



ANNO QUINQUAGESIMO SECUNDO

GEORGII III. REGIS.

Cap. 14.

An Act for better paving, cleansing, lighting, and watching the Streets, Lanes, and other public Passages and Places within the Manor of *Southwark*, otherwise called *The Clink* or *Bishop of Winchester's Liberty*, in the Parish of *Saint Saviour*, *Southwark*, in the County of *Surrey*.

[20th March 1812.]

WHEREAS by an Act passed in the Twenty-sixth Year of the Reign of His present Majesty, intituled *An Act for paving, cleansing, lighting, and watching the Streets, Lanes, and other public Passages and Places within the Manor of Southwark, otherwise called The Clink or Bishop of Winchester's Liberty, in the Parish of Saint Saviour, Southwark, in the County of Surrey; for the Removal of present and preventing of future Encroachments, Nuisances, and Annoyances therein; for laying out Two new Streets, and widening and regulating several other of the Streets and Passages within the said Liberty; for discontinuing the Passage through Globe Alley; and for shutting up in the Night-time the Way leading from Clink Street, in the said Liberty, to the River Side*; certain Persons were appointed Commissioners for the said Manor or Liberty, and certain Powers given and granted to such Commissioners and their Successors for the Purposes of paving, cleansing, lighting, watching, and otherwise improving the said Manor or Liberty: And whereas the said Commis-

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sioners

sioners have proceeded in the Execution of the Powers of the said recited Act, to the great Benefit of the said Manor or Liberty, but the Provisions of the said Act have been found inadequate to the several Purposes thereby intended; and it is expedient that the same should be altered, amended, and enlarged; and it would tend greatly to facilitate the Execution of the Purposes intended to be provided for by the said Act if the same was repealed, and further and better Provisions made for those Purposes: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the said recited Act, and all and every the Powers, Provisoes, Clauses, Articles, Matters, and Things therein contained, shall be and the same is and are hereby repealed and made void to all Intents and Purposes whatsoever.

Former Act
repealed.

Appointment
of Com-
missioners.

II. And be it further enacted, That *Robert Barclay, John Perkins, Gilbert Handasyde, John Hamer, John Cowell, John Fell the elder, Robert Pott, Arthur Pott, John Coventry, Thomas Davidson, Joseph Ball, Samuel Muggeridge, Thomas Fillmer, George Miles, John Whitehead, Thomas Amphlet, James Knott, William Lloyd, John Kilvington, John Jepson, Charles Bradley, John Crawford, William Tiffin, William Pridden, Robert Hills, Jonathan Wood, George Bradley, Edward Sells, William Hammock, William Denbeigh, Richard Jackson, John Smith, William Bowden, Joseph Samuel Partridge, Thomas Trapp, Isaac Day, George Russell, John Taylor, John Arnold, Thomas Godward, Robert Child, Francis Everleigh, Thomas Beath, John Pritchard, Thomas Rumsey the younger, Thomas Hack, John Fell the younger, Joseph Lowdell, Frederick Perkins, John Rawlinson Harris, Chamberlain Hinchcliffe, John Goodwin, George Acton, James Beadman, Thomas Jones, John Cowell the younger, James Potter, George Holditch, John Slee the younger, Thomas Fuce, George Sadler, Charles Potts, Thomas Horne, Timothy Smith, Henry Perkins, and Edward Perronet Sells, Gentlemen, being Householders within the said Manor, Clink, or Bishop of Winchester's Liberty, together with George Holme Sumner and Samuel Thornton Esquires, and the Knights of the Shire for the County of Surrey for the Time being, Sir Thomas Turton Baronet, and Henry Thornton Esquire, and the Members for the Borough of Southwark for the Time being, Peter Broadley, Robert Pott, Thomas Puckle, Thomas Ashness, and Thomas Griffith, and the Head Lessees of Southwark Park for the Time being, shall be, and they and their Successors, to be elected in manner herein-after mentioned, are hereby appointed Commissioners for putting this Act and the several Powers and Authorities hereby given and granted into Execution.*

For choosing
new Com-
missioners.

