

Commis-
sioners.

Annoyances, Nuisances, and Encroachments therein; and the Footpaths thereof are in great Want of Repair and Amendment: And whereas it would be attended with great Benefit to the Public, and the Convenience and Comfort of the Inhabitants of the said Roads, Streets, Squares, Lanes, Passages, Alleys, and Places, if some Provision were made for effectually watching and lighting, regulating and improving the same; and for removing and preventing Nuisances, Annoyances, and Encroachments therein; and for paving, repairing, and amending the Footpaths thereof; but which cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *John Aikin, John Ault, William Aspinall, Peter Barnes, Henry Bevington, Benjamin Billin, Robert Barrow, Samuel Bostock, William Boyd, Ellis Brewin, Francis Brewin, Gregory Jeremiah Briggs, John Bryant, Thomas Bryant, William Buttenshaw, Stephen Clarke, Edward Darnborough, George Dare, Abraham Pursehouse Driver, William Driver, Edward Driver, Samuel White Driver, John Dollandson, William Ewbank, Charles Farrington, Thomas Fielder, William Fincham, George Fare, Robert Gee, Thomas Hemsley, Henry James Hewitt, Francis Holland, William Holmer Junior, David King, William Kingsley, James Lamb, John Lion, Robert Main, Joseph Mullens, Peter Macdonald, Edward Neale, Thomas Parker, George Parsons, Charles Pears, Nathaniel Randall, Cuthbert Scarborough, William Score, Michael Searles, Richard Searles, Thomas Streatfield, Isaac Steele, Thomas Sturge, Joseph Taite, John Theakston, John Toppin, Thomas Turnbull, Simeon Warner, Samuel Webb, Thomas Whitmore, George Weatherstone, Thomas Webb, Josiah Wild, William Weise, Thomas Yeakill, and James Youl*, together with the Knights of the Shire for the County of *Surry* and the Members for the Borough of *Southwark* for the Time being, shall be, and they and their Successors, to be elected as herein after mentioned, are hereby appointed Commissioners for putting this Act, and the several Powers and Authorities hereby given and granted, into Execution.

Appointing a
Chairman.

II. And be it further enacted, That at every Meeting of the said Commissioners to be held in pursuance of this Act, a Chairman shall and may be appointed; and when and so often as it shall so happen that there shall be an equal Number of Votes upon any one Question (including the Vote of the said Chairman), then and in such Case it shall and may be lawful to and for the said Chairman to give the casting or decisive Vote.

For chusing
new Commis-
sioners.

III. And be it further enacted, That when any Commissioner, being an Inhabitant Householder within or upon the said Line of Road or some or one of the said Streets, Squares, Lanes, Passages, Alleys, and Places respectively, shall die, or remove from and out of the same, or by Writing under his Hand delivered to the Clerk of the said Commissioners, shall decline to act, or shall neglect to attend at some public Meeting of the Commissioners for the Space of Twelve Months, at any one Time, without a reasonable Cause to be allowed by the said Commissioners, it shall and may be lawful for the surviving or remaining Commissioners from Time to Time, by Writing under their Hands, to elect some other Person, being an Inhabitant Householder within the true Intent and Meaning of this Act, to be a Commissioner in the Place of every Commissioner so dying,

dying, removing, declining, or neglecting to act; but Notice in Writing or Printing, or partly written and partly printed, of the Time and Place for such Election, shall be given by the Clerk to the said Commissioners, by leaving such Notice at their respective Dwelling Houses, as also by his signing such Notice, and affixing or causing the same to be affixed on the Door of the Parish Church of *Saint George the Martyr, Southwark*, Six Days at the least before such Election; and every Person so after elected is hereby vested with the same Powers for putting this Act into Execution, as if he had been especially named a Commissioner in or by this Act.

IV. Provided always, and be it further enacted, That no Person to be hereafter elected, 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 seized and possessed in his own Right, or in the Right of his Wife, and in the actual Enjoyment or Receipt of the Rents and Profits of a Real Estate, in Law or Equity, of the clear yearly Value of Twenty Pounds, or possessed of a Personal Estate to the Amount or Value of Five hundred Pounds, over and above what shall be sufficient to pay and satisfy all his just Debts, or shall be an Inhabitant and actual Occupier of Premises within the District of this Act, which shall be rated hereunder in his own Name to the Amount of Thirty Pounds *per Annum* at the least; 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 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 Essoign, Protection, or Wager of Law, or more than one Imparlance shall be allowed; and every Person so sued or prosecuted shall prove that he was at the Time of so acting 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 and received shall, after Payment of all Costs and Expences attending the Recovery thereof, be applied as to One Moiety to the Informer or Prosecutor, and the other Moiety to the Purposes of this Act; and that no such Person shall take on himself to act as a Commissioner in the Execution of this Act, (except in administering the Oath or Affirmation herein-after mentioned to the other Commissioners), until he shall have taken and subscribed the Oath or Affirmation next following, (which Oath or Affirmation the said Commissioners, or any Three or more of them, at any of their Meetings, to be holden in pursuance of this Act, are hereby required and empowered to administer); that is to say,

‘ I *A. B.* do swear, [*or, being One of the People called Quakers,*] do Their Oath,
 ‘ I solemnly affirm, that I truly and *bonâ fide* am in my own Right, [*or,*
 ‘ *if, married,* in the Right of my Wife], in the actual Possession and En-
 ‘ joyment or Receipt of the Rents and Profits of a Real Estate of the clear
 ‘ yearly Value of Twenty Pounds, over and above all Incumbrances, [*or*
 ‘ possessed of or entitled to a Personal Estate, of Five hundred Pounds,
 ‘ over and above the Payment of my Debts], or that I am an Inhabitant
 ‘ and actual Occupier of Premises within the District of this Act,
 ‘ which shall be rated hereunder in my own Name to the Amount of
 ‘ Thirty

Qualifica-
tions of Com-
missioners,

Penalty on
acting if not
qualified.

‘ Thirty Pounds *per Annum*, and that I will discharge the Duty of a Commissioner without Favour or Affection, Prejudice or Malice, to any Person or Persons whomsoever. . . . So help me GOD.’

First and subsequent Meetings of Commissioners.

V. And be it further enacted, That the said Commissioners, or any Five or more of them, shall, on the Second *Friday* next after the passing of this Act, meet together at the *King's Arms*, in *Kent Street Road*, in the said Parish of *Saint George the Martyr, Southwark*, between the Hours of Ten of the Clock in the Forenoon and Five of the Clock in the Afternoon, and shall then and there proceed in the Execution of this Act, and shall afterwards meet at some proper Place, within the Limits of this Act on the *Friday* in each and every Week, for the Purpose of carrying the same into Execution.

Commissioners may adjourn to a longer or shorter Space than the weekly Meetings.

VI. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any Five or more of them, to adjourn for a longer or shorter Space of Time than the weekly Meeting immediately subsequent to the last Meeting; but then and in every such Case, Notice of such Adjournment, in Writing or printed, (to which Notice the Name of the Clerk to the said Commissioners shall be affixed), shall be given to, or left for each Commissioner, at his last or usual Place of Abode, Two Days at least before such Meeting; and all Proceedings of such Commissioners at such adjourned Meetings shall be as good and valid as they would have been in case such Commissioners had met in pursuance of any weekly Meeting.

No Person to act as a Commissioner who is a Victualler or concerned in any Contract.

VII. Provided also and be it further enacted, That no Person shall be capable of acting as a Commissioner under this Act, who is a Victualler, or shall sell Ale, Wine, Cyder, or any Spirituous Liquors by Retail, or during the Time he shall enjoy any Office of Profit, or be concerned directly or indirectly in any Contract made by virtue of this Act, upon Pain of forfeiting the Sum of Fifty Pounds for each Time of such acting, to be recovered and applied with full Costs of Suit as aforesaid; but such Commissioners as are Justices of the Peace may nevertheless act as such in the Execution of this Act, except in Cases where they are personally interested; and that all the Powers and Authorities by this Act granted to or vested in the said Commissioners hereby constituted, shall and may from Time to Time be exercised by the major Part of them who shall attend any public Meeting to be holden as herein mentioned, the Number of Commissioners present at any such Meeting not being less than Five, and that all the Orders and Proceedings of the major Part of the Commissioners present at any such Meetings shall have the same Force and Effect as if done or made by all the Commissioners constituted by this Act; and that no Act, Order, or Determination of the said Commissioners shall be revoked or altered, unless a Majority of the Commissioners present at a subsequent Meeting to be held for that special Purpose (of which Notice in Writing, or printed, with the Name of the Clerk to the said Commissioners affixed thereto, shall be given to, or left for each Commissioner, at his last or usual Place of Abode) shall concur in such Revocation or Alteration; and that all the Acts, Orders, and Proceedings of the Commissioners shall be entered in a Book or Books to be kept for that Purpose, and signed by the Chairman or Clerk to the said Commissioners, and the Book or Books so signed shall be deposited with the Treasurer or Clerk of the said Commissioners, to be produced and ready for Production at all and every the said

No Act valid unless at a Meeting.

