



ANNO QUINQUAGESIMO PRIMO

GEORGI II. REGIS.

Cap. 32.

An Act for better assessing and collecting the Poor and other Rates in the Parish of *Christ Church* in the County of *Surrey*; for better regulating the Poor thereof; and for cleansing, watching, lighting, and otherwise improving the Streets, Lanes, and other Public Passages and Places in the said Parish, and for other Purposes relating thereto.

[6th *May* 1811.]

WHEREAS the Poor within the Parish of *Christ Church* in the County of *Surrey*, are very numerous, and are maintained and supported at a great Expence, and by means of very heavy Rates: And whereas the Laws and Statutes now in force within this Realm, for the assessing and collecting Monies for the Relief and Maintenance of the Poor, and other Purposes within the said Parish, are found ineffectual, by reason that a large Number of Houses, Tenements, and Hereditaments within the said Parish, are let to weekly Occupiers, and also let out in Parcels to Under-tenants, and to Lodgers in separate Apartments, both furnished and unfurnished, and others are let at small yearly Rents, whereby the Rates made in the said Parish are in many Instances evaded and unproductive: And whereas it would tend to the Equalization and Reduction of the Parochial Rates within the said Parish, and to the great Alleviation of many industrious Families, and of the Inhabitants of the said Parish in general, if additional Powers were given for the assessing and collecting such Rates, and for better main-

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taining

taining and regulating the Poor thereof: And whereas many of the Streets, Ways, Lanes, Courts, Alleys, and other public Passages and Places within the said Parish of *Christ Church*, are not sufficiently cleansed, watched, or lighted, and are subject to many Nuisances, Annoyances, and Incroachments; and it would be a great Benefit and Convenience to the Owners and Inhabitants of Houses, Buildings, and Premises in the said Parish, and to the Public at large, if some Provision was made for better and more effectually cleansing, watching, lighting, regulating, and improving the same Streets, Ways, Lanes, Courts, Alleys, Passages, and Places, and for removing and preventing Nuisances, Annoyances, and Incroachments therein: 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 *Henry Bunn Esquire, Samuel Bilke Esquire, William Holmer Esquire, John Barlow, Edward Bunn, John Chatfeild, George Coates, Joseph Cole, Peter Davey, Thomas Fox, James Green, Rowland Hill Clerk, Joseph Harriss, Benjamin Hawes, John Higgons, Benjamin Lancaster, Thomas M^c Kiernan, Thomas William Mellor, Frederick Nicholson, Thomas Platt, Joseph Quincey, William Quincey, William Rayley, Samuel Robinson, Samuel Rust, William Shadbolt, Henry Taylor, — Taylor, Theodore Turpin, Isaac Vaughan, George Vaughan, and James Ward*, and their Successors, to be elected in Manner herein-after mentioned, shall be, and they are hereby appointed Commissioners for putting this Act into Execution, so far as relates to the cleansing, watching, lighting, and otherwise improving the Streets, Lanes, and other Public Passages and Places under their Jurisdiction within the said Parish; and that all and every the Powers, Authorities, Directions, Matters, and Things, by this Act given to and directed to be done and executed by or before the said Commissioners, shall and may be exercised, had, and done, by or before any Five or more of them (except only were some other Number is appointed by this Act), and all such Acts, Matters, and Things, shall be of as full Force and Effect as if done or executed by or before all the said Commissioners; and that no Order made by Five Commissioners as aforesaid shall be revoked or altered unless a Majority of the Commissioners present at a subsequent Meeting to be held for that Purpose (of which subsequent Meeting Eight Days previous printed or written Notice shall be given to each of the said Commissioners, by the Clerk to the said Commissioners, who shall also affix a Copy of such Notice on the Door of the Church of the said Parish), shall concur in such Revocation or Alteration, nor unless such Majority shall consist of Eleven of the said Commissioners at the least.

Commissioners.

Quorum.

Election of Commissioners to be annual.

II. And be it further enacted, That it shall and may be lawful to and for the Inhabitants of the said Parish (having a Right to assemble and vote in the Vestry of the said Parish), and they are hereby empowered and required, on the *Easter Tuesday* next after the passing of this Act, and on *Easter Tuesday* in each and every subsequent Year, to assemble in the Vestry Room of the said Parish, between the Hours of Nine in the Forenoon and Two in the Afternoon of the same Day, and then and there to nominate, elect, and appoint Thirty-two Persons, being Householders and Residents in the said Parish, and duly qualified to act as Commissioners in the Execution of this Act, as hereinafter mentioned, to

be Commissioners for the like Purposes as the Commissioners hereinbefore named, in the Room, Place, and Stead of the Commissioners hereinbefore named, or those who may have been Commissioners for the Year preceding such Day or Days of Election (as the Case may be), and from and after each and every such new Election and Elections as aforesaid, the Persons who shall have been Commissioners for the preceding Year shall cease to be Commissioners under this Act (except as in the Proviso hereinafter contained is excepted); and all and every the Person and Persons so to be from Time to Time elected a Commissioner or Commissioners as aforesaid, is and are hereby invested with the same Powers for putting this Act, or certain Parts thereof as aforesaid, into Execution, as if he and they had been originally named a Commissioner or Commissioners in and by this Act; provided nevertheless, that nothing herein contained shall prevent the Inhabitants of the said Parish so to be from Time to Time assembled at the Vestry for the Purpose of such Election as aforesaid, from re-electing (if they shall think it fit and proper) the same Persons, or any or either of them, to be again a Commissioner or Commissioners for the next ensuing Year, who had been Commissioners for the Year immediately preceding.

III. Provided always, and be it further enacted, That in case the said Inhabitants shall omit, neglect, or refuse to nominate, elect, and appoint such new Commissioners as hereinbefore mentioned, then and in every such Case of Omission, Neglect, or Refusal, the Commissioners hereinbefore named, or those who may have been subsequently appointed in Manner aforesaid, and who shall have been Commissioners for the Year preceding the Day or respective Days appointed for such new Election and Elections as aforesaid, shall remain and continue Commissioners, and proceed in the Execution of the Powers hereby granted to the said Commissioners, until such Time as a sufficient Number of Commissioners, duly qualified as aforesaid, shall be duly nominated, elected, and chosen; as fully and effectually as if such new Election or Elections of all the said Commissioners had actually taken place.

If Inhabitants neglect to elect new Commissioners, former Commissioners may act.

IV. Provided always, and be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act, unless at the Time of his acting therein he shall be a Householder and Resident in the said Parish, and assessed to the Poor Rates of the said Parish, at the Rate of Thirty-five Pounds *per Annum* at the least, and be seised or possessed in his own Right, or in the Right of his Wife, and be in the actual Possession, Enjoyment, or Receipt of the Rents and Profits of a Real Estate, in Law or Equity, of the clear yearly Value of Fifty Pounds, or possessed of a Personal Estate to the Amount or Value of One thousand Pounds, over and above what will be sufficient to pay and satisfy all his just Debts; and in case any Person not being so qualified, shall presume to act as a Commissioner in the Execution of this Act, every such Person shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds, together with full Costs of Suit, to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, or on the Case, or by Bill, Plaint, or Information, wherein no Essoin, Protection, or Wager of Law, or more than one Imparlance shall be allowed; and every Person so sued or prosecuted, shall prove that he was, at the Time of so acting, qualified

Qualification of Commissioners.

qualified as aforesaid, or otherwise shall pay the said Penalty, or respective Penalties, without any other Proof or Evidence being given on the Part of the Plaintiff or Prosecutor, than that such Person so sued or prosecuted had acted as a Commissioner in the Execution of this Act; and the Money so to be recovered as aforesaid shall (after Payment of all extra Costs and Expences attending the Recovery thereof) be applied as follows; (that is to say), one Moiety thereof to the Plaintiff or Prosecutor, and the other Moiety thereof to the said Commissioners for the Purposes of this Act: Provided nevertheless, that all Acts and Proceedings of all and every Person and Persons so acting as a Commissioner in the Execution of this Act, (although not duly qualified previously to his or there being convicted of such Offence) shall, notwithstanding such Conviction, be as valid and effectual as if such Person or Persons had been duly qualified according to the Directions of this Act.

No Victual-
ler, or Person
holding any
Place of Emo-
lument under
this Act, to
be a Com-
missioner.

V. Provided also, and be it further enacted, That no Person hereby appointed or hereafter to be appointed a Commissioner as aforesaid, shall be capable of acting as such, who is a Victualler, or sells Ale, Wine, Cyder, or Spirituous Liquors by Retail, or during the Time he shall hold or enjoy any Office or Place of Profit under or be directly or indirectly concerned in any Contract to be made by virtue of this Act, or receive any Emolument therefrom, upon pain of forfeiting and paying the Sum of Twenty Pounds for each Time of so acting, such last-mentioned Forfeiture to be recovered and applied in Manner hereinbefore mentioned.

First and sub-
sequent
Meetings of
Commis-
sioners.

VI. And be it further enacted That the said Commissioners shall meet together in the Vestry Room of the said Parish of *Christ Church*, within Thirty Days next after the passing of this Act, between the Hours of Ten of the Clock in the Forenoon and Two of the Clock in the Afternoon of the same Day, and proceed to the Execution of this Act; and shall then and from Time to Time afterwards adjourn themselves to and meet within the same Hours at the same Place, or at any other convenient Time or Place within the said Parish, as they or the major Part of them present at such Meeting shall appoint, provided that no such Adjournment shall be for a longer Period than Three Calendar Months; and if it shall happen, that there shall not appear at any such Meeting a sufficient Number of Commissioners to act, or to adjourn to another Day, (Three Commissioners being always deemed sufficient for the Purpose of Adjournment) or if the Commissioners when met shall refuse or neglect to make an Adjournment, or in case it shall at any Time be deemed necessary to call any extra special Meeting of the said Commissioners, then and in every or any such Case or Cases, their Clerk, or any Three or more of the said Commissioners, shall and may call a Meeting at the Place where the last Meeting was appointed to be held on that Day Fortnight, by a printed or written Notice, to be left for each of the said Commissioners, at their usual Place of Abode within the said Parish; and also to be affixed on the Door of the said Parish Church at the least Eight Days before such Meeting; but no Act of the said Commissioners (except that of Adjournment, as aforesaid, and also except where it is hereby otherwise particularly directed) shall be valid, unless made or done at some public Meeting to be held by virtue of this Act, and public Notice shall be given by the Clerk of all and every such Meeting and Meetings to each of the said Commissioners, and also affixed on the
said

said Church Door at least Eight Days before such Meeting, (where other Notice is not herein particularly required).

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

Commissioners to pay their own Expences, and such as are Justices may act as such.

Power of administering Oaths and taking Affirmations.

VIII. And be it further enacted, That the said Commissioners shall and may sue and be sued in the Name of their Treasurer or Clerk, and that no Action that may be brought or commenced by or against the said Commissioners, or any of them, by virtue or on account of this Act, in the Name of their Treasurer or Clerk, shall abate or be discontinued by the Death or Removal of such Treasurer or Clerk, or by the Act of such Treasurer or Clerk, without the Consent of the Commissioners; but the Treasurer or Clerk to the said Commissioners for the Time being shall always be deemed Plaintiff or Defendant in such Action, as the Case may be: Provided always, that every such Treasurer or Clerk in whose Name any Action or Suit shall be commenced, prosecuted, or defended, in pursuance of this Act, shall always be reimbursed and paid out of the Monies to arise by virtue of this Act, all such Costs and Charges as by the Event of any such Proceedings he shall be put to, or become chargeable with, by reason of his being so made Plaintiff or Defendant therein.

Actions to be in the Name of the Treasurer or Clerk.

IX. And be it further enacted, That the said Commissioners shall cause Books to be provided and kept, and shall either by themselves or by their Treasurer or Clerk, cause fair and regular Entries to be made in such Books of the several Meetings, and the Names of the Commissioners attending such Meeting, and of the Nomination of all Officers and Persons, and of all Acts, Orders, and Proceedings relative to the Execution of this Act, by the said Commissioners, and the Commissioners present concurring in such Orders and Proceedings relative to the Execution of this Act, or any Five of them, or the Treasurer or Clerk by their Order, shall subscribe his or their Name or Names at the End of the Proceedings of every such Meeting; and all Entries in such Books being signed as aforesaid, shall be deemed Originals, and shall be admitted to be read as Evidence in all Causes, Suits, Proceedings, and Actions, touching any thing to be done in pursuance or by virtue of this Act; and such Books shall be kept by the Treasurer or Clerk to the said Commissioners as the said Commissioners shall from Time to Time direct, and shall at every such Meeting, and at all seasonable Times, be opened and liable to the Inspection of the said Commissioners, and of all Persons rated to and having paid all and every the Rate or Rates to be made by the said Commissioners, for the Purposes of this Act.

Books to be kept of Proceedings.

X. And be it further enacted, That in the Week immediately preceding the *Easter Tuesday* next after the passing of this Act, and in the

Yearly Accounts to be made out by Commissioners.

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Week

Week immediately preceding every subsequent *Easter Tuesday*, a true Account shall be made out, and stated by the Commissioners appointed by and in pursuance of this Act, of all Monies received and paid by them under and by virtue of this Act, and stating to and from whom or on what Account the same has been paid or received and for what Purpose; which said First Account shall specify all Monies received and paid as aforesaid, from the Time of passing of this Act, up to and until the *Saturday* next immediately preceding *Easter Tuesday* next, and every subsequent Account shall specify all Monies received and paid as aforesaid during the Year immediately preceding such Account, ending on the *Saturday* next immediately preceding each subsequent *Easter Tuesday*; which said Account and Accounts shall from Time to Time be signed by the Treasurer to the said Commissioners, and also entered in a Book to be kept by the said Commissioners as aforesaid, and a Copy or Duplicate of such Account shall be deposited with the Clerk to the said Commissioners, and be by him annually laid before the Inhabitants of the said Parish, so to be assembled on *Easter Tuesday* in each and every Year as aforesaid, for their Perusal and Inspection; and the said Clerk to the said Commissioners shall also permit any Inhabitant of the said Parish who shall be rated to and shall have paid all the Rate or Rates, Assessment or Assessments, to be made upon him, her, or them by the Commissioners under or by virtue of this Act, to inspect the said Account and Accounts at all seasonable Times, upon Payment of the Sum of Two Shillings for every such Inspection, and to have a Copy or Copies thereof, upon Payment of the Sum of Sixpence for every Seventy-two Words or Figures.

For appoint-
ing Officers.