III. And be it further enacted, That when any Commissioner, being such Householder, shall die or remove out of the said Manor or Liberty, 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 Commissioners for the Space of One Year at any one Time, without a reasonable Cause, to be allowed by the said Commissioners, it shall be lawful for the surviving or remaining Commissioners from Time to Time, by Writing under their Hands, to elect some other Person, being a Householder of the said Manor or Liberty, to be a Commissioner in the

Place of every Commissioner so dying, removing, declining, or neglecting to act; but Notice in Writing of the Time and Place for every such Election shall be given by the Clerk to the said Commissioners, by his signing such Notice, and affixing or causing the same to be affixed on the Door of the Parish Church of *Saint Saviour, Southwark*, Eight Days at least before such Election; and every Person so elected is hereby vested with the same Powers for putting this Act into Execution as if he had been named a Commissioner in or by this 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 seised and 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 shall 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 any Sum not exceeding 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 received shall, after Payment of the extra 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 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 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, is and are hereby required and empowered to administer:

‘ I *A. B.* do swear [*or, being one of the People called Quakers, do 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 Enjoyment [*or Receipt*] of the Rents and Profits of a Real Estate of the clear yearly Value of Fifty Pounds over and above all Incumbrances, [*or possessed of or entitled to a Personal Estate of One thousand Pounds over and above the Payment of my Debts*]; 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.’

Provided always, 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

Qualifications of Commissioners.

Penalty on acting, if not qualified.

Their Oath.

Proceedings of Persons not qualified

as Commissioners, to be valid.

not duly qualified) previously to his or their 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.

Victuallers, &c. and Persons holding Places of Profit under this Act, not to act as Commissioners.

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 concerned in any Contract made by virtue of this Act, or in any Case where he shall be personally interested, upon pain of forfeiting and paying any Sum not exceeding the Sum of Ten Pounds for each Time of acting; but it shall and may be lawful for such of the said Commissioners who shall be in the Commission of the Peace for the said County of *Surrey* to act as Justices of the Peace in the Execution of this Act, notwithstanding their being Commissioners.

Justices of the Peace, being Commissioners, may act.

First and subsequent Meetings of Commissioners.

VI. And be it further enacted, That the said Commissioners, or any Five or more of them, shall, on the Second *Wednesday* next after the passing of this Act, meet together in the Committee Room in *Great Guildford Street* in the Parish of *Saint Saviour, Southwark*, between the Hours of Ten of the Clock in the Forenoon and One of the Clock in the Afternoon, and shall then and there proceed in the Execution of this Act, and shall afterwards meet at the Place aforesaid on the *Wednesday* in each and every Week, for the Purpose of carrying this Act into Execution.

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

VII. Provided always, and be it enacted, That it shall and may be lawful to and for the said Commissioners, or any Three or more of them, to adjourn for a longer or shorter Space of Time than the Weekly Meeting immediately subsequent to the last Meeting, or to any other Place or Places than the said Committee Room; 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.

For the Adjournment of Meetings.

Commissioners to pay their own Expences at all Meetings.

VIII. And be it further enacted, That if at any Time or Times it shall so happen that there shall not appear at any weekly, adjourned, or other Meeting, a sufficient Number of such Commissioners as are herein enabled to act at such Meeting, then and in every such Case every such Meeting shall be and be deemed to be adjourned to the Weekly Meeting immediately subsequent to such Meeting, and so *toties quoties*; and at all their Meetings such Commissioners shall pay their own Expences.

Meetings on Emergencies.

IX. And be it further enacted, That if after any Adjournment of any Meeting as aforesaid it shall at any Time or Times be thought necessary that a Meeting of the said Commissioners should be holden on an earlier Day than the Day to which such Meeting shall have been adjourned, then and in every such Case the Clerk to the said Commissioners (an Order in Writing,

Writing, being signed by any Three or more of the said Commissioners, mentioning the Time and Place and Purposes of such earlier Meeting, being given to him, or left at his last or usual Place of Abode,) shall forthwith give Notice of the Meeting to be holden on such earlier Day in manner before directed, and of the Time and Place which shall be mentioned in the Order of the said Commissioners, such Time not being less than Three Days after such Notice; and all Proceedings of such Commissioners at such earlier Meeting shall be as good and valid as they would have been in case such Commissioners had met in pursuance of any Adjournment.

X. And be it further enacted, That no Act of the said Commissioners shall be or be deemed to be good or valid, unless the same be done at some Meeting of the said Commissioners to be holden in pursuance of this Act; and that all the Powers and Authorities by this Act granted to or vested in such Commissioners shall and may from Time to Time be exercised by the major Part of them who shall be present at any Meeting to be holden as is herein directed, the Number of such Commissioners present at such Meetings not being less than Five (except in such Cases where a greater or less Number is herein particularly mentioned); and all the Orders and Proceedings of the major Part of such Commissioners present at such Meetings shall have the same Force and Effect as if the same were made and done by all such Commissioners for the Time being; and no Order or Proceeding made by Five Commissioners at such Meetings shall be revoked or altered, unless a Majority of the Commissioners present at a subsequent Meeting to be held for that 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 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,

No Act valid, except at a Meeting.