Proceedings to be entered.

faid Meetings; and all fuch Aëts, Orders, and Determinations fo entered, fhall be deemed and taken to be Originals, and fuch Book or Books fhall and may be produced and read in Evidence, and allowed as fuch in all Courts of Juftice whatfoever; and that any Aëtion which fhall or may be brought by or againft the faid Commiffioners, or any of them, for any Thing done touching or relating to the Execution of the Purpofes of this Aëtt, fhall be brought or instituted in any of His Majesty's Courts of Record, in the Name of the Clerk or Treasurer to the faid Commiffioners; and that no fuch Aëtion fhall abate or be difcontinued by the Death or Removal of fuch Clerk or Treasurer, but the Clerk or Treasurer for the Time being to the faid Commiffioners fhall be deemed the Plaintiff or Defendant in any fuch Aëtion, as the Cafe fhall be: Provided always, that any fuch Clerk or Treasurer in whole Name any Aëtion or Suit fhall be commenced, profecuted, or defended in purfuance of this Aëtt, fhall always be reimbursed and paid out of the Monies to arife by virtue of this Aëtt, all fuch Damages, Cofts, and Charges as by the Event of any fuch Proceedings he fhall be put to, or become chargeable with, by reafon of his being fo made Plaintiff or Defendant therein.

In whole
Names
Aëtions may
be brought.

VIII. And be it further enacted, That if after any Adjournment of any Meeting of the faid Commiffioners it fhall be thought neceffary that an earlier Day of Meeting fhould be appointed than the Day appointed by fuch Adjournment, then and in that Cafe the Clerk to the faid Commiffioners upon an Order in Writing figned by any Three or more of the faid Commiffioners, mentioning the Time, Place, and Purpofe of fuch Meeting, fhall forthwith give Notice thereof by Writing, of the Time and Place which fhall be mentioned in the Order of the faid Commiffioners (fuch Time not being lefs than Two Days after fuch Notice), and fuch earlier Meeting fhall and may be held accordingly; and all the Proceedings of the Commiffioners prefent at fuch Meetings fhall be as valid and effectual as they would have been in cafe fuch Meetings had been held in purfuance of any Adjournment.

Meetings on
Emergencies.

IX. And be it further enacted, That at all Meetings held for the Purpofes of putting this Aëtt into Execution, the Commiffioners themfelves fhall pay and bear their own Expences, Cofts, and Charges refpectively.

Commiffion-
ers to pay
their own
Expences.

X. And be it further enacted, That the faid Commiffioners fhall, and they are hereby authorized and required by Writing under their Hands to elect and appoint, and employ fuch Clerks, Surveyors, Treafurers, and Collectors of the Rates or Affeffments and Duties to be levied and collected by virtue of this Aëtt, and fuch other Officer and Officers, Perfon or Perfons, for the Execution of this Aëtt, as they from Time to Time fhall think proper; and any fuch Clerks, Surveyors, Treafurers, and other Officers and Perfons from Time to Time, to remove or difplace as they fhall think fit, and to choofe and appoint others in the room of fuch of them as fhall be fo removed and difplaced, or as fhall die or refign their Office, Seven Days Notice being firft given of fuch a Removal, Death, or Refignation, and of the Time and Place of Meeting for filling up the Vacancy or Vacancies thereby occafioned; and the faid Commiffioners may, and are hereby authorized and required, by and out of the Monies to be raifed and received by virtue of this Aëtt, to annex and pay fuch Salaries or Allowances to fuch Officers, and to all other Perfons by the faid Commiffioners

Power to
elect Officers;

and take
Security.

Officers to
account.

tioners to be employed in the Execution or for the Purposes of this Act, as they shall think reasonable; and the said Commissioners shall and are hereby required to take such Security from their Clerks, Treasurer, Collectors, and other Officers for the due Execution of their respective Offices as the said Commissioners shall think proper; and all such Officers and Persons so to be appointed as aforesaid, shall, upon Demand of the said Commissioners, duly account to them upon Oath for all Monies which shall come to his or their Hands, touching the several Matters and Things to be committed to their Charge by virtue of this Act; and also shall upon Demand of the said Commissioners pay and deliver over to their Treasurer for the Time being, all the Monies appearing upon the Balance of such Accounts, together with the Vouchers in support of such Accounts; and also the Books, Papers, and Writings, in their respective Custody or Power, relating to the Proceedings to be had under this Act, and in Default thereof for the Space of Seven Days after such Demand is made, it shall be lawful for the said Commissioners, and they are hereby authorized and empowered to commence and prosecute any Action or Actions against any Persons making such Default, for the Recovery of the Monies that shall be in the Hands of such Person, with Costs of Suit; or if Complaint shall be made by the said Commissioners, or their Clerk, or by such Person or Persons as shall be appointed by them for that Purpose, of any such Default as aforesaid, to any Justice of the Peace for the County or Place wherein the Party so making Default shall be or reside, such Justice is hereby authorized and required by Warrant to cause the Person or Persons so making Default to be brought before him, and upon his appearing, or not appearing, 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 upon Oath, it shall appear to such Justice that any of the Monies that shall have been collected or raised by virtue of this Act, shall be in the Hands of such Person or Persons, or shall have been misapplied or misappropriated by him or them, such Justice is hereby authorized and required to cause by Warrant such Monies to be levied by Distress and Sale of the Goods and Chattels of such Person or Persons offending as aforesaid; and if no such Goods and Chattels can be found sufficient to satisfy such Monies, and the Charges of distraining and selling the same, or in case of Refusal to account as aforesaid; or that it shall appear to such Justice by the Confession of the Party so offending, or by the Testimony of any credible Witness upon Oath, that any Books, Papers, or Writings, relating to the Execution of this Act, shall be in the Custody or Power of any such Person, and he shall refuse to deliver up the same as aforesaid, in either of the said Cases such Justice shall commit every such Offender to the Common Gaol or House of Correction of the County or Place where such Offender shall be or reside, there to remain until he shall give a true and perfect Account, and make Payment as aforesaid, or until he shall compound with the said Commissioners in such Manner as they shall think fit, and until he shall deliver up all and every such Books, Papers, and Writings aforesaid, or give Satisfaction thereof: Provided always, that no Person so committed for Want of sufficient Distress, shall be confined or retained in Prison by virtue of this Act for any longer Space of Time than Twelve Calendar Months.

Punishing
Officers mis-
behaving.

XI. And be it further enacted, That if any Treasurer, Clerk, Collector, or other Officer or Person who shall or may be appointed or employed

ployed by the said Commissioners in the Execution of or under this Act, shall exact, demand, or wilfully take any Fee or Reward whatsoever, other than such Salaries and Reward as shall be appointed and allowed by such Commissioners on account of any Thing ordered or directed by them, or on any Account whatsoever relating to the Execution thereof, or shall any Way be concerned or interested in any Bargain made, or to be made by or under Authority of such Commissioners, or any of them, for any of the Purposes intended to be executed by virtue of this Act, every Person so offending shall for ever be incapable of being employed under this Act, and shall forfeit and pay for every such Offence the Sum of Fifty 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, within Six Calendar Months next after the Offence committed, with full Costs of Suit, wherein no Protection, Effoign, nor Wager of Law, or more than One Imparance shall be allowed.

XII. And be further enacted, That the said Commissioners shall and may cause to be painted, engraved, or described in Stone, Wood, or otherwise, to be affixed on a conspicuous Part of One or more House or Houses, Building or Buildings, at or near each End, Corner, or Entrance by each of the said Roads, Streets, Squares, Lanes, Passages, and Places, the Name by which each respective Road, Street, Square, Lane, Passage, and Place is properly and usually called or known, and may also cause every House, Building, Shop, or Warehouse in each of the said Roads, Streets, Lanes, and Places, to be marked and numbered from Time to Time in such Manner as they shall judge proper for distinguishing the same respectively; and in case any Person or Persons shall wilfully destroy, pull down, injure, obliterate, or deface any such Names, Descriptions, Marks, or Numbers, or any Part or Parts thereof, or cause or procure the same to be done, every Person or Persons so offending, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, as the Commissioners shall direct, which shall be enforced, recovered, and applied, as other Penalties under and for the Purposes of this Act.

Names of
Streets to be
fixed up.