XI. And be it further enacted, That the said Commissioners shall and may, by Writing under their Hands, at their First or any subsequent Meeting (Fourteen Days printed or written Notice thereof, after the First Meeting, being previously given to or left at the usual Place of Abode, within the said Parish, of each of the said Commissioners, and also affixed at the Door of the said Parish Church,) appoint one or more Clerk or Clerks, Treasurer or Treasurers, Collector or Collectors, Receiver or Receivers of the Rates or Assessments, Surveyor or Surveyors, and such other Officer or Officers, for the Execution of this Act, as they the said Commissioners shall think proper, and from Time to Time remove him or them; and in case of such Removal, or in case of the Death of any Person or Persons so appointed, to appoint others as they shall find necessary or convenient; and by and out of the Monies to be raised by the said Commissioners by virtue of this Act, may and are hereby empowered to appoint and pay such Salaries and Allowances to such Officers and to all other Persons by them the said Commissioners employed in the Execution of this Act, as they the said Commissioners shall think reasonable; and the said Commissioners shall and may take such Security for the due Execution of the respective Offices by such Person and Persons as aforesaid, as they the said Commissioners shall think proper; and such Person or Persons as is or are hereby made liable to pay the several Rates or Sums of Money hereby granted, shall pay the same to such Person or Persons as shall from Time to Time be so appointed to collect and receive the same, according to the true Meaning of this Act; and all such Officers and Persons so to be appointed as aforesaid, shall under their Hand, at such Time and Times, and in such Manner as the said Commissioners shall direct, deliver to such Commissioners, or to such Person or Persons as they shall
appoint,

appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of this Act, and also of all Monies which shall have been by such Officer or Officers, and Person or Persons respectively received, by virtue and for the Purposes of this Act, and how much thereof hath been paid and disbursed, and for what Purpose, together with the proper Vouchers for such Payments, and shall pay all such Monies as shall remain in their respective Hands to the said Commissioners, or to such Person or Persons as they shall appoint; and all the said Officers and Persons so accounting as aforesaid, shall upon Oath (if thereunto required) verify their said Accounts; and that if any such Officer or Person shall not make and render, or shall refuse to verify upon Oath any such Account, or to produce or deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall not deliver to the said Commissioners, or to such Person or Persons as they shall appoint, within Three Days after being thereunto required by the said Commissioners, all Books, Papers, and Writings in his or their Custody or Power, relating to the Execution of this Act, or shall refuse or neglect to pay such Monies as upon the Balance of any Account or Accounts shall appear to be in their respective Hands, to the said Commissioners or as they shall direct or appoint, within Three Days after being thereunto required as aforesaid, then and in either of the Cases aforesaid such Commissioners may and are hereby authorized and impowered to bring or cause to be brought any Action or Actions against the Officer or Officers, Person or Persons, so neglecting or refusing as aforesaid, for the Recovery of the Monies that shall be in the Hands of such Officer or Officers, Person or Persons respectively; or if Complaint shall be made by the Commissioners, or by such Person or Persons as they shall appoint for that Purpose, of any such Refusal or Neglect as aforesaid, to any Two or more of the Justices of the Peace for the County or Place wherein such Officer or Officers, Person or Persons so neglecting or refusing shall be and reside, such Justices may and are hereby authorized and required, by a Warrant or Warrants under their Hands and Seals, to cause the Officer or Officers, Person or Persons so refusing or neglecting, to be brought before them, and upon his or their appearing or not being to be found, to hear and determine the Matter in a summary Way, and if upon the Confession of the Party or Parties, or by the Testimony of any credible Witness or Witnesses upon Oath, it shall appear to such Justices that any of the Monies that shall have been collected or raised by virtue of this Act shall be in the Hands of such Officer or Officers, Person or Persons, such Justices may and are hereby authorized and required upon Non-payment thereof as aforesaid, by a Warrant or Warrants under their Hands and Seals, to cause such Money to be levied by a Distress and Sale of the Goods and Chattels of such Officer or Officers, Person or Persons respectively; and if no Goods or Chattels of such Officer or Officers, Person or Persons can be found sufficient to answer and satisfy the said Money and the Charges of distressing and selling the same, then and in any or either of the said Cases aforesaid, such Justices shall commit every such Offender to the Common Gaol or House of Correction for the said County of *Surrey*, there to remain without Bail or Mainprize until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Commissioners, and shall have paid such Composition in such Manner as they shall appoint, (which Composition the said Commissioners are hereby impowered to make,) or until he shall deliver up such Books, Papers, and Writings as aforesaid,

or

or give Satisfaction in respect thereof to the said Commissioners: Provided always, that no such Officer or Person who shall or may be committed by virtue of this Act, on account of his not having sufficient Goods or Chattels, shall be confined or detained in Prison by virtue of this Act for any longer Space of Time than Six Calendar Months.

Commis-
sioners may
appoint Offi-
cers occasi-
onally, in
case of Death
or Removal.

XII. Provided always, That as often as any Collector or Receiver of the Monies to be raised by the said Commissioners by virtue of this Act, shall die or be incapable of performing his Duty, it shall be lawful for the Treasurer and any Five or more of the said Commissioners, though not assembled at a Meeting pursuant to this Act, by any Writing under their Hands to appoint another Person to collect such Monies; and such Person shall continue to collect the same, until the Commissioners shall, at a Meeting to be held in pursuance of this Act, appoint a Collector or Receiver of such Monies, any thing herein contained to the contrary notwithstanding.

Officers pro-
hibited tak-
ing any Fee
or Reward
besides the
Salary.

Or being con-
cerned, or in-
terested in
any Bargain
or Contract,
to be disqua-
lified to be
employed.

XIII. And be it further enacted, That if any Person who shall be employed as Clerk, Treasurer, Collector, Receiver, Surveyor or any other Officer or Servant, who shall be any way employed by the said Commissioners in putting this Act or any of the Powers thereof into Execution, shall exact, take, or accept any Fee or Reward whatsoever, other than such Salaries, Allowances, or Rewards as shall be appointed, allowed, and approved of by the said Commissioners, for or on account of any thing done or to be done by virtue of this Act, or on any Account whatsoever, relative to putting this Act into Execution, or shall in any way be concerned or interested in any Bargain or Contract made or to be made by the said Commissioners, every such Person so offending shall be incapable of ever serving or being employed under this Act, and shall over and above forfeit the Sum of One hundred Pounds to any Person or Persons who shall sue for the same by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at *Westminster*, within Six Calendar Months after the Offence committed, in which said Suit no Essoign, Protection, or Wager of Law, or more than one Imparlance, shall be allowed.

For appoint-
ing Scaven-
gers and Ra-
kers.

XIV. And be it further enacted, That it shall be lawful for the said Commissioners or any Five or more of them to agree by Public Auction, or by the Acceptance of Tenders made in consequence of Public Advertisement, if they think fit, with any Person or Persons to be Scavenger or Scavengers, Raker or Rakers, Cleanser or Cleansers of the Streets, Squares, Lanes, Courts, Yards and other open Passages, Ways, and Places under the Jurisdiction of the said Commissioners within the said Parish; and such Person or Persons so contracted with shall, as often as thereunto required by any Five or more of the said Commissioners, bring or cause to be brought convenient Carriages into all the Parts aforesaid wherein such Carriages can be drawn near or pass unto, and at or before their Approach, by Bell or otherwise, shall give Notice to the Inhabitants of their coming, and give the like Notice in every other Place into which the said Carriages cannot pass and abide; and such Scavenger or Scavengers, Raker or Rakers, Cleanser or Cleansers, shall take and carry away, or cause to be taken and carried away from their respective Houses and Premises, their Soil, Ashes, Cinders, Rubbish, Dust,

Dust, Dirt, and Filth, all which the said Scavenger or Scavengers, Raker or Rakers, Cleanser or Cleansers, shall carry away, or cause to be carried away *gratis*, upon pain of forfeiting any Sum not exceeding Five Pounds for every Neglect or Default (except all such Rubbish, Earth, Dust, Filth, and Soil as shall be occasioned by building, repairing, amending, or altering any House or Houses, or any other Building or Buildings, which said Rubbish, Earth, Dust and Soil thereby occasioned, shall, within the Space of Two Days after being first left, be carried away by the Owner or Owners, Occupier or Occupiers of such Houses and Buildings respectively as aforesaid, upon pain of forfeiting and paying any Sum not exceeding Five Pounds for every Neglect in removing the same), and that if any Person or Persons (except Manufacturers and others, as hereinafter excepted) shall refuse to permit such Soil, Ashes, Cinders, Rubbish, Dust, Dirt, or Filth to be taken away, every such Person or Persons so offending, shall in like Manner forfeit any Sum not exceeding Five Pounds.

XV. And be it further enacted, That for the Improvement of the said Parish, and for the Public Advantage, it shall and may be lawful to and for the said Commissioners to alter, widen, turn, extend, and improve any of the Streets, Lanes, Roads, Squares, Rows, Alleys and Places under their Jurisdiction within the said Parish, and to lengthen, continue, and open the same, from the Sides or Ends of any Streets, Lanes, Roads, Squares, Rows, Alleys and Places under their Jurisdiction within the said Parish, into any other Street, Lane, Road, Square, Row, Alley and Place under their Jurisdiction within the said Parish, and to raise, level, lower, drain, ballast, or gravel such new Part or Parts of any such Streets, Lanes, Roads, Squares, Rows, Alleys and Places so altered, widened, extended, opened, or lengthened as aforesaid; and that if any Houses, Walls, Buildings, Lands, Tenements and Hereditaments, or any Part thereof, shall be adjudged by the said Commissioners to project into, obstruct, or prevent them from so altering, turning, widening, extending, lengthening, continuing, and opening or improving the said Streets, Lanes, Roads, Squares, Rows, Alleys, and Places within the said Parish, and that the Possession, Occupation, and Purchase of such Houses, Walls, Buildings, Lands, Tenements or Hereditaments, or any Part thereof will be necessary for that Purpose, it shall and may be lawful to and for the said Commissioners, and they shall have full Power and Authority to treat, contract, and agree, or to employ any Person or Persons to treat, contract, and agree, with the several Owner or Owners, Occupier or Occupiers, and all Persons whomsoever interested in, and who shall be willing to sell or part with their Estate, Right, Title, and Interest of, in, or to all or any such Houses, Walls, Buildings, Lands and Hereditaments, of what Nature, Tenure, Kind or Quality whatsoever, for the Purposes aforesaid, and to pay for the same such Sum and Sums of Money as shall be agreed upon by the said Commissioners, and the Owner or Owners, Occupier or Occupiers thereof, or other Persons interested therein, out of the Money to arise or be raised by the said Commissioners by virtue of this Act, and to pull down, use, sell, or dispose of such Houses, Walls and Buildings, or any Part thereof, and lay the Scites thereof, and all such other Lands, Tenements, or Hereditaments, or so much thereof as they the said Commissioners shall think proper, into

Commissioners, may improve Streets, &c.;

and may purchase Premises for that Purpose with Consent.

the said Streets, Lanes, Roads, Squares, Rows, Alleys and Places, and all such new Part of such Streets, Lanes, Roads, Squares, Rows, Alleys and Places; and the Owners and Occupiers of Houses and Buildings therein and adjoining thereto shall be subject to all the Rates, Assessments, Powers, Provisions, Orders, Clauses and Things by virtue of this Act directed to be made and in this Act contained, to which and in the same Manner as the present Streets, Squares, and Public Places included in this Act, and the Owners and Occupiers of Houses, Buildings, and Premises therein and adjoining thereto are liable and subject.

Power for
Bodies Po-
litic, &c. to
sell.

XVI. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, or other Trustees whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Covert, who are or shall be seised in their own Right, and all and every Person or Persons whomsoever who are or shall be seised, possessed of, or interested in such Houses, Buildings, Lands, Tenements or Hereditaments, or any Part thereof, which shall be thought necessary to be purchased for the Purposes aforesaid, to treat, contract, and agree with the said Commissioners for the Sale thereof, or of any Part thereof, and to sell and convey all or any Part thereof, and all Estate, Right, Title and Interest whatsoever of, in, and to the same, to the said Commissioners, or to such Persons and their Heirs for ever as the said Commissioners shall direct, in Trust for them the said Commissioners, for the Purposes aforesaid; and that all Contracts, Agreements, Bargains, Sales, and Conveyances which shall be so made by virtue and in pursuance of this Act as aforesaid, shall, without any Fine or Fines, Recovery or Recoveries, or other Conveyance or Assurances in the Law whatsoever, be good, valid, and effectual, to all Intents and Purposes, not only to convey the Estate and Interest of the Person and Persons conveying, but also to convey all Right, Estate, Interest, Use, Property, Claim and Demand whatsoever, of their said several and respective Cestuique Trusts, and all claiming or to claim by, from, or under them, any Law, Statute, Usage, or any other Matter or Thing whatsoever to the contrary thereof in anywise notwithstanding; and all Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, and all other Persons, are and shall be hereby indemnified for what they shall do by virtue and in pursuance of this Act.

On Payment
of Purchase
Money, Pre-
mises to be
conveyed.

XVII. And it is hereby further enacted and declared, That every Sum of Money to be agreed for as aforesaid, shall be paid out of the Monies to be raised by the said Commissioners by virtue of this Act, to the Parties or Persons respectively entitled to such Monies, or their Agents, and upon Payment thereof, or on depositing the same in the Bank of England, in Manner in this Act directed, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim and Demand in Law and Equity of the Person or Persons respectively for whose Use the same was paid in, to, or out of such Houses, Buildings, Grounds, Tenements and Hereditaments,

Hereditaments, shall vest in the said Commissioners for the only Uses and Purposes of this Act, so far as the said Commissioners are concerned in the Execution thereof, and they shall be deemed in Law to be in the actual Possession thereof, to all Intents and Purposes, as fully and effectually as if any Person having an Estate in the said Premises had actually conveyed the same by Lease and Release, Bargain and Sale enrolled, Feoffment with Livery of Seisin, Fine and Recovery, or any other legal Conveyance whatsoever; and such Payments shall not only bar all Right, Title, Interest, Claim and Demand of the Person or Persons to whose Use such Payment was made, but also shall extend to and be deemed and construed to bar the Dower and Dowers of the Wife or Wives of such Person or Persons, and all Estates Tail, in Reversion or Remainder, and the Issue or Issues of such Person and Persons, and every Person claiming under them, as effectually as a Recovery or Fine would do, if levied or suffered by the proper Parties in due Form of Law.

Premises vested in the said Commissioners.

XVIII. And be it further enacted, That all and every Person and Persons who would be entitled to recover the Mesne Profits of the Premises against the Person or Persons in possession, in case the same had not been so conveyed to or vested in the said Commissioners as aforesaid, shall be entitled to recover the Sum and Sums to arise from such Interest and Dividends as aforesaid, by Action of Debt or otherwise against the Person or Persons who shall receive the same.

Persons entitled to the Mesne Profits may recover against the Person receiving,

XIX. And be it further enacted, That all and every such Person and Persons who shall have any Mortgage or Mortgages on any such Houses, Buildings, Lands, Tenements or Hereditaments which shall be purchased in pursuance of this Act, his, her, or their Heirs, Executors, Administrators, and Assigns respectively, not being in possession thereof, by virtue of such Mortgage or Mortgages shall, on Tender of the Principal Money and Interest due thereon, together with Three Calendar Months Interest of the said Principal Money by the said Commissioners, or by such Person or Persons as they shall appoint, immediately assign such Mortgage or Mortgages to the said Commissioners, or to such Person or Persons as they shall appoint, in Trust for them; or in case such Mortgagee or Mortgagees shall have Notice in Writing given to him, her, or them from the said Commissioners, or any Person authorized by them, that they will pay off and discharge the Principal and Interest Money, which at the Expiration of the said Three Calendar Months, to be computed from such Notice given, shall be due on such Mortgage, that then, and at the End of the said Three Calendar Months, on Payment or Tender of the Principal and Interest Money so due, such Mortgagee or Mortgagees shall convey and assign his, her, and their respective Estates and Interests in the said mortgaged Premises to the said Commissioners, or to such Person or Persons as they shall nominate and appoint in Trust for them; and if any such Mortgagee or Mortgagees, his, her or their Heirs, Executors, Administrators or Assigns shall refuse so to do on such Tender or Payment, then all Interest on every such Mortgage shall cease and determine.