Majority present at Meetings may act.

Chairman to be appointed.

XI. And be it further enacted, That it shall and may be lawful to and for such Chairman, or to or for any Justice or Justices of the Peace in and for the said County of *Surrey* then present, to administer an Oath or Affirmation to any Person or Persons, for the more certain Information of the said Commissioners, in any Matter or Business then depending; and if any Person or Persons shall, upon his, her, or their Examination upon Oath or Affirmation before the said Commissioners, wilfully and corruptly give false Evidence, such Person or Persons so offending, and being thereof duly convicted, shall be, and he, she, and they is and are hereby declared to be subject and liable to such Pains and Penalties as by any Law now in being Persons convicted of wilful and corrupt Perjury are subject and liable to.

Chairman to administer an Oath.

XII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or the major Part of them present at any General Meeting to be holden in pursuance of this Act, the Number of such Commissioners present at such Meeting not being less than Five, (of which Meeting Notice in Writing, or printed, with the Name of the Clerk

Commissioners empowered to make Bye Laws

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to the said Commissioners affixed thereto, shall be given to or left for each Commissioner at his last or usual Place or Places of Abode Two Days at least before such Meeting,) from Time to Time to make such Bye Laws, Rules, Orders, and Regulations, for the better regulating their own Proceedings at any of their Meetings, and of enforcing and rewarding the good Conduct and Behaviour of the several Officers and Servants employed by the said Commissioners in the Execution of this Act, and for the Application of the several Monies that may be levied, collected, or received by virtue of this Act, to the Purposes thereof; and likewise from Time to Time to vary, alter, amend, or repeal all or any of such Bye Laws, Rules, Orders, and Regulations, and to fix and appoint all such reasonable Fines and Penalties for the Breach or Nonperformance of any such Bye Law, Rule, Order, or Regulation, or any Part thereof, as to them shall seem right and proper, so that no such Fine or Penalty shall exceed the Sum of Ten Pounds; and all such Bye Laws, Rules, Orders, and Regulations, when so made, and all Alterations, Variations, and Amendments thereof, shall be printed and affixed to the Door or Doors of the Committee Room of the said Commissioners; and all such Bye Laws, Rules, Orders, and Regulations, when so made and affixed, shall be good and binding upon all Persons concerned, provided that the same be not inconsistent with or repugnant to the Laws of that Part of the United Kingdom called *England*, nor inconsistent with or repugnant to the Provisions and Directions in this Act contained.

Bye Laws
not to be
repealed
without No-
tice.

XIII. Provided always, and be it enacted, That no such Bye Law, Rule, Order, or Regulation, when so made and printed by the said Commissioners, shall be varied, altered, amended, or repealed, save and except at some Meeting to be holden for that Purpose, of which Meeting, and of the Purposes thereof, Seven Days Notice at the least, either written or printed, with the Name of the Clerk or Clerks to the Commissioners annexed thereto, shall be given to or left at the last or usual Place of Abode of each and every such Commissioner.

Entries of
Proceedings
good Evi-
dence.

XIV. And be it further enacted, That fair and regular Entries shall be made, in a Book or Books to be provided for that Purpose, of all the Acts, Orders, Bye Laws, Rules, Regulations, Directions, and Proceedings of the said Commissioners relative to the Execution of this Act, and of the Names of the Commissioners who shall be present at the respective Meetings, and the same shall be subscribed by the Chairman of the respective Meetings; and all such Entries, being so signed, shall be deemed Originals, and shall be allowed to be read in Evidence in all Courts whatsoever, in all Causes, Suits, and Actions touching any thing done in pursuance 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 other seasonable Times, be open and liable to the Inspection of the said Commissioners, and of the Bishop of *Winchester* and his Successors, and his and their Steward and Bailiff of the said Manor, or their Deputies, and of all Persons rated and assessed, and having paid all and every the Rate or Rates to be made by the said Commissioners for the Purposes of this Act, or otherwise affected thereby.

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

XV. 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
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no Action that may be brought or commenced by or against the said Commissioners, or any of them, by virtue or in pursuance 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 said 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 any 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.