XIII. And be it further enacted, That whenever any such Number or Numbers, Figure or Figures, painted or put on any House or Houses, or other Building or Buildings as aforesaid, shall be defaced or rubbed out, the Owner or Owners, Occupier or Occupiers, of such House or Houses, or other Building or Buildings, where the Number or Numbers, Figure or Figures, shall have been so defaced or rubbed out, shall upon personal Notice given to him, her, or them, or upon Notice in Writing left at such House or Houses, or other Building or Buildings, signed by the Clerk to the said Commissioners, cause the same Number or Numbers, Figure or Figures, to be in the same or like Manner painted or put on such House or Houses, or other Building or Buildings, within Seven Days after such Notice; and in case of Neglect or Refusal to comply with such Order, every such Owner or Occupier shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings, to be recovered and applied in Manner last herein-before mentioned.

Penalty on
Owner and
Occupier not
restoring
Numbers.

XIV. And be it further enacted, That the Property of and in all the present and future Pavements in or upon the Streets, Lanes, and other public Passages and Places within the Limits of this Act, and of all Ma-

Footpaths
vested in the
Commission-
ers.

terials,

terials, Implements, Watch-houses, Stands, Lamp Irons, Posts, and other Things which shall be provided by the Commissioners for the Purposes of this Act, shall belong to, and be the sole and exclusive Property of, and the same are hereby absolutely and exclusively vested in the said Commissioners, and their Successors, who are hereby authorized to bring or cause to be brought any Action or Actions, or to prefer any Bill or Bills of Indictment, as the Case shall require, against any Person or Persons whomsoever, who shall steal, take, or carry away, detain, spoil, injure, damage, or destroy the several Articles or Things herein so mentioned, and vested in them the said Commissioners aforesaid, or any of them, or any Part or Parts thereof; and in all such Actions and Bills of Indictment respectively it shall be and be deemed and taken to be sufficient to state generally that the Article or Articles, Thing or Things, for or on account of which such Action or Actions shall be brought, or Bill or Bills of Indictment preferred, is or are the Property of the Commissioners for the Improvement of Part of the *Kent Street Road*, without particularly stating or specifying the Name or Names of all or any of the said Commissioners, and the said Commissioners shall have full Power and Authority from Time to Time to sell and dispose of all or any of the said Articles and Things, or any Part or Parts of the same respectively, to such Person or Persons in such Manner and from Time to Time as they shall think fit.

Paving Foot-
paths.

XV. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered to new pitch and pave, or to repair, alter, and amend any of the Footpaths in or upon any of the said Roads, Streets, Lanes, public Passages, and Places, and from Time to Time, when and as often as they shall think proper, to cause all or any of the present or future Pavements in or upon the said several Roads, Streets, Lanes, Passages, and Places already erected or made, or which shall hereafter be erected or made in the said Footways, to be taken up, raised, lowered, altered, relaid, pitched, paved, repaired, or amended in such Manner as they the said Commissioners may think proper; and also to cause the said several Roads, Streets, Lanes, Passages, and Places to be cleansed, and all Annoyances, Obstructions, Nuisances, and Encroachments therein to be removed, and the present Drain, Sinks, Gutters, and Watercourses, for conveying the Water off from the said Footways, Roads, Streets, Lanes, Passages, and Places to be amended, repaired, cleansed, and scoured, and new ones to be made, in such Manner as the said Commissioners shall from Time to Time think proper.

Persons alter-
ing Pavement
to re-instate
same.

XVI. And be it further enacted, That no Person or Persons shall at any Time hereafter make, or cause to be made, any Alteration in the Form of the said Pavement or Footpaths, by this Act authorized to be paved, altered, repaired, or amended, or open, break, damage, or injure the same, in any Manner or Form, under any Pretence whatever, without first obtaining the Consent and Approbation in Writing of the said Commissioners, to be signified by Writing under the Hand of their Clerk or Treasurer for the Time being.

Repair of
Footpaths.

XVII. And be it further enacted, That if any Five Householdors within the Limits of this Act shall make Complaint in Writing under their Hands to the said Commissioners, or their Clerk or Surveyor, of any Defect or Want of Reparation in any of the Footpaths which shall have been made,

made, laid, repaired or amended by virtue of this Act, then and in every such Case the said Commissioners shall forthwith cause the Footpaths so complained of to be inspected, and if the same shall be found defective, or in Want of Repair, and shall be so reported to them, then they shall forthwith cause the same to be repaired by the Persons or Person contracting with them for repairing the said Footways; and if the Contractor, or Person to whom such Order shall be given, shall not within Seven Days next after the Receipt thereof, repair the said defective Footways, he shall forfeit and pay to the Persons making Complaint as aforesaid, and who will sue for the same, the Sum of Forty Shillings for every Day that the same shall remain unrepaired after the Expiration of the said Seven Days.

XVIII. And be it further enacted, That all Persons inhabiting or residing within the Limits of this Act, or within such Parts thereof as shall be directed by the said Commissioners, shall, and are hereby required to cause the said Footpaths before or on the Sides of their respective Houses, Buildings, Walls, and other Fences, as also the Channel all along the respective Fronts thereof, to be swept, scraped, and cleansed, between the Hours of Six and Nine in the Morning, Three Times or oftener in every Week throughout the Year, and shall, and are hereby required, to cause the Dirt and Soil arising from such sweeping and cleansing, to be immediately taken and carried away, and laid in the said Roads, Streets, Lanes, public Passages, and Places near to the said Footpaths, without obstructing the Way or Passage, and every Person making Default herein, shall, for every such Default, forfeit and pay any Sum not exceeding Ten Shillings, to any Person who will sue or prosecute for the same.

XIX. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered from Time to Time, to cause Lamp Irons or Lamp Posts to be put or affixed into, upon, or against the Walls or Palisadoes of any of the Houses, Tenements, or Buildings within the Limits aforesaid, or in such other Manner or Places as they shall think proper and convenient, and also to cause such Number of Lamps of such Sizes and Sorts to be provided and affixed, or put upon such Lamp Irons or Lamp Posts as they shall think proper and necessary for lighting the said Roads, and all or any of the said Streets, Squares, Lanes, and other public Passages and Places, and to light the same for and during such Hours and Seasons as from Time to Time shall be thought proper by them; and if any Person or Persons shall wilfully break, throw down, take away, spoil, or damage any of the Lamps already put up, or to be put up by virtue of this Act, or any of the Posts or Furniture thereof, or shall wilfully extinguish the Light of any such Lamps, every Person so offending shall for every such Offence forfeit and pay to the said Commissioners any Sum not exceeding Forty Shillings; and such Offender or Offenders shall also pay to the said Commissioners such Sum of Money as shall be a full Satisfaction for the Damage done by him, her, or them; and it shall be lawful for any Person who shall see any such Offence committed, to apprehend, and also for any Person or Persons to assist in apprehending the Offender or Offenders, and by Authority of this Act, without any other Warrant, to deliver him, her, or them into the Custody of a Peace Officer, or Watchman, in order to be secured and conveyed before some Justice of the Peace of the said County in which the Offence shall have been committed, or such Offenders or Offender apprehended;

[Loc. & Per.]

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and

Footpaths to be swept.

Providing Materials for lighting the Streets, &c.

Penalty on damaging Materials.

In Cases of
Negligence.

and in case any Person shall accidentally, carelessly, or negligently break, throw down, or otherwise spoil or damage any of the said Lamps, or the Posts or Furniture thereof, and shall not upon Demand make Satisfaction for the Damage or Injury done thereto, then and in such Case it shall be lawful for any Justice of the Peace of any such County or Place to award such Sum or Sums of Money, by Way of Satisfaction for such Damages and Injury, as such Justice shall think reasonable; and in Default of Payment thereof upon Demand, to cause the same to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons who shall have done such Damage; and in case any such accidental, careless, or negligent Damage shall be caused by any Coach, Chaise, Waggon, Cart, or other Carriage, it shall be lawful for the said Commissioners, and they are hereby authorized to proceed against the Person or Persons whose Name or Names shall appear on such Coach, Chaise, Waggon, Cart, or other Carriage, as the Owner or Owners thereof; and such Person or Persons shall in every such Case be held and deemed liable to make good such Damage, and shall and may be proceeded against in the same Manner as if he, she, or they were the Driver or Drivers of such Coach, Chaise, Waggon, Cart, and other Carriage respectively.

Commissioners
may contract for
Works.