Mortgagees to assign on Tender of Principal and Three Months Interest;

or on Three Months' Notice.

XX. And

Commissioners to sell any overplus Ground.

XX. And whereas, by reason of the Purchases which the said Commissioners are empowered to make by virtue of this Act, they may be possessed of some Piece or Pieces of Ground over and above what may be made use of for the Purposes of this Act; be it therefore further enacted, That it shall be lawful for the said Commissioners to sell or dispose of any such Piece or Pieces of Ground either together or in Parcels, in such Manner as they shall find most advantageous and convenient, to such Person or Persons as shall be willing to contract, agree for, or purchase the same, giving Preference to the Person or Persons of whom the same shall have been purchased to any other Person offering the same Sum; and it shall be lawful for the said Commissioners to design, assign, and lay out in what Manner any new Houses or Edifices shall be erected or built upon any such Piece or Pieces of Ground which they shall be possessed of as aforesaid, over, and above what may be necessary for the Purposes of this Act, and the Money to arise by such Sales shall be paid to the said Commissioners towards the Purposes of this Act.

Application of Compensation when exceeding 200l.

XXI. And be it further enacted, That if any Money shall be paid or agreed to be paid for the Purchase of any Lands, Tenements, or Hereditaments, 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 Feoffees in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on Behalf of any Infant, Lunatic, Idiot, Feme Covert, or other Cestuique Trusts, or to any Person whose Lands, Tenements, or Hereditaments 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 Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privy 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, Tenements, or Hereditaments, in the Purchase or Redemption of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments 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, Tenements, and Hereditaments, 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, Tenements, or Hereditaments 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

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, Tenements, and Hereditaments so hereby authorized to be purchased, by virtue of this Act, in case such Purchase or Settlement were made.

XXII. Provided always, and be it enacted, That if any Money so agreed to be paid for any Lands, Tenements, or Hereditaments to be 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 amount to or exceed 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, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Ideotcy 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 Five 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 Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

If under 200l. and amounting to or exceeding 20l.

XXIII. Provided also, and be it further enacted, That where such Money so agreed 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, Tenements, or Hereditaments 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, Ideotcy, 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.

If under 20l.

XXIV. Provided always, and be it further 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

If Title doubtful.

[*Loc. & Per.*]

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this

this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments 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 in any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments 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 have been lawfully entitled to such Lands, Tenements, or Hereditaments according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery, and the Dividends and Interest of the Bank Annuities to be purchased with such Money, 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, Tenements, or Hereditaments, or to some Estate or Interest therein.

Court of Chancery may order reasonable Expences.

XXV. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any Lands, Tenements, or Hereditaments authorized 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, Tenements, or Hereditaments, 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 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.

Commissioners empowered to borrow Money upon Credit of the Rates.

XXVI. And for enabling the said Commissioners to execute the Purposes of this Act in the most beneficial Manner; be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered, from Time to Time when they shall judge it necessary, to borrow and take up at Interest any Sum or Sums of Money (subject nevertheless to the Consent of the Vestry as herein-after provided) upon the Credit of the Rates or Assessments to be made by them, by virtue of this Act, and by any Writing or Writings upon Vellum or Parchment, signed by the said Commissioners, or any Five of them, to assign the said Rates or Assessments, or a competent Part thereof, to such Person or Persons as shall advance and lend such Money thereupon, as a Security or Securities for the several Sums so borrowed, with Interest for the same, which Interest shall be payable and paid Half-yearly, by the Treasurer or Treasurers to the said Commissioners, out of the Monies to arise by or from the said Rates or Assessments.

For borrowing Money on Annuity on Lives.

XXVII. And whereas many Persons may be inclined to advance Monies for the Purchase of Annuities to be secured upon and payable out of the said Rates and Assessments; be it further enacted, That it shall be lawful for any Person or Persons to contribute, advance and pay into the
Hands

Hands of the said Commissioners, or such Person or Persons as they shall appoint to receive the same, for the Uses and Purposes for which the said Rates or Assessments are made, any Sum or Sums of Money, for the absolute Purchase of One or more Annuity or Annuities, to be paid and payable during the full Term of the natural Life or Lives of such Person or Persons as shall be nominated by or on Behalf of such Contributor or Contributors, at the Time of Payment of the respective Contribution Money, so as the said Annuity or Annuities do not exceed the Rate of Ten Pounds for the Hundred by the Year, and so in proportion for any greater or less Sum to be paid as aforesaid, all which Annuities so to be purchased shall be payable and paid by the Treasurer or Treasurers for the Time being, out of the Monies to arise by or from the said Rates or Assessments to be made by the said Commissioners, by Half-yearly Payments, the First Payment to be made to the respective Purchasers or their Assigns, at the Expiration of Three Calendar Months after Payment of their respective Purchase Monies, the Rate whereof shall, from Time to Time, be adjusted and settled by the said Commissioners as they shall think proper, at a Public Meeting to be held for that Purpose, whereof Fourteen Days' Notice shall be given in some Public Newspaper circulated within the Bills of Mortality, so that the total Sum or Sums of Money to be borrowed on Life Annuities and at Interest, shall not exceed in any Seven successive Years the Sum of Two thousand Pounds.

XXVIII. Provided always, That no Sum or Sums of Money shall be borrowed by the said Commissioners under the Powers of this Act, without the Consent of a Majority of the Inhabitants of the said Parish, assembled at a Vestry to be specially convened for that Purpose (such Inhabitants having a Right to vote at such Vestry), of which Vestry Eight previous Days Notice at the least shall be given, by printed Hand Bills circulated through the Parish, and also at Church during Divine Service on the *Sunday* preceding the Day of such intended Vestry.

No Sum to be borrowed without Consent of Vestry.

XXIX. Provided always, and be it further enacted, That the better to enable the Commissioners to pay the Money borrowed by Mortgage of the said Rates, in Manner aforesaid, it shall be lawful for them, at any Time or Times, until the Sum so borrowed and all Interest due thereon shall be fully paid and satisfied, and no longer, as any such Annuitant or Annuitants, or Nominee shall die, to permit any Person or Persons to purchase of them, the said Commissioners, one or more Annuity or Annuities, in the Room of such Annuitant or Annuitants, or Nominee so dying, upon the Life of such Person or Persons, upon such Terms and Conditions, and payable in such Manner as above mentioned, so that the Sum or Sums to be contributed for the Purchase of any Annuity or Annuities to be granted by virtue of this Act, shall at no Time exceed the Sum of Five thousand Pounds.

If Annuitants die, any Person may purchase other Annuities till Mortgage Money is paid off.

XXX. Provided also, That as such Annuitant or Annuitants die off, and such Rates or Assessments can be lowered and reduced, the same shall be so done in equal Proportions from Time to Time, if they the said Commissioners or any Five or more of them shall think fit.

As Annuitants die, Rates to be lowered, if Commissioners think

XXXI. And proper.

Annuities
charged upon
the Rates.

XXXI. And be it further enacted, That all and every such Annuity or Annuities shall be and are hereby charged upon, and shall be paid and payable from Time to Time, out of the Monies arising by the Rates and Assessments made and laid by the said Commissioners by virtue of this Act, and all and every the Contributor and Contributors, duly paying the Consideration or Purchase Money as aforesaid for any such Annuity or Annuities, his, her, or their respective Executors, Administrators, and Assigns shall have, receive, and enjoy, and be entitled by virtue of this Act to have, receive, and enjoy the respective Annuity or Annuities so to be purchased out of the said Rates or Assessments for the Payment thereof as aforesaid, during the Term of the natural Life of the Person to be nominated by such Purchaser or Contributor as before mentioned, and that all and every such Purchaser or Purchasers, and their Executors, Administrators, and Assigns shall have good, sure, absolute, and indefeasible Estates and Interests in the Annuity or Annuities so by him, her, or them respectively to be purchased, according to the Tenor and true Meaning of this Act; and that every Contributor for the Purchase of any such Annuity or Annuities, his, her, or their Assigns, upon Payment of the Consideration or Purchase Money, shall have a Receipt or Receipts for the same, and also an Order on Parchment for Payment of the said Annuity or Annuities, for and during the natural Life of the Person who shall be so nominated as aforesaid, by quarterly Payments, which Order shall be signed by the said Commissioners, or any Five or more of them, and after signing thereof the same shall be firm, valid, and of good Effect in the Law, according to the true Purport and Meaning of this Act.

Clerk to
enter all Se-
curities for
Money bor-
rowed on
Annuities.

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

Securities
may be trans-
ferred.

XXXIII. And be it further enacted, That it shall be lawful for any Person or Persons entitled to any of the Securities aforesaid, and his, her, or their Executors, Administrators, or Assigns, at any Time or Times by Writing under his, her, or their Hand or Hands respectively, to assign or transfer such Securities by Indorsement on the Back thereof to any Person or Persons whomsoever, and so *toties quoties*, and such Assignment or Transfer, after they shall respectively be entered by the Clerk to the said Commissioners in Manner aforesaid (which he is hereby required to do without Fee or Reward), shall entitle the Person or Per-

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sons to whom they shall be respectively made, and his, her, or their respective Executors, Administrators, and Assigns to the Benefit of the Security or Securities so assigned or transferred.

XXXIV. And be it further enacted by the Authority aforesaid, That all Monies raised or collected by the said Commissioners, or by their Order, under and by virtue of this Act, for the Purpose of cleansing, watching, lighting, and otherwise improving the said several Streets, Lanes, and other Public Passages and Places within the said Parish, and for other Purposes incidental and relating thereto, shall be, and the same are hereby vested in the said Commissioners, and shall be by them applied for the Purposes last aforesaid, and to and for no other Use or Purpose whatever.

Rates vested
in Commis-
sioners.

XXXV. And be it further enacted, That if any Person or Persons, other than the Person or Persons so employed by or contracting with the said Commissioners for the cleansing the Streets, Squares, and Places under their Jurisdiction within the said Parish, or those employed by and under such Person or Persons shall, on any Pretence whatsoever, go about to collect or gather, or shall ask for, receive, or carry away any Dust, Cinders, Ashes or Breeze within any Part of the said Parish under the Jurisdiction of the said Commissioners, it shall and may be lawful for any Justice or Justices of the Peace for the said County of *Surrey*, upon Complaint to him or them made, to grant a Warrant to bring before him or them such Offender or Offenders, or for any Person or Persons who shall see any such Offence committed, to seize, and also for any other Person or Persons to assist in seizing the Offender or Offenders, together with the Horses, Asses, Cattle, Carts, Trucks, Wheelbarrows, or other Carriages or Implements made use of for carrying the same away; and by the Authority of this Act, and without any other Warrant, to convey him, her, or them before such Justice or Justices of the Peace, or any other Justice or Justices of the Peace for the said County; and such Justice or Justices shall and he and they is and are hereby authorized and required to examine upon Oath the Person or Persons apprehending such Offender or Offenders, and any Witness or Witnesses who shall appear to give Information or Evidence touching such Offence; and if the Party or Parties shall be convicted of going about to collect or gather, asking for, receiving, or carrying away Dust, Cinders, Ashes or Breeze from any House or other Premises within such Parts of the said Parish as aforesaid, not being the Person or Persons so employed by or contracting with the said Commissioners, or acting with or under his or their Authority, he, she, or they shall respectively for the First Offence, forfeit and pay any Sum not exceeding Ten Pounds; for the Second Offence, any Sum not exceeding Fifteen Pounds; and for the Third and every subsequent Offence, any Sum not exceeding Twenty Pounds; one Moiety of which respective Penalties shall be paid to the Informer or Informers, or to the Person or Persons who shall apprehend the Offender or Offenders, and the other Moiety shall be applied for the Purposes of this Act; and if such Offender or Offenders shall not, on Conviction, pay the said Penalty or Penalties, such Justice or Justices is and are hereby required to direct such Horses, Asses, Cattle, Carts, Trucks, Wheelbarrows, or other Carriages or Implements which shall have been so seized, to be appraised and sold, and after deducting out of the Monies to arise by such Sale the Penalty or Penalties incurred, together with the reasonable Charges and Expences of such Distress and Sale, the Surplus thereof shall be returned

Contractors
only to re-
move Dust.

[*Loc. & Per.*]

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upon

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

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

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

If Contractor neglect to take away Dust for Seven Days, any other Person to be at Liberty to take it.

XXXVII. Provided always, and be it further enacted, That in case such Person or Persons so employed by or contracting with the said Commissioners for the Purposes aforesaid, shall neglect for the Space of Seven Days to bring or cause to be brought Carts or proper Carriages into all the Streets, Squares, and other Places under the Jurisdiction of the said Commissioners as aforesaid, where such Carriages can pass, and to give Notice in Manner aforesaid to the Inhabitants of their coming, for the Purpose of taking away such Dirt, Dust, Soil, Rubbish, Filth, Cinders

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

Expences thereof to be paid by the Scavenger.

XXXVIII. And be it further enacted, That from and after the Second *Monday* next after the passing of this Act, the said Commissioners, or any Five or more of them, shall and may cause all Signs, which then or at any Time after shall be placed or hung in any Part or Parts of the said Streets, Squares, Roads, Lanes and Places under their Jurisdiction within the said Parish, to be fixed or placed on the Fronts of such Houses respectively whereto the same shall belong, and also shall or may cause all Sign Irons, Posts, Boards, Gutters, or other Things occasioning any Obstruction or Annoyance in the said Streets, to be removed or altered in such Manner as the said Commissioners or any Five or more of them shall think most proper and convenient; and that for the future all Signs, Boards, Spouts, or Gutters shall be placed or fixed on the Fronts of the Houses, Shops, Warehouses or Buildings whereunto they respectively belong and not otherwise; and if any Person or Persons shall at any Time hereafter hang, place, erect, or build any Sign, Sign Post, Iron, Board, Spout or Gutter, or cause the same to be done in any other Manner than as aforesaid, or shall in any Manner occasion any Incroachment or Annoyance in any of the said Streets, Squares, Roads, Lanes and Places, every such Person shall, for every such Offence, forfeit and pay any Sum not exceeding the Sum of Five Pounds.

Signs to be regulated.

XXXIX. Provided always, and be it further enacted, That if any or any Part of any such Sign, Sign Iron, Post, Board, Gutter or Spout shall remain unused, after the Alteration made thereto as before directed, the same shall be returned to and be the Property of the Person to whom the same belonged before such Removal or Alteration.

Signs unused to be returned.

XL. And whereas the said Streets and Places are in some Parts thereof greatly obstructed and made dangerous to Foot Passengers by Steps being brought out from Houses, and by Steps and Doors going down into Cellars, Vaults, and other Places, and by Shew Glasses, Shew Boards,

Steps, &c. projecting too far may be removed or altered.

Boards, or other Matters and Things projecting from Shops and Houses over and beyond the Area belonging to such Houses, or into the Foot-ways; be it therefore enacted, That from and after the said Second *Monday* next after the passing of this Act, all such Steps projecting into the Foot-ways of the said Streets and Places, and all such Steps and Doors going down out of the said Foot-ways into any Cellars, Vaults, or other Places belonging to any House, Shop, Warehouse or Tenement, as likewise all Shew Glasses or Shew Boards projecting over and beyond the Areas, or into the Foot-ways, and all and every other Material, Matter or Thing belonging to any House, Warehouse, Shop, Cellar or other Building which does or may cause or occasion any Nuisance, Annoyance, Incroachment or Obstruction in the said Streets and Places or either of them, either in the Foot or Carriage-way thereof, shall be at the Expence of the Commissioners from Time to Time removed, fixed, placed, or altered in such Manner and Form as shall be approved of by the said Commissioners or any Five or more of them, or their Surveyor or other Person by their Direction.

