them, or in the Name of their Treasurer or Clerk, or to prefer or order and direct the preferring of any Bill or Bills of Indictment against any Person or Persons who shall steal, take, or carry away all or any Part of such Iron Rails, Gates, Lamp-Irons, Lamp-Posts, Rails, Plants, Trees, Shrubs, or other Materials and Things as aforesaid; and if any Person or Persons shall wilfully or maliciously break, pull down, destroy, or otherwise injure, damage, or spoil any of the said Iron Rails, Gates, Lamp-Irons, Lamp-Posts, Rails, Plants, Trees, Shrubs, Materials, and Things, or any of the Works which are or shall be carrying on, made, done, or executed within or about the said Inclosure or Pleasure Ground in pursuance of this Act, or any Part or Parts thereof, every Person so offending shall,
for

for every such Offence forfeit any Sum not exceeding Ten Pounds, and shall also make full Satisfaction to the said Commissioners for any Damage done by him, her, or them as aforesaid; and that if any Person or Persons shall, within any Part of the said Square beat or dust any Carpet or Carpets, or drive any Carriage or Carriages for the Purpose of breaking Horses, or ride any Horse, Mare, or Gelding for the Purpose of exercising or airing such Horse, Mare, or Gelding, or for trying or showing such Horse, Mare, or Gelding for Sale (otherwise than by passing through the said Square), or throw, cast, or lay, or cause, permit, or suffer to be thrown, cast, or laid, any Ashes, Dust, Dirt, Rubbish, Offal, Dung, Soil, or other Filth or Annoyance in any Part of the said Square, or shall set or place any Stall-board, Basket, or Cask, or expose to Sale any Wares, Merchandize, or Goods of any Kind whatsoever, in or upon the Carriage or Footway of the said Square, or place, or suffer to be placed or remain, any Hackney Coach, or any Cart, Wain, Waggon, Dray, Sledge, or other Carriage or Chair, in or upon the Carriage or Footway of the said Square, (except in cases of Accident, or during the Time necessary for the loading or unloading of any Cart, Wain, Waggon, Dray, Sledge, or other Carriage, or the taking up or setting down of any Fare, or the Waiting for Passengers when actually hired) and shall not immediately remove and take the same out of the said Square when required so to do by any Person, whomsoever, and continue and keep the same so removed, he, she, or they shall for every such Offence forfeit any Sum not exceeding Forty Shillings; and it shall be lawful for any Person or Persons whomsoever to seize and take into Custody, and to be aiding and assisting in seizing and taking into Custody, any Person offending in any of the Particulars aforesaid, either at the Time of his or her committing of any such Offence, or after, and to carry such Person before any Justice of the Peace for the County of *Middlesex*, and which Justice shall hear and determine the Complaint; and if upon Conviction of the Offender, either on his or her own Confession, or on the Oath of a credible Witness, and which Oath the said Justice is hereby authorized to administer, such Offender shall not pay the said Penalty, he or she shall be committed to the Common Gaol or House of Correction, there to be kept to hard Labour for any Time not exceeding Three Calendar Months, unless such Penalty, and the reasonable Charges of recovering the same, shall be sooner paid; and it also shall be lawful for any of the Commissioners acting under and by virtue of this Act, and for any Person or Persons appointed by the said Commissioners, or any Three or more of them, to seize any such Stall-board, Basket, Wares, Merchandize, Cask, Goods, Chair, Coach, Cart, Wain, Waggon, Dray, Sledge, or other Carriage, with the Horse or Horses (if any shall be thereunto belonging), and the Harness, Gears, and Accoutrements thereof, and to cause the same to be removed to such Place or Places as he or they shall judge convenient and proper, giving Notice to the Owner, Driver, or other Person, having any Interest in the Chattels and Things so removed, if he, she, or they can be found, of the Place or Places whereunto the same shall be so removed; and the same shall be there kept and detained until the Owner, Driver, or other Person interested therein as aforesaid, shall cause to be paid the said Penalty, with the Charges of the taking or removing of the said Chattels and Things, and of keeping such Horse or Horses, if any; and in case the Chattels and Things so removed shall not be claimed, and the said Pe-