XX. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, from Time to Time to contract and agree with any Person or Persons they may think proper, for the paving, altering, amending, and improving of the Footpaths, and for the lighting the said Roads, Streets, Squares, Lanes, public Passages, and Places, and for the performing any of the Works hereby authorized, which Contract or Contracts so to be entered into shall be reduced into Writing, and signed by the Clerk or Treasurer to the said Commissioners, and the Person or Persons contracting to perform such Works, and shall specify the Works to be done, and the Prices to be paid for the same, and the Time or Times when such Works shall be performed and completed, and the Penalties to be recovered in case of Non-performance thereof, provided that Fourteen Days Notice at least shall be given previous to the Meeting for entering into such Contract, by Writing, to be affixed on the Church Door of the said Parish of *Saint George, Southwark*, in which Notice shall be specified the Works and Business to be contracted for at such Meeting, to the End that Persons may tender Proposals for such Contracts; and it shall be lawful for the said Commissioners, and they are hereby directed to cause the Works to be done in pursuance of such Contracts, to be inspected by their Surveyor or Surveyors, or by such other Persons as they shall from Time to Time appoint; and in case the same shall not be well and sufficiently performed, according to the true Intent and Meaning of such Contract or Contracts, or shall not be finished and completed at or within the Time or Times to be by such Contract or Contracts limited for completing the same, the said Commissioners shall and may bring, or order to be brought, any Actions or Action at Law, or Suits or Suit in Equity, against any Person or Persons so contracting and neglecting to perform such Contract or Contracts, and for any Penalty or Damage that shall be contained in such Contract or Contracts, or suffered or sustained on account of the Non-performance thereof, and upon proving the signing of the said Contracts or Contract, and Non-performance thereof, the said Commissioners shall be entitled to and shall recover such Penalty or Damage as may be awarded,

awarded, with full Costs of Suit: Provided always, that it shall be lawful for the said Commissioners from Time to Time, and at all Times hereafter, to compound and agree with any Person or Persons against whom the said Commissioners shall bring or cause to be brought any Action or Actions, Suit or Suits, for any Penalty or Penalties contained in any Contract or Contracts hereafter to be made or entered into in pursuance of this Act, on account of any Breach or Non-performance of any such Contract or Contracts for such Sum or Sums of Money as they shall think proper, so as the Sums so compounded and agreed for be not less than the Injury sustained by the Breach or Non-performance of such Contract or Contracts, and all such Costs, Charges, and Expences as shall have been or be occasioned thereby.

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

Commissioners not personally liable.

XXII. And be it further enacted, That the said Commissioners shall be and they are hereby authorized and empowered from Time to Time to appoint a proper Number of fit and able-bodied Men to patrol, watch, and guard the said Roads, Streets, Squares, Lanes, Passages, and Places, and to make such Allowances to such Watchmen for their Trouble and Attendance, and to give such Orders and Directions concerning the Manner in which the said Watchmen shall be armed and stationed, for the due and regular Performance of the said Service, as the said Commissioners shall judge proper and expedient, and from Time to Time to remove any of the said Watchmen, and appoint others in their Stead; and it shall be lawful for the said Watchmen so to be appointed as aforesaid, or any of them, and they are hereby respectively authorized and directed to apprehend and secure in the Watch-houses, or some other Places of Safety, all suspicious Persons, Prostitutes, Night-walkers, and Persons misbehaving themselves, during the Time of keeping Watch and Ward, and to carry all such Persons as soon as conveniently may be before some Justice of the Peace for the County of *Surrey*, to be examined and dealt with according to Law.

Watchmen to be appointed.

XXIII. And be it further enacted, That it shall be lawful for the said Commissioners to cause Rewards in Money to be paid to the Watchmen appointed, or to be appointed, who may be disabled or wounded in the Execution of their Office, or for extraordinary Vigilance, as they the said Commissioners

Commissioners may reward Watchmen.

Commissioners shall think reasonable, to be paid out of the Monies arising by virtue of this Act.

Punishing
Vicuallers,
&c. permit-
ting Watch-
men to re-
main in their
Houfes.

XXIV. And be it further enacted, That if any Vicualler or Keeper of a Public Houfe fhall knowingly and willingly harbour or entertain any Watchman belonging to the faid Commissioners, or permit or fuffer any fuch Watchman to remain in his or her Public Houfe during any Part of the Time appointed for their being on Duty as aforefaid, every fuch Vicualler or Keeper of a Public Houfe fhall for every fuch Offence forfeit and pay any Sum not exceeding Forty Shillings, as the faid Commissioners fhall direct, to be recovered and applied for the Purpofes of this Act.

Watch-
boxes.

XXV. And be it further enacted, That it fhall and may be lawful to and for the faid Commissioners from Time to Time to place and fix Boxes againft the Sides of any of the Houfes, Buildings, Fences, or Places, on the faid Roads, and in the faid Streets, Squares, Lanes, and Passages, within the Limits of this Act, where, when, and as they fhall think proper for the Ufe and Accommodation of the Watchmen, Beadles, and other Officers and Servants hereby appointed, for the Safety and Protection of the Inhabitants thereof; and in cafe any Perfon or Perfons fhall difplace, overturn, damage, or injure, any or either of fuch Boxes when fo fixed, fuch Perfon or Perfons fhall for every fuch Offence forfeit and pay any Sum of Money not exceeding Five Pounds, as the faid Commissioners fhall direct, over and above all Expences of repairing and reftoring the fame.

Watch-
houfes may
be erected.

XXVI. And be it further enacted, That the faid Commissioners fhall and they are hereby authorized and empowered, if they think neceffary, to purchafe, or to take and rent on Hire for any Term of Years, by and with the Consent in Writing of the Owner or Owners thereof, convenient Places or Pieces of Ground, or any Buildings or Tenements already erected, or to be erected, within their Jurifdiction, not exceeding One Acre in the Whole, for fuch Price, Rent, or Term, as can be agreed upon, for the Purpofe of erecting Watch-houfes, with all neceffary and ufeul Rooms and Conveniences, and thereupon fhall and may erect and build fufficient Watch-houfes, with convenient Places of Confinement, and neceffary Rooms and Out-buildings, and from Time to Time to alter, rebuild, or repair the fame; and that from and after the Erection or Occupation of fuch Watch-houfes or other Buildings, it fhall and may be lawful to confine therein fuch Perfons and Offenders as may be lawfully apprehended and confined by virtue of the Powers and Authorities given by this Act.

For prevent-
ing Annoy-
ances, &c.

XXVII. And be it further enacted, That if any Perfon fhall throw, caft, or lay, or caufe, permit, or fuffer to be thrown, caft, or laid, any Coal Afhes, Duft, Dirt, Rubbifh, Offal, Dung, Soil, or other Filth or Annoyance, or fhall put or place any Stall, Board, Basket, Wares, Merchandize, Casks, or Goods of any Kind whatfoever, or fhall hoop, wash, or cleanfe any Pipe, Barrel, Cask, or Veffel, in or upon any of the Carriage or Footways, or fhall drain, or permit or fuffer to drain any Soil, Blood, or other Filth, into any of the Channels of the faid Streets, Lanes, and Places within the Limits of this Act, or drive or place, or caufe to be driven or placed, any Coach, Cart, Waggon, Dray, or other Carriage, upon

upon any of the said Footways, so as to occasion any Obstruction or Annoyance, and shall not immediately remove the same when required so to do by any Person or Persons whomsoever; or if any Person or Persons shall set or place, or permit or suffer to be set or placed any Cart, Waggon, Dray, or other Carriage, in any Part of the said Streets, Lanes, or Places, (except in Cases of Accident), any longer than is needful and necessary for the loading or unloading thereof, and then set or placed as near the Side thereof as conveniently may be, or shall set or place, or cause or suffer to be set or placed, any Coach, Cart, Waggon, Dray, or other Carriage, athwart or across any of the said Footways, Streets, Lanes, and Places, on any Pretence whatsoever, so as to obstruct the Passage thereof, every Person or Persons offending in any of the Cases aforesaid, shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings; or if any Person or Persons shall set or place, or cause to be set or placed, in or upon any of the said Footways, Streets, Lanes, Passages, or public Places, any Lumber, Stones, Bricks, Lime, or other Materials or Things whatsoever, for the Purpose of building or repairing, (except the same shall be inclosed by a Fence), any House, Shop, or other Building, and shall not immediately remove the same, being thereunto required by the Surveyor or other Officer of the said Commissioners; or if any Person shall run, drive, or draw, or cause to be run, driven, or drawn, any Coach, Waggon, Cart, Dray, or other Carriage, or any Wheelsledge, or Wheelbarrow, or shall ride, lead, place, or drive, or cause to be rode, led, placed, or driven, any Horse, Ass, or other Cattle, upon any of the Foot-pavements or Paths, or shall hang out or expose to Sale any Butcher's Meat, or other Matter or Thing whatsoever, beyond the Upright of any House or Houses, or shall place or put out any Garden Pots in Front of any House or Houses, without the same being sufficiently guarded or protected from falling, or shall permit or suffer any Hog, Pig, or other Swine, to stray or be in any of the Streets, Ways, or Passages within the Limits of this Act, every Person offending in any or either of such Cases aforesaid, shall for the First Offence forfeit and pay any Sum not exceeding Twenty Shillings; for the Second Offence, any Sum not exceeding Forty Shillings; and for the Third, and every other Offence, any Sum not exceeding Five Pounds; and any one or more of the said Commissioners, or such Person or Persons as they or any Five or more shall appoint, for the Removal of Annoyances and Obstructions, may seize any such Stall, Board, Basket, Ware, Merchandize, Cask, Goods, Coach, Cart, Waggon, Dray, or other Carriage, and all Goods or other Things which may be therein, together with the Horse or Horses, (if any shall be thereunto belonging), with the Harness, Gears, and Accoutrements thereof, or any such Timber, Stones, Bricks, Lime, or other Materials or Things aforesaid, and every such Horse, Ass, or other Cattle aforesaid, with the Accoutrements thereof, and also such Wheelsledges, Wheelbarrows, and all Goods or Things which may be on or in the same or other Carriage, Butcher's Meat, Garden Pots, and every other Article, Matter, and Thing, Hog, Pig, or other Swine, and cause the same to be removed to such Place or Places as he or they shall think convenient and proper, giving Notice to the Owner, Driver, or other Person or Persons having any Interest therein, (if he, she, or they can be found), of the Place or Places whereunto the same shall be so removed, and the same shall be there kept and detained until such Owner, Driver, or other Person or Persons interested therein as aforesaid, shall cause to be paid the said Penalty, together with the Charges of removing the same, and of keeping such Horse or Horses, or other

Penalty on obstructing the Footways.