Powers for
guarding or
covering En-
trances to
Cellars.

XLI. And whereas the Entrances or Door-ways made in or near the Foot Pavements or Foot Paths, for the Purpose of Persons descending to and ascending from the Cellar or Basement Story of sundry Houses and Premises within the said Parish of *Christ Church*, and the Holes, Funnels, Trap Doors or Cellar Flaps made in such Pavement or Paths for the Purpose of putting down Coals, Casks, or other Things into the Vaults beneath, or the Basement Story of such Houses or Premises, are often left open and insecure, by reason whereof the Lives and Limbs of His Majesty's Subjects are greatly endangered; be it further enacted, That if the Occupier or Occupiers of any House, Buildings, or Premises within the said Parish, under the Jurisdiction of the said Commissioners, having such Door-way or Entrance into the Basement or Cellar Story thereof, shall not, when thereunto required by the Surveyor, or other Person or Persons appointed by the said Commissioners, forthwith either safely and securely guard and constantly keep the same securely guarded by a Rail or Rails, or cover the same over with a Strong Flap or Trap Door, to the Satisfaction of such Surveyor or other Person appointed by the said Commissioners, and so as to prevent Danger to Persons passing and re-passing; or if any such Occupier or Occupiers do or shall leave open or not sufficiently and substantially cover, to such Satisfaction as aforesaid, any such Hole, Funnel, Trap Door or Cellar Flap (save and except only during such reasonable Time as any Coals, Wood, Casks or other Thing shall be putting down or taking out of any such Vault or Basement Story, or during such reasonable Time as the Flap, Trap Door, or Covering thereof shall be altering, repairing, or amending), or shall not repair, and from Time to Time keep in good and substantial Repair, to the Satisfaction of the said Surveyor or other Person appointed by the said Commissioners, all and every or any such Guard, Rails, Flaps, Trap Doors and other Coverings, then and in every such Case the Person or Persons so neglecting or refusing shall for every or any such Offence forfeit and pay any Sum not exceeding Ten Pounds, and that in any or either of such Cases of Neglect or Refusal it shall and may be lawful to and for the said Commissioners, or any Three or more of them (without the Authority of any General Meeting to be called for that Purpose),
or

or for the Surveyor or other Person appointed by the said Commissioners, to cause all and every such Door-ways, Entrances, Holes and Funnels; to be well and securely covered over or guarded, and all other Flaps, Trap Doors, and Coverings to be well and substantially repaired and renewed, and all the Costs, Charges, and Expences attending the same shall be borne and paid by the Person or Persons so neglecting or refusing to repair and make good the same, and shall and may be recovered and levied upon his, her, or their Goods and Chattels, in like Manner and under the like Powers and Authorities as any Rate or Rates to be made by virtue of this Act can or may be levied and recovered.

XLII. And be it further enacted, That if any Person or Persons shall at any Time hereafter drive or place, or cause to be driven or placed in any of the Streets, Squares, or other Places under the Jurisdiction of the said Commissioners within the said Parish, any Waggon or Cart with or without Horses, and cause or permit or suffer the same Waggon or Cart to stand or remain in any of the said Streets, Squares, or other public Passages or Places for any longer Time than shall be necessary for the loading or unloading thereof, or shall ride or drive any Horse, Mare, or Gelding, for the Purpose of breaking in, shewing for Sale, or exercising in any of the Streets, Squares, or Places under the Jurisdiction of the said Commissioners, within the said Parish, after the Hour of Eight in the Forenoon of the Day, or shall cause or permit or suffer any Stage Coach, Post Coach, Chaise or other Carriage (except Hackney Coaches authorized to stand in any of the said Streets, Squares, or Places by the Commissioners of Hackney Coaches), to stand or remain in any of the said Streets, Squares, and Places for any longer Time than shall be necessary for taking up and setting down Passengers, or for loading or unloading their Baggage or other Loading (except for Repairs in case of Accident, and then only for a reasonable Time), or shall place or cause, permit or suffer any Horse to stand at the Door of the House of any Person so as to obstruct or incommode the Passage of any of the Foot-ways, or shall lay or place, or cause to be laid or placed any Timber, Bricks, Stone, Wood, Goods or other Things, and suffer the same to remain in any of the said Streets, Squares, or other public Passages or Places for any longer Time than shall be necessary for removing or housing the same, or for the repairing of any House or Building, as the case may happen to be; or shall put or place, or permit or suffer to remain in any of the said Streets or Pavements or Foot-ways, any Goods, Baskets, Barrows, Stands or other Things to the Interruption of any such Foot-ways, Pavements, or Carriage-ways; or shall put or place or leave or suffer to remain any Meat, Fish, or Vegetables, or other Articles of a like Description, to the Annoyance of any Passengers, or Interruption of any Foot-ways, Pavements, or Carriage-ways or other Places under the Jurisdiction of the said Commissioners in the said Parish, it shall be lawful for the Beadle or Beadles of the said Parish, or any Person or Persons to be appointed by the said Commissioners, or any Five or more of them, to seize any such Waggon or Cart, Stage Coach, Post Coach, Post Chaise, or other Carriage (except as aforesaid), together with the Horse or Horses (if any shall be thereunto belonging), and such Horse so standing at the Door of any Person to the Obstruction of the Passage of any of the

For preventing Annoyances.

[*Loc. & Per.*]

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said

said Foot-ways, and any Horse so rode or driven for the Purpose of breaking-in, shewing for Sale, or exercising as aforesaid, and any Timber, Bricks, Stones, Wood, Goods or other Things as aforesaid, and cause the same to be removed to some convenient Place or Places to be appointed by the said Commissioners, or any Five or more of them, there to be kept and detained until the Owner or Owners thereof, or other Person or Persons interested, shall have paid and discharged all Costs, Charges, and Expences attending the carrying away, depositing, and keeping the same as aforesaid, as also a Penalty not exceeding Forty Shillings for every such Offence; and in case the same shall not be claimed, and the said Penalty and Charges paid within the Space of One Day (if Fish, Meat, Vegetables, or other Articles of a perishable Nature, and becoming decayed and stinking, or likely so to be), and within the Space of Five Days (if not perishable or of such Description as aforesaid) next after such Seizure and Removal thereof, then it shall and may be lawful for the said Commissioners, or any Five or more of them, to order the same to be appraised and sold, and the Overplus (if any) of the Money arising by such Sale shall be returned to the Owner or Owners thereof on Demand, after deducting the said Penalty and Costs, Charges and Expences, attending such Seizure, removing, appraising, and selling the same.

Hoads may
be erected
with Leave.

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

Footpaths to
be swept and
Pavements
repaired.

XLIV. And be it further enacted, That all and every Person and Persons inhabiting within any of the Streets, Squares, or other Places under the Jurisdiction of the said Commissioners within the said Parish, shall sweep and cleanse, or cause to be swept and cleansed, the Footpaths, Foot-ways, or Foot-pavements immediately before, and in front of their respective Houses, Buildings, Walls and Fences, once in every Day, before the Hour of Nine in the Forenoon (*Sundays* excepted); and also shall well and sufficiently repair and keep such Foot-pavements Ways, and Paths constantly in good Repair and Condition fit for Foot Passengers to walk thereon, upon pain of forfeiting for every Neglect or Default therein respectively, any Sum or Sums of Money not exceeding Five Shillings for every Offence: Provided always, that in case any Inhabitant shall fail or neglect to put and keep in good Repair and Condition as aforesaid, the Foot-pavement or Way in front of his, her or their re-

spective House, Building, Wall, or Fence, within any of the said Streets, Squares, or Places within the said Parish, within Three Days next after Notice in Writing shall have been given to or left for him, her, or them, under the Hand of any Three of the said Commissioners, or the Surveyor, or other Person to be by them appointed, then and in every or any such Case it shall and may be lawful to and for the said Commissioners forthwith to repair and amend such Foot-way or Pavement, and all Expende which they shall be put to in such Repairs and Amendments shall be paid to them by such Inhabitants or Occupiers before whose Premises such Repair as last mentioned shall be made or done; and shall and may be recovered, together with the Costs of recovering the same before any Justice or Justices of the Peace for the said County of *Surrey*, in like Manner as any Penalty or Forfeiture inflicted by this Act may be recovered.

XLV. And be it further enacted, That the said Commissioners may order and direct the Houses within the said Streets, Lanes, and Places under their Jurisdiction to be numbered with Figures, placed or painted on the Doors, or other Part of the said Houses respectively, and may also order and direct to be engraved, painted, or otherwise described on a conspicuous Part of some House or other Building, at or near the End or Corner of each Street, Lane, Court, Yard, Alley, Passage, or Place adjoining to or being near the said Streets, Lanes, or Places respectively, the Name by which such Street, Lane, Court, Yard, Alley, Passage, or Place so adjoining, is usually or properly called or known; and if any Person or Persons shall wilfully or maliciously destroy, injure, obliterate, or deface any such Number, Figure, Name, or Description, or any Part thereof, or cause the same to be done, he, she, or they shall forfeit and pay any Sum not exceeding Twenty Shillings. Houses to be numbered.

XLVI. And be it further enacted, That no Person shall begin to empty any Privy, Cesspool, or Boghouse, or take away any Night Soil from any House within any Street, Court, Lane, or Alley within the said Parish, before the Hour of Twelve in the Night, or shall continue to take or carry away the same after the Hour of Four in the Morning; and that no Person shall put or cast, or cause to be put or cast any such Night Soil, out of any Cart, Tub, or otherwise, within any Part of the said Parish on which Streets are or shall then be formed, or within the Distance of Two hundred Yards of the Centre of any of the Roads or Lanes of the same Parish; and if any Person shall offend herein, it shall be lawful for any Constable, Beadle, or Watchman, knowing of such Offence being committed, and also for any other Person or Persons to apprehend and convey the Offender or Offenders to the Watch-house of the said Parish, and from thence as soon as conveniently may be, before some Justice of the Peace for the said County of *Surrey*, who, upon Oath being made of such Offence as aforesaid, shall and may commit the Offender to the House of Correction for the said County, there to be kept to hard Labour for any Time not exceeding Twenty-one Days, nor less than Seven Days; and it shall be lawful for the said Commissioners at any Meeting to be held in pursuance of this Act, to order any Sum not exceeding Twenty Shillings, to be paid to the Person who shall detect, apprehend, and convey before any such Justice of the Peace any such Person offending as aforesaid. Cleansing of Privies.

XLVII. And

Power to
light and
watch.

For provid-
ing Lamps.

XLVII. And for the better Lighting and Watching the several Streets, Squares, Lanes, Alleys, Courts, Yards, and other public Passages and Places under the Jurisdiction of the said Commissioners within the said Parish ; be it further enacted, That it shall and may be lawful to and for the said Commissioners to cause the said several Streets, Squares, Lanes, Alleys, Courts, Yards, and other public Passages and Places under their Jurisdiction within the said Parish (or such Part or Parts thereof only as to them the said Commissioners shall seem right), to be lighted and watched in such Manner as they the said Commissioners shall think fit, and to exercise all such Powers and Authorities as shall be necessary for that Purpose ; and also that it shall and may be lawful to and for the said Commissioners to cause such and so many Lamps to be set up in such Places or Situations in the said Streets, Squares, Lanes, Alleys, Courts, Yards, Places, at such Times, in such Manner, and at such Distances as they shall judge necessary and proper with regard to the Public, and may contract or agree with any Person or Persons for such Lamps, or may find and provide the same if they shall think fit ; and also may contract or agree with any Person or Persons for the lighting, supplying, maintaining, and repairing such Lamps ; or the said Commissioners may find and provide any Oil, Cotton, Burners, or any other Materials for the lighting, supplying, maintaining, and repairing the same, so that the same shall be lighted at Sun-setting, and continue burning until Sun-rising, for and during such Time as the said Lamps shall be ordered or contracted for to be lighted in each Year, in which Contract or Contracts such reasonable Fines and Forfeitures may be inflicted on any Person or Persons for all and every the Neglects and Defaults of such Contractor or Contractors as may be agreed on at the Time of entering into such Contract or Contracts for the Breach or Non-performance of the same ; and it shall be lawful for the said Commissioners, from Time to Time, to deduct the Amount of such Fines or Forfeitures from the Money or Monies which may from Time to Time become due to such Contractor or Contractors.

Lamp Irons
to be affixed.

Penalty for
wilfully da-
maging
Lamps.

XLVIII. And be it further enacted, That it shall be lawful for the Commissioners, or any Person by their Order, to put or affix Lamp Irons against the Walls of all and every of the several Houses or Tenements, situated within the Streets or Places so to be lighted as aforesaid, or into, upon, or against the Rails before the Area of such Houses or Tenements, or in such Manner and in such other Places as the said Commissioners shall think proper and convenient, and also to place and affix Lamp Posts in the said Streets or Places, in such Parts or Places as the said Commissioners shall think proper and convenient ; and if any Person or Persons shall displace or remove, without Leave first obtained, or shall wilfully take away, break, throw down, or damage any Lamp that shall be set up for the Purpose of lighting any of the said Streets, Squares, Lanes, Alleys, Courts, Yards, and other open Passages and Places as aforesaid, or shall wilfully extinguish the Lights within the same, or throw down or damage the Lamp Posts, Lamp Irons, or other Furniture thereof, it shall be lawful for any Justice or Justices of the Peace for the said County of *Surrey*, upon Complaint to him or them made, to grant a Warrant to bring before him or them such Offender or Offenders, or to or for any other Person or Persons whomsoever who shall see such Offence committed to seize, and also for any other Person

or

or Persons to assist in seizing the Offender or Offenders; and by the Authority of this Act, and without any other Warrant, convey and deliver him, her, or them, into the Custody of a Peace Officer, in order to be secured and conveyed before such Justice or Justices of the Peace; and such Justice or Justices shall examine, upon Oath, any Witness or Witnesses who shall appear to be produced to give Information or Evidence touching such Offence (which Oath the said Justice or Justices is and are hereby authorized and required to administer); and if the Party or Parties accused shall be convicted of any such Offence, either by his, her, or their own Confession, or upon such Information or Evidence as aforesaid, he, she, or they so convicted shall forfeit and pay any Sum not exceeding Sixty Shillings for each Lamp, Lamp Post, or Lamp Iron so broken down and damaged, and for every Light so extinguished as aforesaid, and moreover shall make full Satisfaction to the said Commissioners, or to such Person or Persons as they shall appoint to receive the same, for the Damage so by him, her, or them done as aforesaid; and in case such Offender or Offenders shall not, on Conviction, pay such Forfeiture, and make such Satisfaction as aforesaid, such Justice or Justices is and are hereby required to commit him, her, or them to the County Gaol or House of Correction for the said County, there to be kept to hard Labour for any Space of Time not exceeding One Calendar Month, unless such Forfeiture and Satisfaction shall be sooner paid and given.

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

Persons accidentally damaging Lamps to make Satisfaction.