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Powers for preventing Nuisances, Annoyances, and Obstructions.

nalty and Charges paid within Five Days next after such Removal thereof, it shall be lawful for any of the said Commissioners to order the same to be appraised and sold, and the Overplus of the Money arising by such Sale shall be returned to the Owner or Owners thereof, on Demand, after deducting the said Penalty, and the Costs, Charges, and Expences attending such Seizure, Removal, Keeping, Appraisement, and Sale; such Costs, Charges, and Expences, to be ascertained and allowed by any Justice of the Peace of the said County of *Middlesex* in case the Parties shall differ about the same.

Commissioners may contract for making Pleasure Grounds

XI. And be it further enacted, That the said Commissioners may, and they are hereby authorized and empowered from Time to Time to contract and agree with any Person or Persons for forming, making, inclosing, planting, ornamenting, and embellishing the said Inclosure or Pleasure Ground, or any Part thereof, and for continuing, preserving, and keeping the same, and the Iron Rails, Kirb, and other Things belonging or to belong thereto, in Repair, and proper Order and Condition; all which Contracts shall specify the several Works to be done, and the Prices to be paid for the same, and the Time or Times when the said Works shall be completed, and the Penalties to be suffered in case of Non-performance thereof; and in case such Works shall not be well and sufficiently performed according to the true Intent and Meaning of the Contract or Contracts to be entered into for that Purpose, or if such Works shall not be finished and completed at or within the Time or Times therein for that Purpose mentioned, the said Commissioners, in the Name of their Treasurer or Clerk for the Time being may bring an Action of Debt in any of His Majesty's Courts of Record at *Westminster*, against any Person or Persons so contracting and neglecting to perform any such Contract or Contracts, and on proving the signing the said Contract or Contracts, and Non-performance thereof, or any Part thereof, the said Commissioners shall be entitled to and recover the Penalty or Penalties therein mentioned; and the same when recovered shall be added to and become Part of their Funds, and applied for the Purposes of this Act: Provided always, That the said Commissioners may compound and agree with any Person or Persons for any Penalty or Penalties contained in any such Contract or Contracts for the Breach or Non-performance thereof, for such Sum or Sums of Money as they shall think proper, so that such Composition be not less than the Injury or Damage sustained by the Breach or Non-performance of such Contract or Contracts, and the Charges and Expences which shall be occasioned thereby.

Commissioners may compound for Penalties.

The Duke of Bedford and the Occupiers of Houses to have the exclusive Use of the Inclosure.

XII. And be it further enacted, That the said *John Duke of Bedford*, his Heirs and Assigns, and the Occupiers of the several Houses in and encompassing the said Square, shall be entitled unto and have the exclusive Use of the said Inclosure or Pleasure Ground, and that no other Person or Persons whomsoever shall be entitled thereto.

Rates, &c. for the several Purposes of the Act.

XIII. And be it further enacted, That One or more Rate or Rates, Assessment or Assessments, shall be laid and assessed by the said Commissioners once in every Year, or oftener if they shall judge necessary, upon all the Houses within and encompassing and abutting upon the said Square, for raising such Sum and Sums of Money as shall be necessary for defraying the Expences of forming, making, planting, ornamenting, and embellishing

lishing the said Inclosure or Pleasure Ground, and of maintaining, continuing, preserving, and keeping the same, and the Iron Rails, Kirb, and other Things belonging thereto, in proper Order and Condition, and other incidental Charges, so as such Rate or Rates, Assessment or Assessments, do not in the Whole exceed in any one Year the Sum of Ninepence in the Pound of the Yearly Rent or Value of such Houses; and all such Rates and Assessments shall be borne and paid by the Occupier or Occupiers of such Houses respectively, and shall be subject to and chargeable with all such Sum and Sums of Money as shall or may be advanced, borrowed, raised, and received, in Manner herein-after mentioned, for the several Purposes of this Act, and of all Interest for the same; and shall be paid to the said Commissioners, or to such Person or Persons as they shall nominate and appoint to collect and receive the same, at such Times and in such Manner as the said Commissioners shall direct.