Goods, &c. may be seized;

and detained until the Penalties paid.

Persons seeing
Offences com-
mitted may
seize the Of-
fender.

Offender in
Default of
Payment may
be committed.

Certain Pe-
nalties to be
recovered
within 14
Days.

For removing
Encroach-
ments and
Annoyances,
&c.

Cattle, Hog, Pig, or other Swine; and in case the Goods, Carriages, Drays, Horse or Horses, or other Cattle, Hog, Pig, or other Swine, Materials, or other Things so removed, shall not be claimed, and the said Penalty and Charges paid within the Space of Three Days next after such Removal thereof, then it shall be lawful for the said Commissioners, or any five or more of them, to order the same to be appraised and sold, and the Surplus of the Money arising by such Sale shall be returned to the Owner or Owners thereof on Demand, after deducting the said Penalty, and the Charges attending such seizing, removing, keeping, appraising, and selling the same; and it shall be lawful for any Person or Persons whomsoever, who shall see any or either of the said Offences committed, by the Authority of this Act, and without a Warrant, to seize and apprehend, and also for any other Person or Persons to assist in seizing and apprehending the Offender or Offenders, and he and they is and are hereby authorized and empowered so to do, and to convey such Offender or Offenders before some Justice of the Peace acting or having Power to act in the said District, who, upon Oath being made of any such Offence or Offences as aforesaid, shall and may commit the Offender or Offenders to the House of Correction for the said County, there to be kept to hard Labour for any Time not exceeding Three Calendar Months, unless the said Penalty, and all Charges attending the same, shall be sooner paid.

XXVIII. Provided always, That all and every the Penalties herein-before inflicted for any Nuisance, Annoyance, or Obstruction in or upon any or either of the said Footpaths, and for not sweeping or cleansing the same, shall be levied and recovered within Fourteen Days next after any of the said Offences shall be committed, except hereby otherwise directed.

XXIX. And be it further enacted, That the said Commissioners, or any Five or more of them, shall and may at any Time after Notice given to the respective Owners, Proprietors, Feoffees, Trustees, or Occupiers of the several Houses, Shops, Warehouses, Stables, Buildings, Courts, Yards, Gardens, Lands, Tenements, and Hereditaments, within the Limits of this Act, to alter or affix all Spouts and Gutters on the Fronts of their respective Houses and other Buildings, so that the Water be conveyed down by the Fronts or Sides of such Houses or other Buildings into their own private Ground or Premises, or into the common Channel or Drain; and also to take away and remove, alter, and regulate, all Steps projecting into the Street beyond the Upright of the House or Premises to which they belong; and all Penthouses, Dripping Eaves, Stall Boards, Shew Boards, Stalls, Window Shutters, Doors, Flaps, and Porches, Signs, or Shew Boards, projecting over and beyond the Upright of any House or Building, or projecting over or opening into any of the said Roads, Streets, Ways, Passages, or Places; and also all Flaps, Doors, and Cellar Windows, leading down out of the Footways into any Cellar, Vault or other Places, belonging to any Building, Shop, Warehouse, or Tenement; and no Cellars, Windows, Window Flaps, or Steps, leading down into Cellars, on any Account or Pretence whatsoever, extend into any of the said Streets, Lanes and Places, or any of the Footways thereof, more than Eighteen Inches, to be measured from the Upright of the House or Building to the Extent of the Curb of any such Cellar Window; and in case the Owners or Proprietors, Feoffees, Trustees, or Occupiers, shall refuse or neglect to do as before directed, or shall not remove all
such

such Projections, Obstructions, or Nuisances, for the Space of Fourteen Days next after such Notice shall be given to him, her, or them respectively, (which Notice shall be given in Writing under the Hands of the said Commissioners, or any Five or more of them), under the Hand of their Clerk or Surveyor for the Time being, and delivered to or left at the Dwelling House or usual Place of Abode of such Owner or Proprietor, Feoffee, Trustee, or Occupier respectively, it shall be lawful for the said Commissioners, or any Five or more of them, to cause such Spouts and Gutters to be properly placed, removed, or altered, and all such Encroachments, Projections, Nuisances, or Annoyances as aforesaid, to be taken down, carried away, filled up, or removed, altered, and regulated, in such Manner as they shall think proper; and shall return or cause to be returned to the respective Owners, or to be left on the Spot, or as near as conveniently may be, for such Owner or Owners, so much of such Encroachments, Projections, Nuisances, or Annoyances as shall not be affixed or put up, or otherwise made use of in the Alterations directed by this Act, and the Charges and Expences attending the same shall be reimbursed to the said Commissioners, and be paid and payable by the respective Tenants or Occupiers of such Houses and Premises; and if any Tenant or Occupier of any such Premises shall neglect or refuse to pay such Charges within Fourteen Days after Demand thereof, or by Notice in Writing under the Hand of the said Surveyor, Clerk, or other Person appointed by the said Commissioners, or to be delivered to or left at the Dwelling House of such Tenant or Tenants, Occupier or Occupiers, the same shall and may be levied on every such Tenant or Tenants, Occupier or Occupiers, by Distress and Sale of his, her, or their Goods and Chattels, by Warrant under the Hand and Seal, or Hands and Seals of any Justice or Justices of the Peace for the said County of *Surrey*, which Warrant the said Justice or Justices is and are hereby authorized and required to grant upon Information on Oath of such Neglect or Refusal, returning the Overplus (if any) of the Monies raised by such Distress and Sale, after deducting all Costs and Charges attending the same, to the Owner or Owners of such Goods or Chattels so distrained and sold, on Demand.

XXX. And be it further enacted, That in case any Owner or Occupier of any House, Tenement, or Building, shall be unable to bear and pay any Rate or Assessment to be made in pursuance of this Act, or of taking down, removing, or altering Projections, or of any other Charges and Expences to be incurred by virtue of this Act, such Inability being satisfactorily proved to the said Commissioners, or any Five or more of them, no Distress shall be taken or made of his or her Goods and Chattels for recovering of such Charges and Expences, but the same shall be charged upon and paid out of the Rates to be made by virtue of this Act.

Poor Persons
to be relieved
from Pay-
ment.

XXXI. And be it further enacted, That all Houses and Buildings hereafter to be built or new fronted, or any Part thereof, within the Limits of this Act, shall, for the effectual and more absolute Prevention of all Manner of Projections, Encroachments, Annoyances, and Inconveniencies thereby, rise perpendicularly from the Foundation; and if any Person or Persons shall at any Time or Times hereafter build or new front any House or other Building, or any Part thereof, within the Limits of this Act, or cause the same to be done otherwise than perpendicularly from

All new
Buildings to
rise perpendi-
cularly, &c.

from such Foundation, or permit or suffer any Bow Window or Window projecting over the Footpath or Carriage Way to be made, put, or placed in the Front of any House or Building, within the Limits of this Act, after the passing thereof, it shall be lawful for the said Commissioners, or any Five or more of them, to give Notice to such Person or Persons to take down and remove such Building or Buildings within Fourteen Days from the Date thereof; and in case of Refusal or Neglect so to do, it shall be lawful for the said Commissioners, or any Five or more of them, by an Order under their Hands, to direct the same to be taken down and removed by any Person, Workmen, or Persons they shall think fit; the Costs, Charges, and Expences whereof shall be paid and reimbursed to the said Commissioners, or any Five or more of them, or their Order, by the Owner or Owners of such Houses or Buildings, or other Person or Persons ordering or directing the same; and in case of Refusal or Neglect in paying or reimbursing the Costs, Charges, and Expences to the said Commissioners, or such Person or Persons as they or any Five or more of them shall appoint to receive the same, it shall be lawful for the said Commissioners to cause any Action or Actions to be brought in the Name of the Treasurer or Clerk for the Time being, to be appointed by virtue of this Act, for the Recovery thereof with Costs of Suit: Provided nevertheless, that nothing herein contained shall extend to any House or Building erected or to be erected beyond the Distance of Ten Feet from any Footpath within the Limits of this Act.