L. And be it further enacted, That the said Commissioners shall and they are hereby required to appoint such a Number of Beadles and Watchmen as they shall think necessary or proper, to be kept within the said Parish for each Year for the Purposes aforesaid, and nominate and elect such Men to be employed in that Service as they shall think best qualified for the same, and likewise shall direct and appoint in Writing, where the several Watchmen shall be stationed, and in what Manner they shall be armed, and how often they shall go their Rounds, how long they shall continue on Duty, and what Wages shall be allowed to

For appointing Watchmen.

[Loc. & Per.]

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such

such Beadles and Watchmen for their Attendance, and also shall order and direct what Manner of Headdboroughs shall attend every Night at the Watch-house, and shall make such Orders and Regulations in Writing as the Nature of each particular Service shall appear to them to require: Provided always, that if upon any Occasion the said Commissioners shall think necessary to employ a greater Number of Watchmen than shall have been ascertained and fixed upon by the said Commissioners as aforesaid, it shall be lawful for the said Commissioners at any Time to appoint and employ such additional Number of Watchmen, and for such Time as they shall think necessary.

Copies of Regulations of Watchmen to be delivered to Constable.

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

to a Penalty of any Sum not exceeding Twenty Shillings for each Neglect or Misbehaviour.

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

Penalty on Constables neglecting their Duty.

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

Commissioners may build Watch-boxes.

LIV. And be it further enacted, That if any Victualler or Keeper of a Public House or Cellar, shall knowingly and wilfully harbour or entertain any Headborough, Beadle, or Watchman belonging to the said Parish, or permit or suffer any such Headborough, Beadle, or Watchman 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 Twenty Shillings; and for the Second and every other Offence, any Sum not exceeding Forty Shillings.

Victuallers not to suffer Watchmen in their Houses.

LV. And be it further enacted, That the Property in all Lamps, Lamp Irons, Posts, Watch-boxes, and other Materials belonging thereto respectively, which shall be purchased, or set up, or placed by the said Commissioners, or any Five or more of them, shall be and the same are hereby vested in the Commissioners for the Time being, and they are hereby authorized to bring and prosecute any Indictment or Indictments, Action or Actions, against any Person or Persons who shall steal, take, carry away, break, extinguish, damage, injure, or spoil the same, or any Part thereof, or disturb them in the Possession thereof.

Property of Lamps vested in Commissioners.

LVI. And in order to defray the Expence of carrying this Act into Execution, so far as relates to or concerns the cleansing, lighting, watching,

Rates for cleansing, lighting, and watching.

watching, and otherwise improving the Streets, Lanes, Courts, Alleys, and other public Passages and Places under the Jurisdiction of the said Commissioners within the said Parish, and for removing and preventing Nuisances, Annoyances, and Encroachments therein and incidental thereto, be it further enacted, That the said Commissioners shall, and they are hereby required and authorized, twice in every Year, if they shall deem it necessary, or oftener if they shall think proper, to make and sign an equal Pound Rate or Assessment upon all and every Person or Persons who do or shall inhabit, hold, use, occupy, possess, or enjoy any Messuage or Tenement, Land, Shop, Warehouse, or other Building, Wharf, Yard, Storehouse, Ground, Cellar, Hereditaments or Premises within any Part of the said Parish, under the Jurisdiction of the said Commissioners, or upon such Part or Parts thereof only as to them the said Commissioners shall seem equitable and right, according to the annual Value of such respective Premises, and which said Rate and the Money to be from Time to Time raised thereby, shall be applied for and towards defraying the Expences of carrying this Act into Execution, so far as relates to or concerns the cleansing, lighting, watching, and otherwise improving the said Streets, Lanes, Courts, Alleys, and other public Passages and Places, and for removing and preventing Nuisances, Annoyances, and Encroachments therein, and in any Manner incidental thereto.

For the more effectually assessing the Poor Rates.

An equal Pound Rate, in proportion to the annual Value of Premises.

Power to appoint Surveyors, or other competent Persons to value Premises.

LVII. And be it further enacted, That from and after the passing of this Act, all and every Person or Persons who do or shall inhabit, hold, use, occupy, possess, or enjoy any Messuage or Tenement, Land, Shop, Warehouse or other Building, Wharf, Yard, Storehouse, Ground, Cellar, Hereditament or Premises, or the Landlord, Owner, or Lessee thereof respectively, shall be rated and assessed in and to the Rate or Rates, Assessment or Assessments, to be from Time to Time made by the Churchwardens and Overseers of the said Parish of *Christ Church*, in the County of *Surrey*, for and towards the Relief and Maintenance of the Poor of the said Parish, for or in respect of such Messuage or Tenement, Land, Shop, Warehouse or other Building, Wharf, Yard, Storehouse, Ground, Cellar, Hereditament or Premises, at and by a fair and equal Pound Rate in proportion to the annual Value thereof respectively, and not otherwise (except as herein-after is enacted): And the better to enable the said Churchwardens and Overseers of the said Parish to ascertain the annual Value of such Messuages, Hereditaments, and Premises respectively, it shall and may be lawful to and for the said Churchwardens and Overseers, or the major Part, from Time to Time, as often as they shall find it necessary, to employ any Surveyor or Surveyors, or other Person or Persons whom they shall deem competent, to assist them in estimating and ascertaining the annual Value of all or any House or Houses, Lands, Tenements, Hereditaments, and all other Property whatsoever, liable to be assessed to any Rate for the Relief and Maintenance of the Poor as aforesaid, and to pay out of the Monies received and receivable from or under such Rate, such Sum or Sums of Money to every such Surveyor or Surveyors, or other competent Person or Persons, so to be employed by them as aforesaid, for his or their Trouble therein, as to the said Churchwardens and Overseers, or the major Part of them, shall appear just and reasonable.

LVIII. And

LVIII. And be it further enacted, That if it shall appear to the Churchwardens and Overseers of the Poor of the said Parish, or to the said Commissioners (as the Case may be), at any Time after the making of any Rate or Assessment to be made under or by virtue of this Act, that the Name of any Person liable to be included in such Rate or Assessment hath been omitted, it shall be lawful for the said Churchwardens and Overseers, or for the said Commissioners (as the Case may be), to add or cause to be added to such Rate or Assessment the Name of the Person so omitted, together with the Sum for which he ought to be so rated, and the Amount of such Rate or Assessment in respect thereof; and every such Addition made to any of the said Rates shall be as valid and effectual in the Law to all Intents and Purposes, as if the same had been inserted in the Rate at the making thereof: Provided always, that no Rate or Assessment so to be made in Manner aforesaid, for the Relief of the Poor of the said Parish, or for any other of the Purposes of this Act, shall be valid unless signed and allowed by Two of His Majesty's Justices of the Peace, acting in and for the said County of *Surrey*; and Notice of such Allowance shall be given in the Parish Church of the said Parish of *Christ Church*, on the *Sunday* next after the Allowance thereof as aforesaid, whereupon the same shall be valid, and may be forthwith acted upon accordingly.

Officers and Commissioners may rectify Omissions in Rates.

Rates to be allowed by Justices.

LIX. And be it further enacted, That where the yearly Rent or Value of any House, Tenement, Hereditament or Premises within the said Parish shall not exceed Twenty Pounds, or where the same shall be let to weekly or monthly Tenants, or to Lodgers in separate Apartments, furnished or unfurnished, or in any Case where the Rent shall become payable at any shorter Period than quarterly, then and in any and every of such Cases, it shall be lawful to and for the Churchwardens and Overseers of the said Parish, or the major Part of them, if they shall think fit, at any public Meeting to be by them holden for that Purpose in the Vestry-room of the said Parish (of which Meeting Notice shall be given in the Parish Church of the said Parish on the *Sunday* preceding), and also to and for the said Commissioners at any of their General Meetings as aforesaid (due Notice being first publicly given of such Meeting in Manner hereinbefore directed with respect to the Meetings of the said Commissioners), to compound with the Landlord or Landlords, Owner or Owners, Lessee or Lessees of all and every or any such House or Houses, Tenement or Tenements, Hereditament or Hereditaments and Premises in the said Parish, for the Payment of the Rate or Rates, Assessment or Assessments for the Relief and Maintenance of the Poor, and all other the Rates of the said Parish which shall be made by the said Churchwardens and Overseers, or by the said Commissioners for the Purposes of this Act, at such a reduced yearly Rental as the said Churchwardens and Overseers of the Poor, or the major Part of them for that Purpose in Vestry assembled, or the said Commissioners respectively shall think reasonable, so that no such House or Houses, Tenement or Tenements, Hereditament or Hereditaments and Premises be rated at less than One Half, or more than Three-fourths of the Rack Rent at which the same respectively shall be then let, or of the annual Value of the said Premises respectively; and the Landlord or Landlords, Owner or Owners, Lessee or Lessees of all such Houses, Tenements, or Hereditaments as shall not exceed the yearly Value of Twenty Pounds, or as shall be let to any weekly or monthly Tenant or Lodgers in separate Apartments, furnished or unfurnished,

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

Landlord to compound.

furnished, and in every Case where the Rent thereof shall become payable at any shorter Period than quarterly, is and are hereby required to enter into such Composition with the said Churchwardens and Overseers of the Poor, or the major Part of them so assembled, and the said Commissioners respectively; and in case such Landlord or Landlords, Owner or Owners, Lessee or Lessees shall refuse to enter into such Composition, he, she, or they shall from thenceforth be deemed and taken to be the Occupier or Occupiers of such Premises, and shall therefore be rated to and from Time to Time shall pay or cause to be paid the several Rates or Assessments charged upon their respective Premises for the Relief of the Poor, and all other the Rates to be made in pursuance of this Act, according to a fair and equal Assessment by the said Churchwardens and Overseers of the Poor, or the major Part of them, or by the said Commissioners as aforesaid, and upon Non-payment thereof the said Churchwardens, Overseers, and Commissioners, and every or any of them, are hereby authorized to levy or cause the same to be levied by Distress and Sale of the Goods and Chattels of the Landlord or Landlords, Owner or Owners, Lessee or Lessees of the respective Premises aforesaid wheresoever they may be found, or of the Person or Persons inhabiting the same respectively: Provided always, that no such Landlord, Owner, or Lessee shall be charged with or be liable to pay for any increased Rent reserved or made payable to him for or on account of such Landlord or Owner having agreed to pay the Rates heretofore chargeable upon the several Occupiers of the said Premises.

Occupier's
Goods liable
to be distrain-
ed for Pay-
ment of the
Rates.

LX. Provided also, That the Goods and Chattels of all and every Person or Persons renting or occupying any such House, Tenement, or Hereditament, or any Part or Parts thereof, the Rate or Rates, Assessment or Assessments whereof the Landlord or Landlords, Owner or Owners is or are hereby made liable and subject to as aforesaid, shall be liable to be distrained and sold for Payment of such of the said Rates or Assessments, and of all Arrears thereof as became due upon the said Premises during the Time of his or their Occupancy only; but no such Occupier or Occupiers shall at any Time be required to pay, or be subject or liable to pay any greater Sum for or towards the Discharge of the said Rates or Assessments or any of them, and Arrears thereof, than the Amount of the Rent actually due or payable by such Occupier or Occupiers to the Landlord or Landlords, Owner or Owners, Lessee or Lessees of the Premises so occupied by him, her, or them: Provided also, that each and every Occupier who shall pay any such Rate or Rates, Assessment or Assessments, or any Arrears thereof, or upon whom the same shall be levied on account of the Landlord as aforesaid, shall and may from Time to Time deduct the same from the Rent due and payable from him, her, or them, to the respective Landlords, Owners, or Lessees of the Premises (unless there shall be some Agreement to the contrary between the Landlord and Tenants), and the Receipt for such Payment shall be a sufficient Discharge to such Occupier or Occupiers, and to his, her, or their Landlord or Landlords, for so much Money as he, she, or they shall pay in the Manner directed by this Act: Provided also, that no such Tenant or Occupier, by Payment of any such Rate or Rates, Assessment or Assessments, or by residing in or occupying the Premises the Rate or Rates for which shall have been compounded for or charged upon the Landlord, Owner, or Lessee as aforesaid, shall by any such Payment, Residence, or Occupation, acquire any Settlement in the said

No Tenant
by such Oc-
cupancy to
gain a Settle-
ment.

said Parish; but in every such Case the Landlord, Owner, or Lessee of the Premises shall be deemed and construed to have paid the same, and shall be deemed and taken to be the Occupier or Occupiers thereof.

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

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

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

Composition to remain in force till altered by the Officers.

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

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

LXIV. And for the better and more effectual raising and levying the Rates and Assessments for the Maintenance and Relief of the Poor, and all other the Rates and Assessments made by the Churchwardens and Overseers of the Poor of the said Parish, or by the said Commissioners respectively, which are mentioned in or authorized and directed by this Act, be it further enacted, That in case any of the Landlords or Occupiers, or any Owner or Owners, Proprietor or Proprietors, Lessee or Lessees of any Messuage or Tenement, Land, Shop, Warehouse or other Building, Wharf, Yard, Storehouse, or Ground, Cellar, Hereditament and Premises within the said Parish, shall refuse or neglect to pay the Money assessed and rated upon him, her, and them respectively in Manner aforesaid, and all Arrears due thereon, or upon any former Rate or Rates, or the Amount of any such Composition or Compositions, it shall be lawful to and for any one or more of His Majesty's Justices acting in and for the County of *Surrey*, and he and they is and are hereby authorized and required, by Writing under his or their Hand or Hands, to summon all and every Person and Persons who shall have so refused or neglected as aforesaid, upon Oath (or Affirmation if made by a Quaker) being made before him or them by any one of the Churchwardens or Overseers of the said Parish, or any one or more of the said Commissioners, or by a Collector of the said Rate or Rates for the Time being, of his, her, or their having attended upon or at the Dwelling House or last Place of Abode

For Recovery of Rates on Refusal.