XIV. And be it further enacted, That every House the Front or Side of which shall face or form a Part of the Line of the said Square, shall be deemed and taken to be wholly situated in the said Square, for all the Purposes of this Act, though the other Part of such House may front or face on any other Street. What shall be deemed a House in the Square.

XV. And be it further enacted, That the first Rate or Assessment directed to be made as aforesaid shall commence from the Quarter Day immediately preceding the passing of this Act; and every other Rate or Assessment to be made as aforesaid shall always commence from the Time the last preceding Rate or Assessment ended, and not otherwise; and the Monies therein and thereby charged and assessed shall be payable Quarterly, and be levied and recovered in Manner herein-after directed. Commencement of Rates.

XVI. And be it further enacted and declared, That the Books of Rates to be kept in pursuance of this Act, and all Entries made therein, or examined Copies thereof respectively, shall be received as Evidence of the Rates imposed by virtue of this Act, and of the Payment of such Rates, and such of them or such Part thereof as shall by such Entries appear to have been paid. Rate Books to be admitted as Evidence.

XVII. Provided always, and be it further enacted, That when any of the said Houses shall be empty or unoccupied, then and in every such Case it shall be lawful for the said Commissioners to accept and take One-Half of such Rates or Assessments, and no more, during the Time the same House shall be empty or unoccupied; and then and in every such Case such Half Rate, and all Arrears thereof, shall be paid by the Person or Persons for the Time being entitled to such House, or by the first or any other Occupier thereof; and every such Occupier shall and may, and is hereby authorized to deduct and retain the same out of his or her Rent, and the Person or Persons for the Time being entitled to such House is and are hereby required to allow such Deduction. Empty Houses to pay Half Rates.

XVIII. Provided always, and be it further enacted, That when any House, in respect whereof any Rate or Assessment shall be made as aforesaid, If Houses are let to more than One Tenant.

nant, any One
Tenant may
be deemed the
Occupier.

afore said, shall be let to more than one Tenant, any one or more of such Tenants shall be deemed the Occupier or Occupiers thereof for the Purposes of this Act.

Houses let to
Ambassadors.

XIX. Provided also, and be it further enacted, That when any of the said Houses shall be occupied by any Ambassador or Minister from any Foreign Prince or State, or other Person or Persons not compellable to pay the several Rates or Assessments to be made, laid, or assessed by virtue of this Act, then and in every such Case the said Rates or Assessments, and every of them, shall be wholly paid by the Proprietor or Proprietors of such Houses; and in case of Non-payment of any such Rate or Assessment by such Proprietor or Proprietors, then the same, and all Arrears due thereon shall be paid by the first or any other Inhabitant or Tenant thereof; and all such Inhabitants or Tenants are hereby authorized to deduct and retain the same out of their Rents respectively; and the respective Proprietor or Proprietors of all such Houses are hereby required to allow such Deduction upon Receipt of the Residue of their respective Rents; and all such Inhabitants or Tenants shall be and are hereby acquitted and discharged of and from so much of their respective Rents as the Rates or Assessments, and all Arrears due thereon so paid by them, shall amount unto; and in the mean Time, and until such Payment shall be made as aforesaid, such Houses shall be and the same are hereby made a Security for and chargeable with all such Rates or Assessments, and all Arrears thereof.

Landlords,
&c. subject to
the Payment
of Rates of
Houses let to
Lodgers, &c.