XVI. And be it further enacted, That each and every Collector of the Rates, and the Treasurer, and each and every Clerk, Agent, Beadle, Street Keeper, and other Officer and Servant nominated and appointed by virtue of the said recited Act, shall hold and enjoy their several and respective Offices and Employments, together with the several and respective Salaries, Gratuities, and Allowances thereto annexed, until he, she, or they shall be removed therefrom respectively by the Commissioners acting by virtue of this Act; and every such Collector and Treasurer, and every such Clerk, Agent, Beadle, Street Keeper, and other Officer and Servant, shall be subject to the like Pains and Penalties and Power of Removal, and to the like Rules and Regulations, as if he, she, or they had been nominated or appointed by virtue of this Act.

Officers appointed by former Act to continue until removed.

XVII. And be it further enacted, That the said Commissioners may and they are hereby empowered, by Writing under their Hands, to appoint a Treasurer or Treasurers, Surveyor or Surveyors, Clerk or Clerks, Collector or Collectors, and also such other Officers and Persons for the Execution of this Act, as the said Commissioners shall think proper, and from Time to Time to remove such Officers and Persons respectively, as the said Commissioners shall see Occasion, and out of the Monies to be received by virtue of this Act to allow and pay such Salaries, Wages, and Allowances to the said Officers and other Persons as the said Commissioners shall think reasonable; and the said Commissioners shall and they are hereby required to take sufficient Security from every such Treasurer and other Officer, for the due Execution of his Office, as they shall think proper; and all such Officers so to be appointed shall, under their Hands, at such Time or Times and in such Manner as the said Commissioners shall direct, deliver to the said Commissioners, or to such Person or Persons as they shall 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 the Monies which shall have been by such Officers respectively received by virtue and for the Purposes of this Act, and how much thereof hath been expended and disbursed, and for what Purpose, together with proper Vouchers for such Payments, and shall pay all such Monies as shall remain due from them respectively to the said Commissioners, or to such Person or Persons as they shall appoint to receive the same; and every such Treasurer and other Officer shall, when thereunto required by the said Commissioners, lay his Accounts before the said Commissioners, in order that the same may be audited, passed, and allowed

Commissioners to appoint Officers and remove them, and allow them Salaries, &c.

allowed by them, if approved of ; and all the said Officers so accounting as aforesaid shall, upon Oath, (which Oath any one of the said Commissioners is hereby empowered to administer,) verify their said Accounts ; and if any such Officer shall refuse or neglect to make and render, or to verify upon Oath, any such Account, or produce and deliver up the Vouchers relating to the same, or to make Payments as aforesaid, or shall refuse or wilfully neglect to deliver to the said Commissioners or to such Person or Persons as they shall appoint to receive the same, within Seven Days after being thereunto required by the said Commissioners by Notice in Writing given to or left at the last or usual Place of Abode of such Officer, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, or give Satisfaction to the said Commissioners respecting the same, then and in every such Case, upon Complaint made by the said Commissioners, or by such Person or Persons as they shall appoint for that Purpose, of any such Refusal or wilful Neglect as aforesaid, to any Justice of the Peace for the County, City, or Place wherein such Officer so refusing or wilfully neglecting shall be or reside, such Justice may and he is hereby authorized and required to issue a Summons or Warrant under his Hand and Seal for the Officer so refusing or neglecting to appear before him, and upon his appearing, or having been summoned and not appearing, without some reasonable or sufficient Excuse, 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 by the Testimony of any credible Witness or Witnesses upon Oath, (which Oath such Justice is hereby empowered to administer,) it shall appear to such Justice that any of the Monies that shall have been collected and raised by virtue of this Act shall remain due from such Officer, such Justice may and he is hereby authorized and required, upon Nonpayment 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 Officer ; and if no Goods or Chattels of such Officer can be found sufficient to answer and satisfy the said Money, and the Charges of distraining and selling the said Goods and Chattels, or if it shall appear to such Justice that such Officer shall have refused or wilfully neglected to render and give such Account, or to verify the same as aforesaid, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of this Act shall be in the Custody or Power of such Officer, and he shall have refused or wilfully neglected to deliver or give Satisfaction respecting the same as aforesaid, then and in each and every such Case such Justice shall commit such Offender to the Common Gaol or House of Correction for the County, City, or Place where such Offender shall be or reside, 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 have compounded with the said Commissioners for such Money, and shall have paid such Composition in such Manner as they shall appoint, (which Composition the said Commissioners are hereby empowered to make and receive,) and until he shall deliver up such Books, Papers, and Writings, or give Satisfaction in respect thereof, to the said Commissioners ; but no such Offender shall be detained or kept in such Common Gaol or House of Correction for want of sufficient Distress, by virtue of this Act, for any longer Space of Time than Six Calendar Months.