Abode of all and every Person and Persons then intended to be summoned, and having demanded the Rate or Rates, Composition or Compositions of such Person or Persons, and of such Person or Persons having refused or neglected to pay the said Rate or Rates, Composition or Compositions, to appear before such Justice or Justices at a Time and Place to be mentioned in such Summons, or before such other Justice or Justices acting in and for the said County of *Surrey*, as shall be sitting upon the Return of such Summons or Summonses; and it shall and may be lawful to and for the said Churchwardens or Overseers, Commissioners, Collector or Collectors, or for any one or more of them, or the Constables or Beadles of the said Parish, to serve all and every such Summons and Summonses upon all and every Person and Persons so refusing or neglecting to pay as aforesaid, either by delivering the same to the Person or Persons thereby intended to be summoned, or leaving the same at his, her, or their last or usual Place or Places of Abode, or at the Premises for which the Rates or Composition mentioned in such Summons shall remain due and owing; or if he, she, or they shall attend, and shall not shew good and sufficient Cause to such Justice or Justices that he, she, or they is or are not chargeable with such Rate or Rates, Composition or Compositions, then and in every such Case all and every such Person or Persons who shall have been so summoned shall pay the Rate or Rates in respect of which such Summons was issued, and all reasonable Costs and Charges of such Summons; and in all Cases where the said Rate or Rates, Composition or Compositions, or any of them shall not be paid upon the Return of such Summons, it shall and may be lawful to and for such Justice or Justices who shall have issued such Summons or Summonses as aforesaid, or some other Justice or Justices of the Peace acting in and for the said County of *Surrey*, and he or they is and are hereby authorized and required upon Oath being made before him or them of the due Service of such Summons or Summonses by the Party who shall have served the same as aforesaid, to grant a Warrant or Warrants under his or their Hand or Hands and Seal or Seals, authorizing or directing the said Churchwardens or Overseers, Commissioners, Collector or Collectors, or any Constable or Beadle of the said Parish, or any one or more of them, to collect or levy all and every such Rate or Rates, Assessment or Assessments, Composition or Compositions, and all Arrears thereof, and the Expence of the Summons (if the same shall not have been before paid) and Warrant, and of executing the same by Distress of the Goods and Chattels of the Party so neglecting or refusing, which shall be found either within the said Parish, or elsewhere, if removed therefrom, or if belonging to Landlords who may compound as before mentioned, and if within Five Days next after any such Distress shall be made, the said Rates or Rate, Assessment or Assessments, Composition or Compositions, with all Arrears due thereon, shall not be paid, together with the reasonable Charges of the said Summons (if such Summons shall not have been before paid for) and Warrant, and of making such Distress and keeping such Goods and Chattels, the said Churchwardens or Overseers, Commissioners, Collector or Collectors, Constable or Constables, Beadle or Beadles, or any one or more of them, shall cause the said Goods to be appraised by one or more Appraiser or Appraisers, and to be sold, or such Part or Parts thereof as shall be sufficient to pay the said Rate or Rates, Assessment or Assessments, Composition or Compositions, together with all Arrears due thereon, and the reasonable

reasonable Charges aforesaid, and the Charges of appraising and selling the same, returning the Overplus (if any) to the Owner or Owners of such Goods and Chattels respectively, upon the Demand thereof made by him, her, or them.

LXV. And be it further enacted, That every Warrant of Distress for Non-payment of the said Rates or Assessments to be made in or for the said Parish, or any or either of them, or of such Composition or Compositions, under or by virtue of this Act, shall be in the Words or to the Effect following:

Form of
Warrant of
Distress.

‘ Surrey, (to wit.) TO the Churchwardens, Overseers, and Collectors
‘ of the Poor or other Rates [*as the Case may be*],
‘ of the Parish of *Christ Church*, in the County of
‘ *Surrey*, and to all Constables, Beadles, and other
‘ Peace Officers for the same Parish.

‘ WHEREAS the under-mentioned Persons now or late Inhabitants,
‘ Householders, Landlords, Tenants, Occupiers, and Enjoyers of
‘ Lands, Houses, Shops, Warehouses, Coach-houses, Stables, Cellars,
‘ Wharfs, Yards, Vaults, or other Buildings, Tenements or Heredita-
‘ ments, or Part of some Building or Tenement within the said Parish of
‘ *Christ Church*, were and are rated and assessed, or liable to the Rate
‘ or Rates duly made for the Purpose of an Act made in the 51st Year
‘ of the Reign of King *George* the Third, entitled, ‘ An Act,’ [*set forth*
‘ *the Title of this Act*]: And whereas the said Persons have refused or
‘ neglected to pay the several Sums of Money at and against their Names
‘ hereunder respectively set down, for Money due from them for or to-
‘ wards the Purposes of and in the said Act mentioned, and the said
‘ several Sum and Sums are still remaining due in Arrear and unpaid,
‘ as appeareth upon Oath to One of His Ma-
‘ jesty’s Justices of the Peace for the said County; and the said several
‘ Persons having been summoned to appear before
‘ to answer the Premises, as also appeareth to the said
‘ Justice [*or Justices*] upon Oath [*or Affirmation, if a Quaker*], and
‘ nor either of them having shewn any sufficient Cause
‘ why such Sum or Sums of Money should not be paid: These are
‘ therefore in His Majesty’s Name to will and require you, or either of
‘ you, forthwith to levy the said several Sums due from the said Persons,
‘ and hereunto joined to and set against their Names respectively, by
‘ Distress and Sale of their respective Goods and Chattels (such Goods
‘ and Chattels being kept before the same are sold until the Seventh Day
‘ after such Distress shall be made, including the Day on which it shall
‘ be made, and the Day of Sale, and if such Seventh Day shall happen to
‘ be *Sunday*, then such Sale shall be on the next or following Day) ren-
‘ dering to them respectively the Overplus (if any be), the reasonable
‘ Charges of such Distress, Sale, and keeping, and obtaining this War-
‘ rant, being first deducted; and if no sufficient Distress can be had or
‘ taken, that then you certify the same to me [*or us*] to the End such
‘ further Proceedings may be had therein as to Law doth appertain:
‘ And I [*or we*] do hereby strictly charge and command all and
‘ singular the Constables, and others His Majesty’s Peace Officers for
‘ the said County, to be aiding and assisting in all Things relating to
‘ [*Loc & Per.*] 7 P the

‘ the Premises.—Given under my [or our] Hand [or Hands] and Seal
 ‘ [or Seals] this Day of in the Year of our
 ‘ Lord

		Sums due.		
		£	s.	d.
A. B.	- - - - -	-	-	-
C. D.	- - - - -	-	-	-
E. F.	The Landlord for divided Premises	-	-	-
G. H.	The Landlord, for Houses in Street, compounded for	-	-	-
I. J.	Landlord [or Receiver, &c. as the Case may be]	-	-	-
K. L.	Tenant	-	-	-

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

LXVI. And be it further enacted, That in case any Person shall remove out of or from or quit the Possession of any House, Shop, Building, Tenement, Hereditament or other Premises in the said Parish, before any Rate or Rates, Assessment or Assessments charged thereon respectively shall be paid and discharged, or if any Person or Persons shall enter into the Occupation of any House, Shop, Building, Tenement, Hereditament or other Premises in the said Parish, out of or from which any other Person or Persons shall have so removed before such Rate or Rates, Assessment or Assessments shall have been paid and discharged, then and in every such Case the Person or Persons so removing out of or from or quitting the Possession of, and the Person or Persons entering into the Occupation of any such House, Shop, Building, Tenement, Hereditament or other Premises, shall be respectively subject and liable to the Payment of all such Rates and Assessments in proportion to the Time that such Person or Persons respectively possessed or occupied the same, in the same Manner as if the Person or Persons so removing or quitting as aforesaid, had remained in the Possession or Occupation of such House, Shop, Building, Tenement, Hereditaments or other Premises, or the Person or Persons so entering into the Possession or Occupation thereof respectively had been originally rated or assessed to such Rates or Assessments, or any of them; and such Proportion shall be ascertained by the Churchwardens and Overseers of the Poor of the said Parish, and by the said Commissioners respectively, and in case of any Dispute respecting the Amount or Proportion thereof, the same shall be settled by any One or more of His Majesty's Justices of the Peace in and for the said County of *Surrey*.

For recovering Rates from Persons removing out of the Parish upon the Eve of their being made.

LXVII. And whereas it may happen that many Persons liable to and who may be rated and assessed for the Relief of the Poor of the said Parish, may, before the Payment of the Sum which may be rated on them respectively, quit and leave their Grounds, Dwelling Houses, Shops, Warehouses, Coach Houses, Stables, Cellars, Vaults, Buildings, Tenements or Hereditaments, and remove out of the said Parish; be it therefore enacted, That when any Person or Persons who hath or have been so rated and assessed shall quit or be about to quit his or their Lands, Grounds, Houses, Shops, Warehouses, Coach Houses, Stables, Cellars, Vaults, Buildings, Tenements, or Hereditaments, before he, she, or they shall have paid the Rate or Assessment to the Collector or Collectors, or other Person or Persons authorized and appointed to receive the same as aforesaid, then and in every such Case it shall and may be lawful to and for the said Collector or

or Collectors, or other Person or Persons authorized and appointed as aforesaid, or any other of them, by Warrant under the Hand and Seal or Hands and Seals of One or more of His Majesty's Justices of the Peace for the said County of *Surrey* (which Warrant such Justice or Justices is or are hereby authorized and required to grant), Oath (or Affirmation if by a Quaker) being first made by the said Collector or Collectors, or other Person or Persons authorized and appointed as aforesaid, before such Justice or Justices, that he or they hath or have Cause to suspect, that such Person or Persons is or are removing or hath or have removed his, her, or their Goods and Chattels; and if such Warrant is to be executed out of the said County of *Surrey*, the same being first backed or countersigned by some Magistrate of the County, City, or Liberty in which it is to be executed (which Warrant such Magistrate is hereby required to back or countersign), to distrain the Goods and Chattels of such Person or Persons so refusing or neglecting to pay the said Rates or Assessments wherever they may be found, and to sell the same, rendering the Overplus (if any), after having deducted the reasonable Charges and Expences attending such Distress and Sale, to the Owner or Owners of such Goods and Chattels respectively, upon Demand thereof made.

LXVIII. And be it further enacted, That when and as often as any Distress shall be made for Non-payment of any Rate or Rates, Assessment or Assessments made by the Churchwardens and Overseers of the said Parish, or by the said Commissioners respectively, it shall and may be lawful to and for the Person or Persons making such Distress, to raise and levy the reasonable Charges of making such Distress, and selling and disposing of the same, upon the Goods and Chattels, over and above the Sum of Money due upon the Rate or Rates, Assessment or Assessments, for which such Distress shall be taken.

LXIX. And in order the better to enable the Churchwardens and Overseers of the Poor of the said Parish of *Christ Church* to collect and levy the Rates to be by them made; be it further enacted, That it shall be lawful for the said Churchwardens and Overseers of the Poor, or the major Part of them, and they are hereby enabled, at a Meeting to be held for that Purpose, to appoint One or more Person or Persons to be a Collector or Collectors of the Poor's Rates and other Rates by them made, collected, and levied by virtue of this Act, every such Collector being a resident Householder in the said Parish; and out of such Rate or Rates, Assessment or Assessments, to make such Allowances by way of Salary or Poundage to the said Collector or Collectors, not exceeding Sixpence in the Pound on the Monies actually collected, and to revoke, countermand, alter, and vary such Allowance, and make others in their Stead or not, as to them the said Churchwardens and Overseers of the Poor or the major Part of them shall seem meet and proper.

Churchwardens and Overseers may appoint Collectors.

LXX. And be it further enacted, That the said Churchwardens and Overseers shall and may take such Security from such Collector or Collectors respectively, as they the said Churchwardens and Overseers or the major Part of them shall think proper, for the due and faithful Execution of his or their Office of Collector in all and every Part thereof, and among other things for the duly accounting for all Monies which as such Collector or Collectors he or they shall or may receive, and for the Payment of

Security to be taken from the Collectors.

of the same within the Space of Fourteen Days from the Receipt thereof to the said Churchwardens or Overseers, or to the Banker or Bankers by them or the major Part of them appointed to receive the same.

Collectors
may be re-
moved.

LXXI. And be it further enacted, That the said Churchwardens and Overseers, or the major Part of them, shall and may at all Times at their Will or Pleasure, wholly displace and remove such Collector or Collectors or any of them, and the said Collector or Collectors, each and every of them, shall and are hereby respectively required at all Times whatever, either upon being so displaced or otherwise, to produce and deliver up to the said Churchwardens or Overseers of the Poor or the major Part of them, whenever they shall be thereunto required, all and every the Rate Book or Books, and all other Papers, Documents, Matter or Things respecting their said Office or Employment, in order that the said Churchwardens and Overseers of the Poor may take Possession of and retain the same, either for the Purpose of Inspection, safe Custody, or on any other Account which to them shall seem meet and expedient.

Collectors to
account.

LXXII. Provided always, and be it further enacted, That if any such Collector or Collectors, when thereunto required by the said Churchwardens and Overseers or the major Part of them, shall refuse or shall not within Three Days after such Request has been so made to him or them, deliver up such Rate Book or Books, and all and every the Account and Accounts of all Monies by him or them received for or on account of the said Rates or Assessments, and all Papers, Matters or Things respecting their same Office or Employment, or such and so many thereof as shall have been by them demanded aforesaid, or shall not upon being thereto required pay the Balance of all Monies received which shall appear to remain in his or their Hands by virtue of his or their respective Office or Offices, then and in every or any such Case, upon Complaint made by the said Churchwardens and Overseers or the major Part of them, of any such Refusal or Neglect as aforesaid to any Justice of the Peace for the said County of *Surrey*, such Justice may and is hereby authorized and required to issue a Warrant under his Hand and Seal for the Person or Persons so refusing or neglecting as aforesaid to appear before him, without sufficient Excuse; and upon his or their appearing, or if he or they shall not appear without sufficient Excuse, then upon due Proof that the Person or Persons so neglecting to appear had been summoned or could not be found for the Purpose of being summoned, to hear and determine the Matter in a summary Way, and if upon the Confession of the Party or by the Testimony of any credible Witness or Witnesses upon Oath (which Oath such Justice is hereby required and empowered to administer), it shall appear to such Justice that any of the Monies that shall have been collected or received by virtue of this Act shall remain due from such Collector or Collectors, such Justice may and is hereby authorized and required, upon Non-payment thereof, by Warrant under his Hand and Seal to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Collector or Collectors, each and every of them; and if it shall appear to such Justice that such Collector or Collectors shall have refused or neglected to render and give such Account, or to produce the Rate Book or Books, Papers or Writings, or other Matters and Things relating to the Collection of the Rates, or in anywise respecting or ap-

pertaining

pertaining to the said Office or Employment, which shall be in his or their Custody and Power, and required from him or them as aforesaid, or shall not have paid the Balance remaining in his or their Hands in Manner aforesaid, then and in each and every such Case such Justice shall commit such Offender or Offenders to the common Gaol or House of Correction for the County where such Offender shall be or reside, there to remain without Bail or Mainprize until he or they shall give and make a true and perfect Account, and deliver up such Books, Papers and Writings, or pay such Balance to the Churchwardens and Overseers; provided that no such Collector or Collectors so committed shall be confined or detained in Prison by virtue of such Warrant for any longer Space of Time than Six Calendar Months.

LXXIII. Provided nevertheless, That no such Commitment of any Collector or other Officers to the House of Correction as aforesaid shall acquit or discharge any Surety or Security that shall or may have been taken by or given to the said Churchwardens and Overseers, for the due and faithful Execution of the Office of Collector or other Office in Manner herein-before expressed and provided, nor any Action, Suit, or Process commenced or to be brought for the Recovery of any Money so received.

Securities
liable.

LXXIV. And whereas it hath for many Years past been customary in the said Parish for the Vestry thereof on *Easter Tuesday* in every Year to nominate a Number of Inhabitant Householders, within the said Parish, to be the Auditors or Examiners of the Parish Accounts, and such Auditors have from Time to Time examined the Accounts of the Persons who have served Offices in the said Parish, and which Custom hath been found very beneficial to the said Parish; be it therefore enacted, That it shall and may be lawful to and for the Parishioners of the said Parish in Vestry assembled, and having a Right to vote at such Vestry or the Majority of them, on *Easter Tuesday* in every Year, to nominate and chuse Fourteen substantial Inhabitant Householders of the said Parish, who shall be and are hereby appointed Auditors and Examiners of the Accounts of all and every Person and Persons serving or having served any Parish Office, or having any Parish Money in his, her, or their Hands, and such Auditors are hereby required to meet once at least in each Year (or oftener, as herein-after is mentioned) in the Vestry-room of or some other convenient Place within the said Parish, and they shall then and there examine and audit all Accounts of and belonging or relating to the said Parish, as shall be ready or be produced to them for that Purpose, and no Sum or Sums of Money whatever shall pass in any of such Accounts but such as shall be allowed or passed by the said Auditors: Provided always, that no Account shall be audited or examined, or any Business done by the said Auditors at any of their Meetings, unless Five of them at least are present.