XX. And be it further enacted, That the Landlord or Owner of every House within the Limits of this Act, which is or shall or may be let out ready-furnished to a Lodger or Lodgers, shall be deemed and taken to be the Occupier thereof, and shall be liable and subject to the Rates or Assessments directed by this Act to be made, raised, and levied according to the yearly Rent or Value of the Premises; and that every Person renting or occupying any such ready-furnished House as aforesaid shall be liable and compellable to the Payment of the said Rates or Assessments, to be recovered in Manner herein directed; and that every such Occupier who shall pay any such Rate or Assessment, or from whom the same shall be recovered in pursuance of this Act, shall and may deduct the same from and out of the next Rent which shall become due and payable from him or her to such respective Lessee, Landlord, or Owner; and the Receipt for such Payment shall be a sufficient Discharge for such Tenant or Occupier to his or her Landlord for so much Money as he or she shall pay as aforesaid, or shall be levied on him or her by virtue of this Act.

Arrears of
Rates how
to be reco-
vered.

XXI. And be it further enacted, That if any Person or Persons liable to pay any of the said Rates or Assessments shall refuse or neglect to pay the same, and all Arrears thereof, or if any Person or Persons liable to pay any of the said Rates or Assessments shall at any Time begin to remove his, her, or their Goods or Furniture from the House in his, her, or their Occupation, or to sell or dispose of such Goods or Furniture therein, without paying all Arrears of such Rates or Assessments then due (in which the current Quarter shall be considered as due), that then and in every such Case it shall be lawful for the Collector or Collectors for the Time being to the said

said Commissioners, with the Assistance of a Constable thereto authorized, by Warrant under the Hand and Seal or Hands and Seals of one or more Justice or Justices of the Peace for the County of *Middlesex*, to collect and levy such respective Rates or Assessments and all Arrears due thereon, by Distress of the Goods and Chattels of the Party so neglecting or refusing to pay as aforesaid; and if within Five Days next after such Distress or Distresses shall be made the said Rates or Assessments, and all Arrears due thereon, together with the reasonable Charges of taking and keeping the said Distress or Distresses, shall not be paid to the said Collector or Collectors, such Collector or Collectors shall cause the said Goods and Chattels to be appraised and sold, or such Part thereof as shall be sufficient to pay such Rates or Assessments respectively, together with all Arrears thereof, and the reasonable Charges of making such Distress or Distresses, and of keeping and selling the same, returning the Overplus, if any, to the Owner or Owners of such Goods and Chattels respectively on Demand.

XXII. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners, if they shall think it more expedient, to bring or cause to be brought in the Name of their Treasurer or Clerk, or of any One or more of the said Commissioners, any Action or Actions of Debt, or Special Action on the Case, in any of His Majesty's Courts of Record at *Westminster*, for all or any of the Rates or Assessments which they are by this Act respectively authorized to make and assess, in which Action or Actions it shall be sufficient for the Plaintiff to declare that the Defendant is indebted to the Plaintiff in such Sum of Money as the Plaintiff shall suppose to be due; and if the Plaintiff shall recover such Sum so declared for, or any Part thereof, he shall have full Costs, to be levied and recovered as other Monies upon Judgements are now by Law levied or recovered; in which Action or Actions no Essoign, Protection, or Wager of Law, or more than one Imparance shall be allowed.

May bring
Actions for
Rates.

XXIII. And, for the more speedy raising Money for the Purposes of this Act, be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered from Time to Time to borrow and take up at Interest any Sum or Sums of Money upon the Credit of the Rates or Assessments herein-before granted, so as the Whole of such Sums shall not at any one Time exceed the Sum of Eight hundred Pounds; and by Writing under their Hands and Seals to mortgage or assign over the said Rates or Assessments, or any Part or Parts thereof, to any Person or Persons who shall advance or lend such Monies, or his or their Trustee or Trustees, as a Security for the Money so to be borrowed, together with lawful Interest for the same.

Commissioners
may borrow
Money.

XXIV. And be it further enacted, That there shall be entered in a Book or Books to be provided for that Purpose due and regular Entries of all Securities for Payment of the Principal Monies borrowed by virtue of this Act, together with the Interest of such Principal Monies, and of all Assignments and Transfers of the same respectively, which said Entries shall respectively specify the Principal Sums lent at Interest, and the Rate of Interest to be paid for the same, and the Times when such Principal Money and Interest shall be made payable; and also the Names, Additions,

Securities to
be entered in
a Book.