XVIII. And be it further enacted, That all and every Collector, Clerk, and all and every other Person and Persons appointed by virtue of, or acting or who have acted in execution of the said recited Act, who shall have in his, her, or their Custody or Power any Monies collected by virtue of, or any Books, Papers, or Writings relating to the Execution of the said recited Act, shall, when thereunto required by Notice in Writing, signed by any Five or more of the said Commissioners, given to him, her, or them, or left at his, her, or their last or usual Place or Places of Abode, within Ten Days after the Receipt of such Notice, deliver up to the said Commissioners, or to such Person or Persons appointed by them for that Purpose as aforesaid, at the Time and Place to be mentioned in such Notice, all the Monies received by him, her, or them by virtue of the said recited Act, and all the Books, Papers, and Writings relating to the Execution thereof, and all the Accounts of the several Monies received or disbursed by him, her, or them, together with the Vouchers relating thereto; and if any such Collector, Clerk, or other Person shall refuse or wilfully neglect to make and render any such Account, or to produce and deliver up the Vouchers relating thereto, or to make Payment as aforesaid, or shall refuse or wilfully neglect to deliver up, in manner aforesaid, all Books, Papers, and Writings relating to the Execution of the said recited Act, or give Satisfaction to the said Commissioners in respect of the same, then and in every such Case it shall and may be lawful to and for any Justice of the Peace for the County, City, or Place wherein such Collector, Clerk, or other Person so refusing or neglecting shall be or reside, upon Complaint made to him by the said Commissioners, or by such Person or Persons as they shall appoint for that Purpose, and he is hereby authorized and required, to issue a Summons or Warrant under his Hand and Seal for the Collector, Clerk, or other Person so refusing or neglecting, to appear before him, and upon his or her appearing, or having been summoned and not appearing, or not being to be found, after due Endeavour used for that Purpose, 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 empowered to administer,) it shall appear to such Justice that any of the Monies that shall have been collected or received by virtue of the said recited Act shall be due from such Collector, Clerk, Agent, or other Person, such Justice may and he is hereby authorized and required, upon Nonpayment thereof, by Warrant under his Hand and Seal, to cause such Money to be raised by Distress and Sale of the Goods and Chattels of such Collector, Clerk, or other Person as aforesaid; and if no Goods or Chattels of such Collector, Clerk, or other Person can be found sufficient to answer and satisfy the said Money, and the Charges of distraining and selling such Goods and Chattels, or if it shall appear to such Justice that such Collector, Clerk, Agent, or other Person shall have refused or neglected to render and give such Account, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of the said recited Act shall be in the Custody or Power of such Collector, Clerk, Agent, or other Person, and he, she, or they shall have refused or neglected to deliver or give Satisfaction respecting the same as aforesaid, then and in each and every such Case such Justice shall commit such Offender to the Common Gaol or House of Correction of the County, City, or Place where such Offender shall be or reside, there to remain, without Bail or Main-

Officers acting under the Act repealed to account to the Commissioners under this Act.

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prize, until he or she shall give and make a true and perfect Account, and make Payment as aforesaid, or until he or she shall have compounded with the said Commissioners for the said Money, and shall have paid such Composition in such Manner as they shall appoint, (which Composition the said Commissioners are hereby empowered to make and receive,) and until he or she shall deliver up all such Books, Papers, and Writings, or give Satisfaction in respect thereof, to the said Commissioners; but no such Offender shall be detained or kept in such Common Gaol or House of Correction for Want of sufficient Distress, by virtue of this Act, for any longer Space of Time than Six Calendar Months.

Balance of Money received and not paid over at the Time of the Collector's Death to be paid by the Executors of the Deceased's Estate.

XIX. And be it further enacted, That if any Collector or Receiver shall happen to die before he or they shall have fully paid and satisfied all the Money by him received by virtue of this Act, then and in every such Case the Executors or Administrators, Executrix or Administratrix, or the legal Representative or Representatives, or Person or Persons possessing the late Estate and Effects of every such Person, shall out of such Estate or Effects pay to the Treasurer or Treasurers for the Time being under this Act all such Sums of Money by such Collector or Receiver so received and not paid, or so much thereof as the said Estate or Effects will extend to pay, and the Receipt of the said Treasurer or Treasurers shall be a good Discharge for such Money; and every Executor or Administrator, or other Person as aforesaid, may, to any Action or Suit commenced or brought against him, her, or them, plead or give in Evidence the Payment of the same, and shall be allowed Payment of the same out of such Estate or Effects; and in case of Nonpayment of the same by the Space of Thirty Days after the same shall be demanded, it shall and may be lawful to and for the said Treasurer or Treasurers for the Time being, and he or they is and are hereby directed and required, in his or their own Name or Names, to commence and bring One or more Action or Actions in any of His Majesty's Courts of Record at *Westminster* against such Executors or Administrators, or other Person or Persons as aforesaid, for the Recovery of the same.