District of
Commis-
sioners.

XXXII. And be it further enacted, That for the Purposes of this Act the District to be comprised within the true Intent and Meaning hereof, shall commence immediately opposite to, and inclusive of and from the Public House known by the Sign of the *Bull*, at *Kent Street End*, in the Parish of *Saint George the Martyr, Southwark*, in the County of *Surrey*, and extend in a direct Line from thence unto the Bridge, next immediately below the *Green Man* Turnpike, also situated in that Parish; and shall include and comprize the Streets, Lanes, Passages, and public Places after mentioned; that is to say, the Street, Lane, or Road called the *New Kent Road*, to and from the House known as the Sign of the *Rockingham Arms*, at *Newington*, inclusive; *Bermondsey New Road*, *Surrey Square*, and *East Lane* respectively, together with the several other Streets, Lanes, Squares, Passages, and public Places, immediately communicating with and adjoining the said Road, or abutting thereupon, from the House known by the Sign of the *Bull* aforesaid, to the Bridge below the *Green Man* Turnpike, respectively situated within the Parishes of *Saint George the Martyr, Southwark*, and *Saint Mary, Newington*, or one of them, in the said County of *Surrey*.

Commission-
ers to watch
and light any
Street on Ap-
plication of
Two Thirds
of the Inha-
bitants.

XXXIII. And be further enacted, That if at any Time hereafter Two Thirds of the Householdors within any Street, Lane, or Place, which may hereafter be formed or made on the said Line of Road leading from *Kent Street End* unto the Bridge below the *Green Man* Turnpike herein-before described, shall apply by Petition to the said Commissioners, or any Five or more of them, at any of their Meetings, desiring to have such Street, Lane, or Place watched and lighted, and the Footpaths thereof paved, repaired, and amended, under the Powers of this Act, then it shall and may be lawful for the said Commissioners, or any Five or more of them, to

cause the same to be done, if they shall so think fit; and in that Case Power is hereby given them to assess the Inhabitants of such Streets or Places respectively as others are under this Act.

XXXIV. And be it further enacted, That it shall and may be lawful for the said Commissioners from Time to Time at any of the said Meetings to make such Rules, Orders, Regulations, and Bye Laws, (not inconsistent with any Thing in this Act contained, or contrary to any Law or Statute of that Part of the United Kingdom called *England*), for their own Government, and from Time to Time to alter, vary, revoke, or make void any of their Rules, Orders, Regulations, and Bye Laws, at their Discretion, and do such other Things as to them shall seem necessary and expedient for putting this Act and every Part thereof into Execution, which Rules, Orders, Regulations, and Bye Laws so as aforesaid from Time to Time made, shall be valid and effectual to all Intents and Purposes whatsoever, and shall be observed and obeyed in all Things by the said Commissioners, and all Persons acting under their Orders and Authority, on Pain of forfeiting any Sum not exceeding Forty Shillings for every Default: In due Observance thereof, provided always, that Copies of the several Rules, Orders, Regulations, and Bye Laws by this Act authorized to be made shall be fairly written out or printed, and signed by the Clerk to the said Commissioners, for the Purposes of this Act.

Commissioners may make Rules, &c.

XXXV. And be it further enacted, That the said Commissioners shall and they are hereby authorized and required Twice in every Year to rate and assess the several Tenants or Occupiers of all Houses, Buildings, Yards, Gardens, Lands, and Hereditaments, which shall adjoin unto or abut upon any of the Roads, Streets, Lanes, Squares, Alleys, Passages, or Places which shall be lighted or watched, or the Footpaths thereof paved, repaired, or amended by virtue of this Act, in any Sum not exceeding the Sum of Three Shillings in the Pound of the annual Value of such Houses, Buildings, Yards, Gardens, Lands, and Hereditaments respectively, such annual Value to be from Time to Time settled and fixed according to the respective Rents which such Houses, Buildings, Yards, Gardens, Lands, and Hereditaments are or shall be taxed at for the Relief of the Poor; but if in any such Poor Rates any Person or Persons shall be omitted to be rated, then the Name or Names of such Person or Persons so omitted shall be added to the Rate or Assessment hereby directed to be made, and he, she, or they shall be rated and assessed according to the just and true annual Value or Letting of the Premises by him, her, or them occupied; and where any Lands or Hereditaments herein-after exempted or not rateable under this Act shall be intermixed and jointly assessed with other Messuages, Lands, or Hereditaments, in such Poor Rates, then such Parts thereof as are liable to be assessed under this Act shall be rated at such annual Sums as the said Commissioners shall think just and reasonable; and the First Year for which such Rate or Assessment shall be made shall commence on the Twenty-fourth Day of *June* One thousand eight hundred and twelve, and the Monies so to be rated and assessed shall from Time to Time be paid by equal Half-yearly Payments to the Collector or Collectors to be appointed as aforesaid, and shall be paid over by such Collector or Collectors into the Hands of the Treasurer to the said Commissioners, or to such Person or Persons as the said Commissioners shall from Time to Time appoint to receive the same forthwith.

Commissioners to make Rates.

[*Loc. & Per.*]

26 Q

XXXVI. Pro-

Commissioners to rate Landlords in certain Cases.

XXXVI. Provided always, and be it further enacted, That for and in respect of such Houses, Lands, Tenements, and Hereditaments, whereof the Tenants or Occupiers shall on account of their Poverty be not rated to the said Poor Rates, or any of them, it shall be lawful for the said Commissioners to rate and assess the Landlords or Owners thereof according to the Rents which such Tenants or Occupiers shall respectively pay for the same or the actual Value thereof.

Recovery of Rates.

XXXVII. And be it further enacted, That in case any Person or Persons who shall be rated or assessed, or subject or liable to the Payment of any Rate or Assessment to be made or laid as aforesaid, shall refuse or neglect to pay any such Rate or Assessment to any Collector to be appointed as aforesaid, for the Space of Three Days after personal Demand thereof made, or Demand thereof in Writing left at the usual or last Place of Abode of such Person or Persons, it shall be lawful for any Justice of the Peace of the County or Place wherein such Person or Persons so neglecting or refusing shall be or reside, or whereto he, she, or they shall have removed, and such Justice is hereby required upon Proof made upon Oath of such Demand and Non-payment, (which Oath he is hereby empowered to administer without Fee or Reward), by Warrant under the Hand and Seal of such Justice (which he is hereby required to grant) to authorize and direct the Collector to levy such Rate or Monies so in Arrear, together with the Costs and Charges attending the same (to be ascertained by such Justice), by Distress and Sale of the Goods and Chattels of the Person or Persons so refusing or neglecting to pay as aforesaid, rendering the Overplus (if any) to the Owner or Owners of such Goods and Chattels on Demand.

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

XXXVIII. Provided always, and be it further enacted, That the said Commissioners shall and may rate or assess the Landlord or Owner of any Houses or Buildings, which shall be let to or occupied by Two or more Tenants, and the same shall be deemed as one House or Tenement, and such Rates or Assessments shall be paid by one or more of the Occupiers of any Part or Parts of such Houses or Buildings, who is and are hereby required to pay such Sum and Sums of Money as shall be so rated or assessed upon every such Landlord or Owner in pursuance of this Act, and to deduct the same out of his, her, or their Rent; and the Occupier or Occupiers paying such Rates or Assessments, or any Part thereof, shall be acquitted and discharged of and for so much Money as he, she, or they shall have so paid as if the same had been actually paid to the Landlord or Owner to whom his, her, or their Rent shall be due and payable; and every such Landlord or Owner is hereby required to allow such Deduction upon the Receipt of the Residue of his, her, or their Rent: Provided always, that 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 any such Rate or Assessment or any 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 it shall be lawful for the said Commissioners, and they are hereby empowered upon the Complaint of any Occupier of a Dwelling House subject to the Payment of the said Rates or Assessments, whose Rent for such Dwelling House shall not exceed Ten Pounds a Year, to mitigate, reduce, lessen, remit,

Power to mitigate or remit Rates where Rents do not exceed Ten Pounds a Year.

remit, or excuse, for and on account of his, her, or their Poverty or Inability only, the Payment of that Part of the said Rate or Assessment which by this Act is made payable by such Occupier for such Dwelling House, in such Manner as they the said Commissioners shall in their Discretion think just and reasonable; but the respective Landlords of such Dwelling Houses shall nevertheless bear and pay their Proportion of such Rates or Assessments in respect of such Premises.