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and other necessary Descriptions of all such Persons as shall from Time to Time be entitled to such Securities, and the Sums payable in respect of the same; to which Book or Books the Person or Persons entitled thereto, and every Person liable to the Payment of the said Rates or Assessments shall at all reasonable Times have Access, with free Liberty to inspect the same without Fee or Reward; and all such Assignments and Transfers, after they shall be respectively entered in the said Book or Books in Manner aforesaid, shall entitle the Person or Persons to whom they shall be respectively made, and his, her, and their respective Executors, Administrators, and Assigns, to the Benefit of such Security or Securities as aforesaid.

Commissioners, being Justices, may act as such in the Execution of this Act.

XXV. And be it further enacted, That all such of the said Commissioners as are or shall be Justices of the Peace, may act as Justices in all Matters under the Authority of this Act, notwithstanding their being Commissioners as aforesaid; and that in all Cases where any Justice or Justices of the Peace is or are authorized by this Act to examine any Person or Persons on Oath or Affirmation; it shall be lawful for any such Commissioner or Commissioners, being a Justice or Justices as aforesaid, and he and they is and are hereby authorized, to administer such Oath and take such Affirmation; and that in all Cases where any Parties, Witnesses, Officers to Commissioners, or other Persons, are to be heard or examined by or before or in the Presence of the said Commissioners, in any Case, Matter, or Thing relating to this Act, it shall be lawful for such Commissioners to administer an Oath to, or take the Affirmation of such Parties, Witnesses, Officers, or Persons.

Commissioners may administer Oaths.

Inhabitants may give Evidence.

XXVI. And be it further enacted, That in all Actions, Prosecutions, Informations, Causes, and Proceedings whatsoever, relating to or concerning the Execution of this Act, no Person residing within the Limits of this Act shall be disqualified from giving Evidence by reason of such Person being charged with and liable to pay any Rate or Assessment by virtue of this Act; and that the said Commissioners may sue or be sued in the Name of their Treasurer or Clerk; and that no Action to be brought by or against the said Commissioners, or any of them, by virtue of this Act, shall abate or be discontinued by the Death or Removal of any such Treasurer or Clerk; but that the Treasurer or Clerk for the Time being to the said Commissioners shall always be deemed the Plaintiff or Defendant in such Action, as the Case shall be.

Treasurers and Collectors to account.

XXVII. And be it further enacted, That the Treasurer or Treasurers; Collector or Collectors to the said Commissioners, shall, upon Three Days Notice in Writing given to or left for him or them at his or their usual or last Place or Places of Abode, deliver to the said Commissioners a true and particular Account in Writing, signed by such Treasurer or Treasurers, Collector or Collectors, of all Monies which he or they shall have received, or collected by reason of his or their Office or Offices; and the said Treasurer or Treasurers shall in his or their Account or Accounts distinguish how much hath been paid and disbursed by the Order of the said Commissioners, and for what Purpose, together with the proper Vouchers for such Payments; and the Treasurer or Treasurers, Collector or Collectors so accounting, shall

shall verify such Account upon Oath, if required so to do, and which Oath any one of the said Commissioners is hereby empowered to administer; and the said Collector or Collectors shall also deliver in to the said Commissioners, when thereunto required, a true List of the Names of all Persons who shall have neglected or refused to pay the said Rates or Assessments, and an Account of the several Sums of Money due and in Arrear from such Persons, and the Times at which the same respectively became due; and if any such Treasurer or Treasurers, Collector or Collectors, shall neglect or refuse to deliver such Account or Accounts, or produce proper Vouchers for all Payments by him or them made, or to verify the same on Oath, or shall refuse or neglect to account for any Sum or Sums of Money by him or them received or collected as aforesaid, and to pay the same to such Person or Persons as the said Commissioners shall appoint to receive the same, every such Treasurer or Collector so refusing or neglecting, shall, for every such Neglect or Refusal, forfeit and pay any Sum not exceeding Ten Pounds; and it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, to bring or cause to be brought any Action or Actions against such Treasurer or Collector, for the Recovery of such Sum or Sums of Money so received or collected as aforesaid.