Auditors may
be appointed
to examine
Parish Ac-
counts.

LXXV. And be it further enacted, That it shall be lawful for the said Auditors or Examiners for the Time being, or any Five or more of them, from Time to Time by Writing under their Hands, to give Notice to and direct the Vestry Clerk or Clerks for the Time being to summon a Meeting of the said Auditors, to be holden at such Time and Place as shall be expressed in such Notice within One Calendar Month from the Date thereof, and also to summon and require to attend at such Meeting,

Auditors may
summon Pa-
rish Officers
to account.

[Loc. & Per.]

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the Person or Persons having been or being Churchwarden or Churchwardens, Overseer or Overseers of the Poor, or Surveyor or Surveyors of the Highways of the said Parish, for the past or the current Year, or other Parish Officer whose Accounts shall be unsettled, as shall be named in such Notice, and which Notice the said Vestry Clerk or Clerks is or are hereby required to serve or cause to be served on such Person or Persons, either personally or by leaving such Notice or Summons at his or their last or most usual Place or Places of Abode within the said Parish, at least Seven Days before such Meeting, and at which Meeting such Person or Persons having served and being then serving either of the said or any other Parish Office within the said Parish as aforesaid, shall and they and each of them are hereby required to deliver unto such Meeting a just and true Account or Accounts in Writing of all Monies which they or either of them shall have received and paid on account of their said Offices respectively, and shall produce, shew, and deliver (if required) all the Vouchers of and for the Payments by them respectively charged and made, and shall if thereunto required verify such Account upon Oath (or Affirmation as the Case may be) before One or more Justice or Justices of the Peace acting in and for the said County (and which Oath or Affirmation any or every such Justice is hereby empowered and required to administer without Fee or Reward); and if the said Person or Persons having been or being Churchwarden or Churchwardens, Overseer or Overseers of the Poor, or Surveyor or Surveyors of the said Parish for the past or the current Year, or other Parish Officer as aforesaid or either of them, shall refuse or neglect to render such Account or Accounts, and to verify the same as aforesaid, every such Person or Persons for every such Neglect or Refusal, shall forfeit and pay the Sum of Fifty Pounds, One Moiety to the Churchwardens and Overseers of the Poor of the said Parish for the Time being, to be applied in Aid of the Rates for the Relief of the Poor, and the other Moiety to any Person or Persons who shall sue for the same in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, wherein no Essoign, Protection or Wager of Law, or more than one Imparlance, shall be allowed; and the Balance and Balances, or Sum and Sums of Money from Time to Time found due to or from the said Parish, upon the taking of such Accounts or any of them, by any Five or more of the said Auditors, shall be paid or recovered in such and the same Manner as any Balance or Balances, Sum or Sums of Money found due to or from any Overseer of the Poor or Person having served that Office may by Law be paid or recovered, and the Person and Persons liable to the Payment thereof, and every of them, shall be subject to the same Punishment, Penalties, Fines, and Forfeitures as they respectively by Law are or may be subject or liable to for the Nonpayment thereof or of any Part thereof.

Rates to be paid to entitle to vote.

LXXVI. Provided always, That no Inhabitant of the said Parish, or other Person, shall be entitled to a Vote or Voice at or in any Vestry to be held for the said Parish who shall not be rated to and have paid, or shall not then pay all and every the Rates or Assessments made as aforesaid upon him, her, or them, or for which he, she, or they shall be liable, provided the same hath or have been or shall be then and there lawfully demanded of him, her, or them.

Orders and Proceedings of Vestry to

LXXVII. And be it further enacted, That all Acts, Orders, or Proceedings of the Vestry of the said Parish, or the Churchwardens and Overseers

Overseers thereof, or of the said Auditors at any of their Meetings, shall be entered in a Book or Books to be kept by the Vestry Clerk for that Purpose, and shall be signed by him and the Churchwardens and Overseers or the major Part of them present at such Meeting, or by any Four of the Inhabitants present at such Vestry, or by any Four of the said Auditors present at any of their Meetings; and such Book or Books so signed shall and may be produced and read as Evidence in all Courts whatsoever of all such Acts, Orders, and Proceedings.

be entered in a Book to be provided for that Purpose.

LXXVIII. And be it further enacted, That all Persons paying the Rates of the said Parish, or any of them, shall be at liberty from Time to Time to inspect the same Rates or any of them, or the said Books or any of them, upon Payment of the Sum of Two Shillings, and to demand and have Copies or Extracts of them, upon Payment of the Sum of Sixpence for every Seventy-two Words or Figures.

Vestry and Rate Books may be inspected by Persons paying Rates.

LXXIX. And be it further enacted, That whenever any poor Person or Persons, or any Vagrant or Vagrants, shall be ordered or removed from the said Parish of *Christ Church* to any other Parish or Place, as the Parish or Place of his, her, or their legal Settlement, it shall be lawful for the said Churchwardens and Overseers, if they shall think fit, to cause such poor Person or Persons, Vagrant or Vagrants, to be respectively removed, by a Beadle or some Person or Persons to be appointed by the Churchwardens and Overseers of the Poor of the said Parish for the Time being, or any Two of them for that Purpose, by Writing under their Hands; and every Overseer and other proper Officer of the Parish or Place to which such poor Person or Persons, Vagrant or Vagrants shall be ordered to be removed as aforesaid, is hereby required to receive every such poor Person or Persons, Vagrant or Vagrants, which shall be ordered to be removed as aforesaid, in like Manner as if every such poor Person or Persons, Vagrant or Vagrants, had been delivered to him, her, or them, by one of the Overseers of the Poor of the said Parish of *Christ Church*, or a Constable thereof, any Law, Custom, or Usage to the contrary notwithstanding.

Paupers may be removed by Beadles, &c. instead of Overseers.

LXXX. And be it further enacted, That it shall and may be lawful for the said Churchwardens and Overseers of the Poor to take, accept, and receive any Bond or Security from any Person or Persons for indemnifying the Parishioners of the said Parish against any of the Costs, Charges, and Expences of the Maintenance previous to and during the lying-in of any pregnant single Woman in the said Parish, and the Maintenance and Support of any Bastard Child or Children respectively, born or to be born therein: Provided always, and be it further enacted, that as well all and every such Bond and Bonds, Security or Securities, as all and every other Bond and Bonds, Security and Securities, taken or given to or for the Benefit or Indemnity of the said Parish, or the Parishioners thereof, may be taken and given to the Churchwardens and Overseers of the said Parish generally, without naming them, and may be sued or recovered upon in the Names of the Churchwardens and Overseers of the said Parish for the Time being.

Churchwardens may take Bonds of Indemnity for Bastard Children.

LXXXI. And be it further enacted, That it shall be lawful for the said Churchwardens and Overseers, or any Two of them, to cause any Person who

Churchwardens and Overseers to

employ Poor
in Work-
house.

who shall be received into the Workhouse of the said Parish, to be employed in any Work, Trade, or Manufactory, or otherwise, as they shall think proper, during the Time they shall continue in the said Workhouse, and shall and may, in case they shall think proper, provide a sufficient Stock of Flax, Hemp, Silk, Wool, Cotton, Thread, Iron, Stone, Wood, Leather, or any other Materials for the Employment of the Poor received into the said Workhouse, and for that Purpose only may set up, use, and occupy any Trade, Mystery, or Occupation whatsoever in the said Workhouse, and for the Purpose of this Act may sell and dispose of such Goods, Wares, and Merchandizes as shall be manufactured or made by such Poor in the said Workhouse, and bring any Action or Actions in the Names of them the Churchwardens and Overseers of the Poor of the said Parish of *Christ Church*, or in that of any other Person or Persons, to enforce Payment of the Price or Value thereof, or any Contract or Contracts respecting the same, any Law or Usage to the contrary notwithstanding; and out of the Profits arising from any Work which shall be done by any such Persons, such Gratuities or Rewards shall be distributed to the industrious and skilful, according to the Quantity and Perfection of their Work, as to the said Churchwardens and Overseers, or the major Part of them, shall appear reasonable and proper; and the Remainder of the Profits shall be applied by the said Churchwardens and Overseers, or the major Part of them, in aid of the Poor's Rates of the said Parish.

Property of
the Goods,
&c. for the
Use of the
Poor vested
in the
Churchwar-
dens and
Overseers.

LXXXII. And be it further enacted, That the Property of all and singular the Goods, Chattels, Furniture, Provisions, Cloaths, Linen and Wearing Apparel, Tools, Utensils, Materials and Things whatsoever, had and to be had, bought, procured and provided for the Use of the Poor of the said Parish, shall be and the same are hereby vested in the Churchwardens and Overseers of the Poor of the said Parish for the Time being, and their Successors, for the Purposes of this Act, who are hereby empowered to bring or cause to be brought any Action or Actions, or to prefer or order the preferring of any Bills of Indictment against any Person or Persons who shall steal, take, or carry away such Goods, Chattels, Furniture, Provisions, Cloaths, Linen and Wearing Apparel, Utensils, Materials and Things whatsoever, or any Part thereof, the Property of which said Goods, Chattels, Furniture, Provisions, Cloaths, Linen and Wearing Apparel, Tools, Utensils, Materials and Things, shall be laid in every such Action and Indictment to be the Property of the Churchwardens and Overseers of the Poor of the said Parish for the Time being.

Penalty on
Persons in-
terrupting
the Work-
men.

LXXXIII. And be it further enacted, That if any Person or Persons shall at any Time or Times obstruct, hinder, or molest any of the said Commissioners, or any Surveyor or Surveyors, or other Officer or Officers, Workman, Person or Persons, who is, are, or shall be employed by virtue of this Act in the Performance or Execution of their Duty, every such Person so offending shall for the first Offence forfeit Twenty Shillings, for the second Offence the Sum of Forty Shillings, and for the third and every other Offence the Sum of Sixty Shillings.

Penalty on
laying Ashes
or other An-
noyances in
the Streets.

LXXXIV. And be it further enacted, That no Person or Persons whomsoever shall throw, cast, or lay, or cause or permit or suffer to be thrown, cast, or laid, any Ashes, Dust, Dirt, Rubbish, Soil, or other Filth whatsoever before any Dwelling House, Shop, Stable, Building, Wall,
or

or other Premises, in any Street, Square, or Place under the Jurisdiction of the said Commissioners, in the said Parish of *Christ Church*, or in any of the Sewers or Drains thereof, but shall keep or cause the same to be kept in their respective Houses or Yards until such Time as the Person or Persons contracted with or employed to carry away such Ashes, Dust, Dirt, Filth, Soil or Rubbish do come by or near their Houses, Doors, or Places where they dwell, with a Cart or Carts or other Conveyances for carrying away the same, upon pain of forfeiting for the first Offence the Sum of Five Shillings, for the second Offence the Sum of Ten Shillings, and for the third and every other Offence the Sum of Twenty Shillings.

LXXXV. And be it further enacted, That if any Person or Persons shall run, drive, or draw, or cause to be run, driven, or drawn on any Part of the Foot-ways or Foot-pavements of the said several Streets, Lanes, or Places within the said Parish, any Wheel or Wheels, Sledge, Wheelbarrow or any Carriage, or other thing whatsoever, or shall ride, lead, or drive, or cause to be rode, led, or driven any Horse, Mule, or Ass, or any other Cattle on any of the said Foot-ways or Pavements, such Person or Persons shall forfeit for every such Offence any Sum not exceeding Twenty Shillings; and it shall and may be lawful for any Person or Persons whomsoever to take the Person or Persons so offending into Custody, and to convey him or her to a Justice or Justices of the Peace for the said County of *Surrey*, to be dealt with pursuant to the Directions of this Act.

Penalty on driving Wheelbarrows on Foot-ways.

LXXXVI. And whereas many Persons maintained and clothed in the Workhouse of the said Parish, pawn and dispose of their Clothes and Apparel, and the Goods and Chattels deposited in or belonging to the said Workhouse, and poor Persons relieved by having Clothes and Apparel given them, pawn or sell the same, and by the Laws now in force no Punishment can be inflicted on them, or on the Person or Persons buying or receiving the same into Pawn; be it therefore enacted, That from and after the passing of this Act, if any Person or Persons shall knowingly buy, pawn, or receive into Pawn or secrete any of the Clothes or Wearing Apparel of any of the Poor who are or shall be received into and maintained in the Workhouse of the said Parish, or to whom the same shall have been given by the Churchwardens and Overseers of the said Parish, or any of them, or any of the Goods or Materials carried into the said Workhouse, to be wrought up, manufactured, or used by the Poor there, or any of the Goods and Furniture of the said Workhouse, or shall receive or buy any of the Provisions allotted to or provided for the Poor of the said Workhouse, or shall be aiding or assisting therein, every Person so offending shall forfeit for every such Offence any Sum not exceeding the Sum of Twenty Pounds upon Conviction on Oath before One or more Justice or Justices of the Peace acting in and for the said County of *Surrey*, which Penalty shall be levied by Warrant under the Hand and Seal or Hands and Seals of the said Justice or Justices, by Distress and Sale of the Goods and Chattels of the Offender or Offenders; and one Moiety of such Penalty shall be paid to the Informer or Informers, and the other Moiety to the Churchwardens and Overseers for the Time being of the said Parish, to be applied by them as they may think fit, in Aid of the Rates for the Relief of the Poor of the said Parish; and if no Goods or Chattels can be found whereon to make such Distress, or if the

Punishment of Persons buying or taking Parish Clothes into Pawn.

[*Loc. & Per.*]

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said

said Penalty shall not be forthwith paid, then and in such Case such Justice or Justices shall and may by Warrant under his or their Hand and Seal or Hands and Seals, commit such Offender or Offenders to the County Gaol for the said County, there to be kept to hard Labour for any Time not exceeding Three Calendar Months, unless such Penalty and all Expences shall be sooner paid and satisfied.

Penalty on
Persons
bringing Spi-
rituous Li-
quors into the
Work-house.

LXXXVII. And be it further enacted, That no Spirituous Liquors shall be conveyed into the Workhouse of the said Parish, unless with the Permission of the said Churchwardens and Overseers or any Two of them, or by the Order of the Apothecary or other Medical Person appointed to attend the said Workhouse; and every Person who shall be convicted of any such Offence before One or more Justice or Justices of the Peace for the said County of *Surrey*, shall forfeit any Sum not exceeding Five Pounds, which Penalty shall be paid to the Informer or Informers, each and every of whom is and are hereby declared to be a competent Witness or Witnesses, to prove all Matters and Things contained, or otherwise respecting the said Information or Informations notwithstanding he or they being the Informer or Informers therein in Manner aforesaid.

Mode of re-
covering Pe-
nalties.