No Prosecution of any Collector to discharge his Securities.

XX. And be it further enacted, That no Prosecution or Commitment of any Collector appointed by virtue of this Act shall acquit or discharge any Security or Surety that shall or may have been taken by or given to the Commissioners or any of them for the due and faithful Execution of the Office of Collector, or the Payment of the Money to be received by him as aforesaid.

Officers not to take any Fee or Reward besides the Salary.

XXI. And be it further enacted, That if any Person who shall be employed as a Clerk, Treasurer, Collector, or Surveyor, or any other Officer or Servant who shall be anywise employed by the said Commissioners in putting this Act or any the Powers thereof in execution, shall exact, take, or accept any Fee or Reward whatsoever, other than such Salaries, Allowances, and 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 the putting this Act into Execution, or shall anywise be concerned or interested in any Bargain or Contract made or to be made by the said Commissioners, or any of them, for the Purposes of putting this Act in execution, 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 at Law, or more than One Imparance, shall be allowed.

XXII. And be it further enacted, That all and every Contract and Contracts, Deed and Deeds, Agreement and Agreements, still existing and entered into and made by virtue and in pursuance of the Directions of the said recited Act, shall be and be deemed to be as good, valid, and effectual as if the said recited Act had not been repealed, and the Observance and Performance thereof may be enforced and compelled by such Ways and Means as the Observance and Performance of any Contract or Agreement made by virtue of this Act may be enforced and compelled.

Contracts under former Act valid.

XXIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to enter into any Contract or Contracts for paving, flagging, repairing, cleansing, watering, and lighting the several Streets, Lanes, Courts, Yards, Alleys, Passages, and Places within the said Manor or Liberty, or any of them, or for furnishing Materials, or any other Matters or Things whatsoever necessary for the Purposes of this Act; but before any such Contract or Contracts shall be entered into, Ten Days Notice at the least shall be given in some public Newspaper circulated in the said County of *Surrey*, expressing the Purpose or Purposes of such Contract or Contracts, in order that any Person or Persons willing to undertake the same may make Proposals for that Purpose, to be offered to the said Commissioners at a certain Time and Place in such Notice to be mentioned; and the said Commissioners shall and they are hereby required to take Security from every such Contractor for the due Performance of his or her Contract.

Commissioners may make Contracts for paving, &c.

XXIV. And be it further enacted, That no such Contract or Contracts shall be deemed good or valid, if the same shall be made for a longer Space or Term than Three Years from the Time of entering into such Contract or Contracts.

Contracts not to be entered into for more than Three Years.

XXV. And be it further enacted, That every such Contract or Contracts shall specify the several Works to be done, and the Prices to be received or paid for the same, and the Time or Times when the said Works are to be completed, and the Penalties to be suffered in case of Nonperformance thereof, and shall be signed by the said Commissioners, or any Five or more of them, and also by the Person or Persons contracting to perform such Works respectively, which Contract or Contracts shall be entered in a Book or Books to be kept for that Purpose by the Clerk to the said Commissioners.

Contracts to be signed by the Commissioners.

XXVI. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby directed to cause all and every the Works done in pursuance of this Act to be inspected by their Surveyor or Surveyors, or by such other Person or Persons as they shall from Time to Time appoint; and in case the same shall not be well and sufficiently performed

Surveyors, &c. to inspect the Works.

performed, according to the true Sense and Meaning of such Contract or Contracts, or shall not be finished and completed at or within the Time or Times that the same are agreed to be completed by the said Contract, the said Commissioners shall and may bring an Action in any of His Majesty's Courts of Law at *Westminster* against the Person or Persons so contracting or neglecting to perform such Contract or Contracts, and for any Penalty or Penalties, Damage or Damages which shall be contained in such Contract or Contracts; and upon proving the Signature or Signatures to the said Contract or Contracts, and Nonperformance thereof at the Time or Times for the Purposes therein mentioned, the said Commissioners shall be entitled to and shall recover such Penalty or Penalties, Damage or Damages, which when recovered shall be applied for the Purposes of this Act.