XXVIII. And be it further enacted, That the Treasurer or Treasurers to the said Commissioners shall and is and are hereby required, out of the Monies he or they shall receive in pursuance of this Act, to pay all Sum and Sums of Money drawn upon him or them, or which he or they shall be respectively ordered to pay by the said Commissioners for the Purposes of this Act; and such Treasurer or Treasurers shall and is and are hereby required to keep regular and fair Entries in a Book or Books to be provided for that Purpose, of all the Receipts and Payments which he or they shall make on the Accounts aforesaid, and to which Book or Books every Person liable to the Payment of the said Rates or Assessments shall and may have free Access at all convenient Times, and shall be permitted to inspect the same without Fee or Reward; and the said Commissioners are hereby empowered and required to audit the said Accounts, and also the Books and Accounts of their Collector or Collectors twice in every Year, and pass the same if such Accounts shall appear just.

Money paid
by Treasurers
to be entered
in a Book.

XXIX. And be it further enacted, That all Penalties and Forfeitures herein-before by this Act imposed (the Manner of recovering which is not hereby otherwise directed), shall be levied and recovered by Distress and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace of the County or Place wherein the Offender or Offenders shall be or reside, which Warrant such Justice or Justices is and are hereby empowered to grant, upon the Confession of the Party, or upon the Information of any credible Witness upon Oath; and such Penalties and Forfeitures (if not otherwise directed to be applied by this Act), shall be paid to the Treasurer or Treasurers to the said Commissioners, and added to and become Part of their Funds; and in case such Penalties or Forfeitures shall not be forthwith paid, or sufficient Distress shall not be found, such Justice and Justices is and are hereby authorized and required by

Recovery and
Application of
Penalties.

Warrant

Warrant under his or their Hand and Seal or Hands and Seals, to cause the Offender or Offenders to be committed to the Common Gaol or House of Correction within such County or Place, there to remain without Bail or Mainprize, for any Time not exceeding Six Calendar Months, unless such Penalties or Forfeitures, and all reasonable Charges attending the Recovery thereof, shall be sooner paid and satisfied:

Distress not to be deemed unlawful for Want of Form;

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

Proceedings not to be quashed for Want of Form;

or be removed by Certiorari.

XXXI. And be it further enacted, That no Rate or Assessment, nor any Proceedings to be had touching the Conviction of any Offender or Offenders against this Act, or any Order made, or any other Matter or Thing to be done and transacted in or relating to the Execution of this Act, shall be vacated or quashed for Want of Form only, or be removed by *Certiorari*, or by any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*, any Law, Statute, or Usage to the contrary notwithstanding.

Application of Monies.

XXII. And be it further enacted, That the Monies to arise or be received by virtue of this Act, shall be applied in paying from Time to Time the Interest of the Money to be borrowed, and in defraying the Expences of executing this Act, and in paying off the Principal Money borrowed, in such Manner as the said Commissioners shall think proper.

Persons aggrieved may appeal to the Quarter Sessions.

XXXIII. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves, aggrieved by any Thing done in pursuance of this Act, such Person or Persons may appeal to the said Commissioners at their First or Second Meeting to be holden next after the Cause of Complaint shall have arisen; and if such Person or Persons shall not be satisfied with the Determination of the said Commissioners therein, then such Person or Persons may appeal to the Justices of the Peace at their General or Quarter Sessions to be holden for the County of *Middlesex*, within Three Calendar Months next after such Determination, such Appellant or Appellants first giving or causing to be given Ten Days Notice in Writing of his, her, or their Intention to bring such Appeal, and of the Cause or Causes thereof, to the Clerk of the said Commissioners, and within Four Days next after such Notice entering into a Recognizance before some Justice of the Peace for the said County, with Two sufficient Sureties conditioned to try such Appeal, and to abide the Order, and pay such Costs as shall be awarded by the said Justices at the next General or Quarter Sessions of the Peace to be held in and for the said County, or any Adjournment thereof, or at any Adjournment of