XXXIX. 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 Limits of this Act; 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, her, 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 Collectors, or other Person or Persons authorized and appointed as aforesaid, or any 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.

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

XL. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate or Assessment which shall be made in pursuance of this Act, he or she may apply to the said Commissioners at their First or Second Meeting to be holden after the demanding of such Rate or Assessment; and the said Commissioners are hereby authorized and empowered, if they shall think such Person aggrieved, to give such Relief in the Premises as to them shall seem reasonable, and if any Person shall be dissatisfied with the Determination of the said Commissioners therein, such Person or Persons may appeal in Manner herein-after mentioned to the Justices at the then next General Quarter Session of the Peace for the said County, whose Determination therein shall be final and conclusive.

XLI. Provided

Justices to amend Rates appealed against without altering the other Rates.

XLI. Provided also, and be it further enacted, That upon all Appeals from or against any of the Rates or Assessments to be made or imposed by the Authority of this Act, the Justices of the Peace (where they shall see just Cause of Relief) shall and are hereby empowered to amend the said Rates or Assessments in such Manner only as shall be necessary for giving Relief to the Person or Persons so appealing, without altering such Rates or Assessments with respect to any other Person or Persons mentioned in the same.

Power to borrow Money.

XLII. And, for the more speedy carrying of this Act into Execution, be it further enacted, That it shall and may be lawful to and for the said Commissioners from Time to Time to borrow and take up at Interest any Sum or Sums of Money for the Purposes of this Act, upon the Credit of the said respective Rates and Assessments, not exceeding in the Whole the Sum of Three thousand Pounds, and by Writing under their Hands and Seals, or under the Hands and Seals of any Five or more of them, to assign or charge all or any Part of the said respective Rates and Assessments to such Person or Persons as shall lend or advance any Money thereon as a Security for the Payment of the Principal Money so to be advanced, with Interest for the same, the Expence of such Assignment to be from Time to Time defrayed by the said Commissioners; and every such Assignment shall be in the Words, or to the Effect following :

‘ BY virtue of an Act passed in the Fifty-second Year of the Reign of King George the Third, intituled *An Act* [*here set forth the Title of this Act*], We, Five of the Commissioners appointed by and in pursuance of the said Act, in Consideration of the Sum of One hundred Pounds, advanced and lent by *A. B.* upon the Credit and for the Purposes of the said Act, do grant, bargain, sell, and demise unto the said *A. B.* his Executors, Administrators, and Assigns, such Proportion of the Rates and other Money arising by virtue of the said Act, as the said Sum of One hundred Pounds doth or shall bear to the whole Sum which may at any Time be borrowed or become due and owing or charged upon the Credit of the said Act, to be had and holden from this Day of _____ until the said Sum of _____ with Interest at Five Pounds *per Centum per Annum* for the same shall be repaid and satisfied.’

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

Money may be raised by Annuities.

XLIII. And be it further enacted, That in case the said Commissioners shall think it advisable or advantageous to raise all or any Part of the Money authorized to be borrowed under this Act, by the granting of Annuities for Lives or Life, instead of Assignments as aforesaid, it shall be lawful for them and they are hereby authorized and empowered by Writing under their Hands and Seals to grant Annuities to any Person or Persons who shall contribute, advance, and pay into the Hands of the Treasurer to the said Commissioners any Sum or Sums of Money not less than One hundred Pounds for the absolute Purchase of any Annuity or Annuities to be paid and payable during the natural Life of every such Person, or of such

Such Person as shall be nominated by or on the Behalf of such Contributor at the Time of the Payment of his, her, or their Contribution or Purchase Money, and either with or without Benefit of Survivorship, as the said Commissioners shall think proper; and the Grant of every such Annuity shall be in the Words, or to the Effect following:

‘ **WE**, Five of the Commissioners appointed by or in pursuance of an Act made in the Fifty-second Year of the Reign of King George the Third, intituled [*set forth the Title of the Act,*] in Consideration of the Sum of _____ paid by *A. B.* to *C. D.* the Treasurer appointed in pursuance of the said Act, do hereby grant unto the said *A. B.* his Executors, Administrators, and Assigns, an Annuity or yearly Sum of _____ out of the Rates, and other Money granted or arising by virtue of the said Act, which Annuity or yearly Sum of _____ shall be paid to the said *A. B.* his Executors, Administrators, and Assigns, by equal yearly Payments, upon the _____ Day of _____ and the _____ Day of _____ in every Year during the natural Life of _____ and the First Payment thereof shall be made upon the _____ now next ensuing the Date hereof. In Witness whereof we have hereunto set our Hands and Seals the _____ Day of _____

And every such Grant shall be good, valid, and effectual in the Law, without any Inrolment or Registry of the Memorial thereof in the High Court of Chancery or elsewhere, except as herein-after mentioned, any Law or Statute to the contrary thereof in anywise notwithstanding, shall be and is hereby charged upon, and shall be payable and paid by the Treasurer to the said Commissioners out of the said Rates and Assessments Money, according to the Grant of such Annuity.

XLIV. And be it further enacted, That it shall be lawful for the Persons entitled to any of the Securities for the Money to be borrowed on legal Interest as aforesaid, or to be raised by the granting of Annuities as aforesaid, and their respective Executors, Administrators, or Assigns, at any Time by Writing under their Hands and Seals, to transfer such Securities to any Person or Persons whomsoever, which Transfer may be in the Words, or to the Effect following:

‘ **I** *A. B.* being entitled to the Sum of _____ [*or, an Annuity of _____*] secured to *C. D.* his Executors, Administrators, and Assigns, by virtue of an Assignment [*for Grant of Annuity*] bearing Date the _____ Day of _____ under the Hands and Seals of _____ of the Commissioners acting in the Execution of an Act made in the Fifty-second Year of the Reign of King George the Third, intituled [*set forth the Title of this Act,*] upon the Credit or arising out of the Rates and other Money granted or payable by the said Act, do hereby transfer all my Right and Title in and to the same, and all Interest and other Money now due and owing thereon, unto *E. F.* his Executors, Administrators, and Assigns. Dated the _____ Day of _____

And Copies of all Assignments and Grants of Annuities which shall be made in pursuance of this Act, and Extracts or Memorials of all Transfers thereof, [*Loc. & Per.*] _____ 26 R _____

Securities for Monies lent and Annuities may be transferred.

Form of Transfer.

Transfer to be entered.

thereof, shall be entered in a Book to be kept for that Purpose by the Clerk to the said Commissioners; which Extracts or Memorials shall specify and contain the Dates, Names of the Parties, and the Sums of Money thereby transferred, to which Book any Person interested shall at all seasonable Times have Access, and shall have free Liberty to inspect the same without Fee or Reward; and for the Entry of every such Transfer the Clerk shall be paid by the Person to whom such Transfer shall be made the Sum of Five Shillings, and no more; and after such Entry made of any such Transfer, every such Transfer so entered shall entitle the Person to whom the same shall be made, and his or her Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred, without any Registry or Enrolment thereof.

Application
of the Money
raised.

XLV. And be it further enacted, That all the Monies to arise by or from the Duties, Rates, or Assessments hereby authorized or directed to be made, collected, or levied, and which may be borrowed on the Credit thereof, or advanced for Annuities thereupon as aforesaid, and also all other Money which shall come to the Hands, Custody or Power of the said Commissioners or their Treasurer, by virtue of or for the Purposes of this Act, shall be applied and disposed of in the First Place in the Payment and Discharge of all Costs, Charges, and Expences incident to and attending the obtaining and passing this Act, and afterwards from Time to Time in paying and discharging the Interest and Principal of the Monies to be borrowed and the Annuities to be granted by virtue of this Act, and towards defraying the Charges and Expences of paving, altering, repairing, or amending the Footpaths, and lighting and watching the said Roads, Streets, Squares, Lanes, and other Passages and Places, and all other Charges and Expences of carrying this Act into Execution, and to and for no other Use, Intent, or Purpose whatsoever.

Commission-
ers may direct
the Clerk to
prefer Indict-
ments.

XLVI. And be it further enacted, That it shall and may be lawful for the said Commissioners to direct their Clerk for the Time being to prefer Indictments against any Person or Persons for any Nuisance committed within or upon any of the said Roads, Streets, Lanes, Passages, and Places, and to pay the Expences thereof out of the Monies arising by this Act.

Recovery and
Application
of Penalties.