Contracts between Landlord and Tenant concerning paving the Streets, not vacated by this Act.

XXVII. Provided always, and be it further enacted, That nothing in this Act contained shall be deemed or taken to make void any Contract, Covenant, or Agreement made between Landlord and Tenant, touching or concerning the paving of the said Streets, Lanes, Courts, Yards, Alleys, Passages, and Places, any or every Part thereof, but that every Person who is now by virtue of any such Contract or Agreement obliged to pave and keep in repair any Part of the said Streets, Lanes, Courts, Yards, Alleys, Passages, or Places, or any of them, shall in lieu thereof be obliged to pay the Rates hereby directed to be made and assessed, or so much thereof as shall by the said Commissioners be deemed just and reasonable, according to the true Meaning of such Contract, Covenant, or Agreement, for and during such Time as such Contract, Covenant, or Agreement shall remain in force; and in case any Dispute shall arise concerning such Contract, Covenant, or Agreement, the said Commissioners shall have Power and they are hereby required to hear and finally determine the same.

Corporation, &c. liable to paving to remain so, but may compound.

XXVIII. Provided always, and be it further enacted, That where any Part of the Pavement of any of the said Streets or other Places hath or have been accustomed or ought to be paved and repaired by any particular Parish or Parishes, Bodies Politic or Corporate, and not by the Owners or Occupiers of the Houses or other Buildings adjoining to the respective Pavements, the same shall be paved and repaired at the Expence of the respective Parish or Parishes, Bodies Politic or Corporate, by the Pavior or Pavors contracted with or employed by the said Commissioners: Provided always, that it shall be lawful for the said Commissioners from Time to Time to compound and agree for the same with any such Parish or Parishes, or Bodies Politic or Corporate, for a certain Sum of Money by the Foot, or other Measure, as the said Commissioners shall think reasonable.

Power to make and complete a new Street from Maid Lane to Bankside, and to widen the East End of Maid Lane.

XXIX. And whereas Powers were given by the said recited Act to widen and improve a certain Street or Way called *Maid Lane*, and also to take down certain Houses in *Globe Alley*, be it therefore enacted, That from and after the passing of this Act it shall be lawful for the said Commissioners to order and direct a new Street or Way from *Maid Lane*, through or near the *Pond Yard*, to a Place called the *Bankside*, in the said Manor or Liberty, to be laid out, made, and completed, and to order and direct the said Lane called *Maid Lane* to be widened at the East End thereof,

thereof, by taking down certain ruinous Houses and Buildings on the South Side thereof, beginning Eastward at a House and Yard now or late in the Occupation of *John Green*, and ending Westward at a Smith's Shop now or late in the Occupation of *Pattin* and Company, and also to take down and remove all the Houses and Buildings in *Globe Alley*, adjoining the Premises of the said *John Green*, and which Premises are now in a very ruinous Condition, and to lay the Sites thereof, or so much as they the said Commissioners shall think proper, into the said Lane, so as to make it of a Width proper for the Passage of Carriages and for Foot Passengers; and for those Purposes to treat, contract, and agree with the Owners, Proprietors, and Occupiers and Persons interested in or entitled to all the Houses and Buildings therein, and described in the Schedule to this Act annexed, and also with the Proprietors and Occupiers of and Persons interested in the Lands and Tenements necessary for the opening and completing the said new Street through or near the Pond Yard, for so much and such Part of any, every, or either of the said Houses, Buildings, Lands, and Tenements as the same now are or late were the Property of or in the Occupation of the several Persons named in the said Schedule hereunto annexed, and so much and such Part of the Ground belonging to the said Houses, Buildings, and Tenements, or on which the same stand, as shall be sufficient and necessary for the Purposes aforesaid, for the absolute Purchase thereof.

XXX. Provided always, and be it further enacted, That if any or either of the Premises mentioned in the said Schedule to this Act annexed, or the Persons in whose Possession they are stated to be, shall happen to be misnamed or improperly described, such Misnomer or inaccurate Description shall not prevent or retard the Execution of this Act, but the same Premises shall and may be taken and used for the Purposes of this Act in such and the same Manner in all respects as if the same were properly and accurately named and described.

Misnomers
not to prevent
the Execution
of this
Act.