of the then last General or Quarter Sessions of the Peace in and for the said County which shall first happen next after the Expiration of One Calendar Month from the Day of giving such Notice; and the said Justices at such Session or Adjournment, upon due Proof of such Notice being given, and of the entering into such Recognizance, shall hear and finally determine the Causes and Matters of such Appeal, in a summary Way, and award such Costs to the Appellant or Appellants, or Respondent or Respondents as they the said Justices shall think proper; and the Determination of such Justices shall be final, binding, and conclusive to and upon all Parties concerned.

XXXIV. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act until Twenty-one Days Notice shall be thereof given in Writing to the said Commissioners or their Clerk, or after sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, or after Three Calendar Months next after the Fact committed for which such Action or Suit shall be so brought; and all such Actions or Suits shall be laid and tried in the County of *Middlesex*, and not elsewhere; and the Defendant or Defendants in any such Action or Suit may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear to have been so done, or that such Action or Suit was brought before Twenty-one Days Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or if any such Action or Suit shall not be commenced within the Time herein-before limited for that Purpose, or shall be laid in any other County or Place than as aforesaid, then and in any of the said Cases the Jury shall find for the Defendant or Defendants; and if a Verdict shall be found for such Defendant or Defendants, or if the Plaintiff or Plaintiffs in any such Action or Suit shall become Nonsuit, or shall suffer a Discontinuance of any such Action or Suit, or if upon Demurrer Judgement shall be given for the Defendant or Defendants, then and in any of the Cases aforesaid such Defendant or Defendants shall have Treble Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants hath or have for Costs of Suit in any Cases of Law.

Limitation of Actions.

General Issue.

XXXV. And be it further enacted; That it shall not be lawful for any Person after the Expiration of One Calendar Month from the passing of this Act, to stand and ply for Hire with any Hackney Coach within the said Square, nor in any Place in that Part of the Street called *Hart Street, Bloomsbury*, which lies and is situate between the South-East Corner of the said Square and *King Street, Holborn*; nor within the Distance of Three hundred Feet of any House forming Part of the said Square, in any Street or Place immediately leading into or out of the said Square.

No Coach to ply for Hire in the Square, nor within certain Places adjoining.

XXXVI. And be it further enacted, That if after the Expiration of One Calendar Month from the passing of this Act any Person shall stand and ply for Hire with any such Coach within the said Square, or in any Place in that Part of the Street called *Hart Street, Bloomsbury*, which lies and is situate between the South-East Corner of the said Square and *King Street*

Penalty on Persons offending.

[Loc. & Per.]

31 R

Holborn;

Hobborn; or within the Distance of Three hundred Feet of any such House as aforesaid, in any Street or Place immediately leading into or out of the said Square, the Party so offending shall on Conviction thereof by the Oath of One or more credible Witness or Witnesses, before One or more of His Majesty's Justices of the Peace for the County of *Middlesex*, or before the Commissioners acting under and by virtue of the several Acts of Parliament for the licensing and regulating of Hackney Coaches and Chairs in the Cities of *London* and *Westminster*, and the Suburbs thereof, forfeit and pay any Sum not exceeding Forty Shillings, or less than Ten Shillings for every such Offence, one Molety of which Penalty shall be paid to the Informer, and the other Molety thereof to the Use of the King's most Excellent Majesty, His Heirs and Successors; and if such Offender shall not pay the said Penalty immediately on Conviction, he shall be committed to the House of Correction, there to be kept to hard Labour for any Time not exceeding One Calendar Month, unless such Penalty shall be sooner paid: Provided always, that all such last mentioned Offences shall be prosecuted within Seven Days next after the same shall be committed.

Publick Act.

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

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