XLVII. And be it further enacted, That all Penalties and Forfeitures by this Act imposed, the Manner of levying and recovering whereof is not otherwise particularly directed, and the Costs and Charges of levying the same, shall be levied and recovered by Distress and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant of any Justice of the Peace for the said County of *Surrey*, or other Place or County where the Offender shall reside, which Warrant such Justice is hereby required to grant, upon the Confession of the Party or Parties, or upon the Information of any credible Witness upon Oath; and all such Penalties and Forfeitures when recovered shall, if not otherwise directed to be applied by this Act, be paid One Moiety to the Informer or Informers, and the other Moiety to the Treasurer to the said Commissioners; and in case of there being no Informer, or such Informer being a Commissioner, appointed under this Act, then the Whole shall be paid to the said Treasurer, such Payments to the said Treasurer to be applied for the Purposes of this Act; and in case sufficient Distress shall not be found, or such Penalties and For-

feitures shall not be paid forthwith, it shall be lawful for such Justice and he is hereby authorized and required by Warrant under his Hand and Seal to cause the Offender or Offenders to be committed to the Common Gaol or House of Correction for the County, Town, or Place, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months, unless such Penalties and Forfeitures, and all reasonable Charges attending the Recovery thereof shall be sooner paid and satisfied.

XLVIII. And be it further enacted, That in all Cases in the Execution of this Act, where any Matter or Thing is directed to be done, enquired of, or examined into, upon the Oath of any Witness or Witnesses, or other Person or Persons, before the said Commissioners, or any of them, or any Justice of the Peace, such Commissioners or Justice are or is hereby authorized to administer such Oath to such Witness or Witnesses, or other Person or Persons, and that in case of the Party or Parties from whom such Oath may be required being of the People commonly called *Quakers*, an Affirmation may and shall be made and taken instead of such Oath.

Justices may administer Oath to Witnesses.

XLIX. And be it further enacted, That any Person or Persons who shall be convicted of wilfully and corruptly taking a false Oath or Affirmation in any of the Cases in which an Oath or Affirmation is by this Act directed, required, or authorized to be taken, shall be liable to the Pains and Penalties to which Persons are liable for wilful and corrupt Perjury at common Law, by Statute or otherwise.

Punishing Persons swearing falsely.

L. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate or Assessment made in pursuance of this Act, after any Appeal made to the said Commissioners in Manner herein-before directed; or if any Person or Persons shall think himself, herself, or themselves aggrieved by reason of any Judgment, Conviction, or Determination of any Justice or Justices of the Peace acting in execution of this Act, or by reason of any of the Bye Laws, Rules, Orders, and Regulations of the said Commissioners by this Act authorized to be made, he, she, or they may appeal to the next General Quarter Sessions of the Peace to be holden for the said County of *Surrey*, which shall happen next after the Expiration of Twenty-one Days after the Cause of Complaint shall have arisen in every or either of such Cases, such Appellant or Appellants first giving or causing to be given Ten Days Notice at least in Writing of his, her, or their Intention to bring such Appeal, and of the Matter thereof, to the Clerk or Clerks to the said Commissioners, and within Five Days after such Notice entering into a Recognizance in the Sum of Fifty Pounds, with Sureties in the Sum of Twenty-five Pounds each, before some Justice of the Peace for the said County, conditioned for prosecuting such Appeal, and to abide the Order of and to pay such Costs as shall be awarded by the Justices at such General Quarter Sessions, and the said Justices at such General Quarter Sessions, upon due Proof of such Notice given as aforesaid, and of entering into such Recognizance (and not otherwise) shall hear and determine the Cause and Matters of such Appeal in a summary Way, and award such Satisfaction and Costs to the Party or Parties appealing or appealed against, as they the said Justices shall think proper; and the Determination of such Justices shall be final, binding, and conclusive.

Appeal.

LI. And

Delivery of
Notices.

LI. And be it further enacted, That where Notices or Summonses are directed or required to be given by this Act, or where the same shall or may be necessary for carrying into Execution any of the Powers thereof (except where otherwise directed), the Delivery of any Notice or Summons, or a true Copy thereof, to the Person or Persons to whom the same shall be directed, to whom Notice ought to be given, or the leaving the same or a true Copy thereof, at his, her, or their Dwelling House or Dwelling Houses, or usual or last Place or Places of Abode, shall be a good and sufficient Service of every such Notice or Summons.

Form of
Conviction.

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

County of } ' BE it remembered, That on the Day of
to wit. } ' in the Year of the Reign
' of His Majesty A.B. is convicted before
' of His Majesty's Justices of the Peace for the by
' virtue of an Act made in the Fifty-second Year of the Reign of His
' Majesty King George the Third, (*as the Case may be*), intituled *An Act*
' [*here insert the Title of this Act, and specify the Offence and the Evidence*
' *thereof, and the Time and Place when and where the same was committed,*
' *as the Case shall be*]. Given under my Hand and Seal the Day and
' Year aforesaid.'

Witnesses not
incompetent.

LIII. And be it further enacted, That in all Actions, Prosecutions, Informations, Causes, and Proceedings whatsoever relating to or concerning the Execution of this Act, none of the said Commissioners, nor their Clerk, Collector or other Officer or Servant, nor any Inhabitant within the said District, shall be deemed incompetent to give Evidence by reason of his being rated and assessed to or paying any Rate or Assessment, or filling or holding any Office by virtue of or under this Act; and every Justice as aforesaid, on any Complaint as aforesaid, may summon before him any competent Witness, under a Penalty not exceeding One hundred Pounds, to be paid by any such Witness so summoned and making Default, without sufficient Excuse to be allowed by such Justice, and shall give reasonable Costs to the Plaintiff or Defendant on the Determination of every such Complaint, which Costs shall be levied and paid as in Cases of Distress for Non-payment of any Penalty imposed by this Act.

Distress not
unlawful for
Want of
Form.

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

LV. And

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

Proceedings
not to be va-
cated for
Want of
Form.

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

Tender of
Amends
before Action
brought.

LVII. 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 or under this Act, after a sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, nor after the Expiration of Three Calendar Months from the Time of the Fact being committed; and every such Action or Suit shall be laid or brought in the County of *Surrey*, and not elsewhere; and the Defendant or Defendants in every such Action shall or may at his, her, or their Election, plead specially the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if the same shall appear to have been so done, or that such Action or Suit shall have been brought before Seven Days Notice thereof was given as aforesaid, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Expiration of the limited Time for bringing the same as aforesaid, or shall be brought in any other County, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited or discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgement shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover Treble Costs, and have such Remedy for the same as any Defendant hath in other Cases by Law.

Limitation of
Actions.

LVIII. And be it further enacted, That nothing in this Act contained shall extend, or be deemed, construed, or taken to extend to give to, authorize, or invest, the said Commissioners for putting this Act into Execution, or any Person or Persons whomsoever, with any Right, Power, or Authority, which may at all interfere with or lessen the Rights, Powers, or Authorities and Provisions heretofore granted by an Act passed in the

Saving the
Rights of
Trustees of
Surrey.

Twenty-sixth Year of the Reign of His present Majesty King George the Third, 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*; and also by an Act passed in the Forty-seventh Year of the Reign of His 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*; and also by an Act passed in the Forty-second Year of the Reign of His present Majesty, intituled *An Act for repealing an Act passed in the Twenty-fifth Year of the Reign of His present Majesty King George the Third, for more effectually repairing the Roads leading from the Stones End in Blackman Street, in the Borough of Southwark, in the County of Surrey, to Highgate, in the County of Suffex, and several other Roads therein mentioned; and for granting other Powers for those Purposes*; and that all and every the Clauses, Powers, Authorities, Provisoos, Regulations, Directions, and Provisions therein severally contained, and thereby severally granted, shall continue and be as full, ample, and effectual to all Intents and Purposes as if this Act had not been made.

Saving
Rights of
Trustees of
Kent Roads.

LIX. Provided also, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend to prejudice or derogate from, or in any Way whatever to interfere with or affect the Rights, Interests, Powers, and Authorities of the Trustees for putting in Execution Two certain Acts, the one passed in the Forty-second Year of His present Majesty's Reign, and intituled *An Act for repealing an Act passed in the Twenty-first Year of the Reign of His present Majesty, for repairing the Roads leading from the Stones End in Kent Street, in the Parish of Saint George Southwark, to Dartford, and other Roads therein mentioned, in the Counties of Kent and Surrey; and for more effectually repairing and improving the said Roads, and for lighting and watching or guarding the same, and also for increasing the Compositions payable in lieu of Statute Duty by the Parishes of East Greenwich and Saint Paul Deptford, to the Treasurer of the said Roads*; and the other passed in the Forty-ninth Year of the same Reign, and intituled *An Act for continuing, explaining, and amending an Act passed in the Forty-second Year of His present Majesty, for repairing and improving the Roads leading from the Stones End in Kent Street, in the Parish of Saint George Southwark, to Dartford, and other Roads therein mentioned, in the Counties of Kent and Surrey.*

Money advanced to be repaid with Interest.

LX. And be it further enacted, That if any Person or Persons shall advance and pay any Money towards defraying the Expences of obtaining and passing this Act, he, she, or they shall be repaid the same, together with lawful Interest, out of the first Monies to be raised by virtue of this Act.

Public Act.

LXI. 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.