LXXXVIII. And be it further enacted, That all Penalties and Forfeitures by this Act imposed or incurred, for the Recovery whereof no other Method hath been directed by this Act, shall be levied 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 said County of *Surrey*, which Warrant such Justice is hereby empowered and required to issue upon Confession of the Party or Parties accused, or upon the Evidence of any credible Witness upon Oath (which Oath such Justice is hereby authorized and required to administer), and the Overplus of the Money (if any), arising by such Distress and Sale, shall be returned upon Demand to the Owners of such Goods and Chattels, after deducting the Costs and Charges of such Distress and Sale; and all such Penalties and Forfeitures when recovered shall, if not herein otherwise directed to be applied, be paid to the Treasurer to the said Commissioners, and be applied by them for such of the Purposes of this Act as they the said Commissioners shall think fit; and in case sufficient Goods and Chattels cannot be found, or such Penalties or Forfeitures shall not be forthwith paid, it shall and may be lawful to and for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to commit such Offender or Offenders to the common Gaol or House of Correction of and for the said County, for any Time not exceeding Fourteen Days, unless such Penalties and Forfeitures and all reasonable Charges attending the same shall be sooner paid or satisfied.

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

Form of
Conviction.

‘ Surrey, } BE it remembered, That on the Day of
‘ to wit, } in the Year of our Lord [A. B.] is convicted
‘ before me [or us], One [or Two] of His Majesty's Justices of the Peace
‘ for

for the County of *Surrey*, by virtue of an Act passed in the Fifty-first Year of the Reign of King *George* the Third, intituled *An Act* [here set forth the Title of this Act]; for that the said [A. B.] did on the Day of in the Year of our Lord [here state the Offence], by reason whereof I [or we] do hereby adjudge the said [A. B.] to have forfeited [if the Offender is to be fined] the Sum of [insert the Penalty], together with the Sum of for Costs and Charges [if any given], [or if to be imprisoned, then] do adjudge the said [A. B.] to be committed to the [naming the Gaol] for the Space of [insert the Time, and if the Commitment be for Non-payment of the Penalty, then add] unless the said Sum of shall be sooner paid. Given under my [or our] Hand and Seal [or Hands and Seals], the Day and Year first above written.

XC. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Justice or Justices of the Peace, from Time to Time, where he or they shall see cause to mitigate or lessen any of the Forfeitures incurred by Penalties inflicted as aforesaid as he or they shall in their Discretion think fit, and every such Mitigation shall be a sufficient Discharge to the Person or Persons so offending respectively, for so much of the said Penalties or Forfeitures as shall be so mitigated, lessened, or remitted. Penalties may be mitigated.

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

XCII. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money justly due for any of the Purposes of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, for or on account of any Defect or want of Form in the Warrant of or for the Appointment of such Collector or Collectors, or in the Rate or Assessment, or in any Warrant of Distress thereupon; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers; *ab initio*, on account of any Irregularity which shall be afterwards done by the Party or Parties distraining; but the Party or Parties aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damages he, she, or they shall have sustained thereby, and no more, in any Action of Trespass or on the Case (at the Election of the Plaintiff or Plaintiffs): Provided always, that no Plaintiff or Plaintiffs shall recover in any such Action or Actions for any Irregularity as aforesaid, if Tender of Amends hath been made by the Party or Parties making the Distress before such Action or Actions was or were brought or commenced, nor if Tender of Amends shall be made at any Time after the said Action or Actions shall have been brought, and before the Trial thereof, together with the Costs of Suit, to the Time of such last mentioned Tender. Distress not unlawful for want of Form. Plaintiff not to recover if Tender of Amends.

XCIII. Pro-

Appeal.

XCIII. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate or Rates, Assessment or Assessments, made by virtue of this Act, or by any Rule, Order or Regulation, Judgment or Determination of the said Churchwardens and Overseers, or of the said Auditors, or of the said Commissioners, or any of them respectively, or by any other Matter or Thing done or directed to be done or committed under or in pursuance or execution of this Act, such Person or Persons may appeal to the said Churchwardens, Overseers, Auditors, or Commissioners respectively, at any Meeting or Meetings to be holden by them respectively within Three Calendar Months next after the Cause of Complaint shall have arisen, and the said Churchwardens and Overseers, Auditors and Commissioners, is and are hereby authorized and empowered (if they shall think such Person or Persons aggrieved) to give such Relief in the Premises as to them shall seem necessary; and in case any such Person or Persons shall not be satisfied with the Determination of the said Churchwardens and Overseers, Auditors and Commissioners respectively or either of them, or in case no Judgement or Determination shall be given within Two Calendar Months next after Notice of the Complaint to them respectively given, or if any Person or Persons shall think himself, herself, or themselves aggrieved by reason of any Judgment, Order, or Determination of any Justice or Justices of the Peace acting in the Execution of this Act, then in every such Case he, she, or they may appeal to some General or Quarter Sessions of the Peace, to be holden for the said County within Six Calendar Months next after such Determination of the said Churchwardens and Overseers, Auditors or Commissioners respectively, or after the Cause of Complaint shall have arisen, such Appellant or Appellants first giving, or cause to be given, Ten Days Notice at the least in Writing of his, her, or their Intention to bring such Appeal and of the Matter thereof to the Party or Parties, Person or Persons whose Act or Acts is or are appealed against as follows; that is to say, to the Vestry Clerk of the said Parish for the Time being, in case such Appeal shall be against the Act or Acts of the Parish Officers or Auditors of the said Parish, to the Clerk of the said Commissioners for the Time being, in case such Appeal shall be against the Act or Acts of the said Commissioners; and to the Justice or Justices of the Peace in case such Appeal shall be against his or their Act or Acts; and within Two Days after such Notice entering into a Recognizance in the Sum of Twenty Pounds before some Justice of the Peace of the same County, conditioned for prosecuting such Appeal, and to abide the Order thereon, and to pay such Costs as shall be awarded by the Justices at such General or Quarter Sessions; and the said Justices at such General or Quarter Sessions, upon the Proof of such Notice given as aforesaid, and of the entering into such Recognizance, shall hear and determine the Causes and Matters of such Appeal in a summary Way, and award such Costs to the Parties appealing or appealed against as the said Justices shall think proper, and the said Justices may, if they see Cause, mitigate any Fine, Penalty, or Forfeiture, and may order any Money to be returned which shall be levied in pursuance of such Rule, Order, Regulation, Judgment, or Determination, and the Determination of such Justices at their General or Quarter Sessions shall be final and conclusive.

XCIV. And

XCIV. And be it further enacted, That all and every the Recognizance and Recognizances entered into by any Person or Persons on any Appeal as aforesaid, shall be delivered on Demand to the Vestry Clerk of the said Parish, or to the Clerk to the said Commissioners, as the Case may be, by the Justice or Justices who shall have taken the same, and that the Churchwardens or Overseers of the said Parish for the Time being, or the said Commissioners respectively, shall and may sue for, recover, and receive the Penalty and Penalties in any such Recognizance or Recognizances mentioned in such and the same Manner as any Rate, Penalty, or Fine may be sued for and recovered by virtue of this Act.

Justices to deliver Recognizances to Vestry Clerk.

XCV. And be it further enacted, That no Rate or Rates, Assessment or Assessments, Order, Verdict, Judgment, Conviction, or other Proceedings to be had and made touching or concerning any of the Matters aforesaid, or touching or concerning any Offence against this Act, shall be quashed or vacated for want of Form only, or be removed or removeable by Certiorari or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster* (any Law or Statute to the contrary thereof in anywise notwithstanding).

Proceedings not to be quashed or removed by Certiorari.

XCVI. 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, unless One Calendar Month's previous Notice thereof, signed by the intended Plaintiff or Plaintiffs, Prosecutor or Prosecutors, shall be given in Writing to the Party or Parties against whom such Action or Suit shall or may be brought, nor after sufficient Satisfaction or Tender of Amends hath been made to the Party or Parties aggrieved, nor in any Case after Three Calendar Months next after the Fact committed for which such Action or Suit shall be so brought; and every such Action or Suit shall be brought, laid, and tried in the County of *Surrey*, and not in any other County or Place; and the Defendant or Defendants in such Action or Suit, and every of them, may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial or Trials which shall be had thereupon, and that the Matter or Thing for which such Action or Suit shall be so brought, was done in pursuance and by the Authority of this Act; and if such Matter or Thing shall appear to have been so done, or if it shall appear that such Action or Suit was brought before One Calendar Month's previous Notice thereof given as aforesaid, or that sufficient Satisfaction or Tender of Amends was made or tendered as aforesaid, or if any such Action or Suit shall not be commenced within the Time before for that Purpose limited, or shall be laid in any other County or Place than as aforesaid, then the Jury or Juries shall find for the Defendant or Defendants therein; and if a Verdict shall be found for such Defendant or Defendants, or if the Plaintiff or Plaintiffs, Prosecutor or Prosecutors in such Action or Suit, shall become nonsuited or suffer a Discontinuance of such Action or Suit, or if upon any Demurrer or Demurrers in such Action or Suit, Judgment shall be given for the Defendant or Defendants therein, then and in every or any of the Cases aforesaid, such Defendant or Defendants shall have double

Limitation of Actions.

[*Loc. & Per.*]

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Costs,

Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants may have for his, her, or their Costs of Suit in any other Cases by Law.

Protecting
Rights of
Commission-
ers of Pave-
ments and
Trustees of
Surrey New
Roads.

XCVII. Provided always, and it is hereby further enacted and declared, That nothing in this Act contained shall extend, or be deemed, construed, or taken to extend to, or to put or place under the Jurisdiction of the Commissioners by this Act appointed, or hereafter to be appointed, the several Streets or Places, called the *Upper Ground Street*, *Marygold Passage*, *Bull Alley*, *Barge House Alley*, *Body's Bridge*, *Pump Court*, and *Queen's Arms Court* (being the Lanes, Alleys, Passages, and Places, in or immediately communicating with the said *Upper Ground Street*), or *Holland Street*, *York Street* (heretofore called *Pitt Street*), *William Street*, and *Thurlow Street*, in the said Parish of *Christ Church*, any or either of them, so far as relates to the cleansing, watching, lighting, and otherwise improving the same respectively, or to authorize, permit, or suffer the said Commissioners to rate, assess, charge, or make liable the several Owners, Proprietors, Landlords, Lessors or Lessees, or any Person or Persons whomsoever who do or shall inhabit, hold, use, occupy, possess, or enjoy any Land, Ground, House, Shop, Warehouse, Coach-house, Stable, Cellar, Vault, Building, Tenement, or Hereditament, in the said several Streets, Lanes, Alleys, Passages, and Places respectively, any or either of them, or any of their Goods, Chattels, Lands, Tenements, Estate or Effects, with the Payment of any Rate or Assessment whatsoever, to be imposed, levied, or made under or by virtue of this Act, for the cleansing, watching, lighting, and improving the several Streets, Squares, Lanes, Passages, and Places under the Jurisdiction of the said Commissioners, and by this Act authorized to be cleansed, lighted, watched, and improved, for or in respect of their said respective Premises, situated in any of the said Streets, Lanes, Alleys, Passages, and Places herein-before mentioned as aforesaid; nor shall this Act or any thing herein contained extend, or be deemed, construed, or taken to extend, to interfere with, or derogate from, alter, or diminish the Powers and Provisions of an Act passed in the Thirty-first Year of the Reign of His present Majesty, intituled *An Act for paving, cleansing, lighting, watching, widening, regulating, and improving a certain Street, called the Upper Ground Street, in the Parish of Christ Church, in the County of Surrey, and certain other Streets, Lanes, Passages, and Places within the said Parish, and for removing and preventing Incroachments, Nuisances, and Annoyances therein, and for shutting up Part of an Alley or Passage leading from Bull Alley to Marygold Court*; or of an Act made and passed in the Thirty-third Year of the Reign of His present Majesty, intituled *An Act for making a new Street from St. George's Road, in the Parish of Christ Church, in the County of Surrey, through Holland's Leagure into and across the Green Walk, and from thence into Gravel Lane, in the said Parish, and for discontinuing as a Public Highway Part of a Street called the Upper Ground Street, in the said Parish*; or of an Act made and passed in the Ninth Year of the Reign of His present Majesty, intituled *An Act for making a Road from the South End of Black Friars Bridge, to the present Turnpike Road cross Saint George's Fields, and from thence to some Place at or near the House called the Dog and Duck, and to Newington Butts, in the County of Surrey, and for empowering the*

Trustees for carrying into Execution an Act passed in the Twenty-fourth Year of the Reign of His late Majesty, to repair, light, and watch the said Roads, when made ; or of an Act made and passed in the Twenty-sixth Year of the Reign of His said present Majesty, intituled An Act for making, widening, and keeping in Repair certain Roads in the several Parishes of Lambeth, Newington, Saint George Southwark, Bermondsey, and Christ Church, in the County of Surrey, and for watching and lighting the said Roads ; or of an Act made and passed in the Forty-seventh Year of the Reign of His said present Majesty, intituled An Act for enlarging the Powers of an Act of the Twenty-sixth Year of His present Majesty, for making and keeping in Repair certain Roads in the Parishes of Lambeth, Newington, Saint George Southwark, Bermondsey, and Christ Church, in the County of Surrey, and for watching and lighting the said Roads.

XCVIII. Provided always, and be it further enacted, That nothing in this Act contained shall lessen, prejudice, or defeat, or in any way interfere with the Right, Title, or Interest of *Joshua Smith* Esquire, *John Platt* Esquire, and the rest of the Lords of the Manor of *Old Paris Garden*, in the County of *Surrey*, or any future Lord or Lords, Lady or Ladies of the said Manor, or any of them, of, in, or to the Seignories and Royalties, Rights and Services incident or belonging to such Manor ; but that the said *Joshua Smith* Esquire, *John Platt* Esquire, and the rest of the Lords of the said Manor, their Heirs and Assigns, or the Lord or Lords, Lady or Ladies of the said Manor for the Time being, and *George Theakston* Gentleman, Steward of the said Manor, or the Steward for the Time being, shall and may from Time to Time, and at all Times hereafter, hold, receive, take, and enjoy all Rents, Services, Court Perquisites and Profits of Court, Rights, Royalties, Jurisdictions, and Privileges whatsoever in any way incident thereto, belonging or appertaining, in as full, ample, and beneficial a Manner, to all Intents and Purposes, as he, she, or they might or ought to have held and enjoyed the same, in case this Act had not been made.

Saving the Rights of the Lords of the Manor of Old Paris Garden.

XCIX. Provided always, and be it further enacted by the Authority aforesaid, That nothing in this Act contained shall extend or be deemed or construed to permit the said Commissioners, by this Act named or to be named, to make any new under-ground Drain, Sewer, or Water-course, or to cut into, turn, or alter the Course and Direction of, or to intermeddle with any under-ground Drain or Sewer, situate and being in the said Parish of *Christ Church*, without having first obtained the Licence and Consent of the Commissioners of Sewers for the Limits extending from *East Mouldsey* in the County of *Surrey* to *Ravensborne* in the County of *Kent* ; nor shall any thing in this Act contained extend or be deemed or construed to extend to prejudice, diminish, or take away any of the Rights, Powers, or Authorities vested in the said Commissioners of Sewers for the Limits aforesaid ; but the same shall be as good, valid, and effectual as if this Act had not been made.

Sewers not to be altered without Approbation of Commissioners of Sewers.

C. And be it further enacted, That all the Costs, Charges, and Expences attending the obtaining and passing this Act, and in any Manner incidental thereto, shall be borne and paid out of the first Monies to be

Costs of Act how to be paid.

be

be raised and collected for the Relief of the Poor by the Churchwardens and Overseers of the said Parish, or either of them, or out of the Monies now in, or which may hereafter come into their or either of their Hands, belonging to the said Parish.

Public Act.

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

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