XXXI. And whereas Powers were given by the said recited Act for stopping up the Passage through *Globe Alley*, and by the widening of the said Lane called *Maid Lane*, it would be unnecessary to continue any Passage through the said Alley called *Globe Alley*; be it therefore further enacted, That it shall be lawful for the said Commissioners and they are hereby empowered immediately after the passing of this Act to stop up the said Alley from *Park Street* so far as the Premises of *Barclay* and Company extend; and that when and so soon as the several Houses and Buildings in the said Alley shall be taken down by virtue of this Act, it shall be lawful for the said Commissioners and they are hereby required to stop up the Remainder of the said Alley; and the Passage through the same shall then be and the same is hereby discontinued.

For stopping
up *Globe*
Alley.

XXXII. And whereas the Stairs at the End of the Passage leading from *Clink Street* to the River Side are not much used, especially in the Night-time, and there is a very convenient public Landing Place within a small Distance thereof, and Powers were therefore given by the said recited Act for stopping up the same during certain Times; be it therefore further enacted, That it shall be lawful for the said Commissioners and they are hereby empowered to cause the said Passage to be locked up every Night from Eight of the Clock till Six in the next Morning from *Michaelmas*

For locking
up Passage to
Saint Mary
Overies Stairs
in the Night-
time.

[*Loc. Et Per.*]

3 N

to

to *Lady Day*, and from Ten at Night till Four in the Morning from *Lady Day* to *Michaelmas*: Provided always, that the said Commissioners shall provide a Key for the said Bishop of *Winchester* and his Successors, and his and their Lessee or Lessees, of the Wharf adjoining, and their Tenants and Occupiers of the same, for the Purpose of his and their using the said Stairs when necessary.

Commissioners may improve Streets, &c.,

and may purchase Premises for that Purpose, with Consent.

XXXIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to alter, widen, turn, extend, and improve any of the Streets, Lanes, Courts, Yards, Alleys, Passages, and Places within the said Manor or Liberty, and to lengthen, continue, and open the same from the Sides and Ends of any Streets, Lanes, Courts, Yards, Alleys, Passages, and Places within the same Manor or Liberty, into any other Street, Lane, Court, Yard, Alley, Passage, or Place, and to raise, level, lower, drain, ballast, and pave such new Part or Parts of any such Streets, Lanes, Courts, Yards, Alleys, Passages, 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, Courts, Yards, Alleys, Passages, and Places within the said Liberty, 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, Tenements, 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 the said Streets, Lanes, Courts, Yards, Alleys, Passages, and Places; and all such new Part of such Streets, Lanes, Courts, Yards, Alleys, Passages, 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 to which and in the same Manner as the present Streets, Lanes, Courts, Yards, Alleys, Passages, and Places within the said Manor or Liberty, and the Owners and Occupiers of Houses, Buildings, and Premises therein and adjoining thereto, are liable and subject.

Persons not inclined to sell the whole may

XXXIV. Provided always, and be it further enacted, That if the Owner, Lessee, or Occupier of any of the Premises described or mentioned in this Act as necessary and proper to be purchased and taken down, shall

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not

not be inclined to sell or part with their Interest in the whole of the said Premises, and the said Commissioners shall not find it necessary to take the whole for the Purposes of making or widening any of the Streets, Lanes, Courts, Yards, Alleys, Passages, or Places in this Act mentioned or described, and the several Parties cannot agree as to the Price to be paid for the Part which the said Commissioners shall think necessary to purchase, then and in such Case the Jury who shall be summoned to view and value the Premises shall assess the Value of the whole of the said Premises in such and the same Manner as is directed in and by this Act, and according to the Condition in which the same are at the Time of taking such View, and also the Value of that Part of the Premises which will remain after the said Commissioners shall have taken away so much as they shall think necessary for making, widening, and improving the said Streets, Lanes, or Places; and the Jury having made such Valuations, the Difference between them shall be the Price to be paid by the Commissioners for that Part which they shall have Occasion for; and the said Price so to be paid shall be divided amongst the several Persons interested in the Premises by Leases or otherwise, in such Proportions as the Jury so assembled shall assess and ascertain.

sell a Part of their Houses, &c.

XXXV. 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, or 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 Conveyances 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 the 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 that 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.

Bodies Politic, &c. may contract for Sale.

XXXVI. And be it further enacted, That every Sum of Money to be agreed for or assessed as herein mentioned shall be paid out of the Monies

On Payment of Purchase Money Pre-
to

mises to be conveyed.

to be raised by virtue of this Act to the Parties or Persons respectively entitled to such Monies, or to their Agents, or into the Bank of *England*, for the Purpose of being disposed of in the Manner herein-after directed; and upon Payment thereof, 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, shall vest in the said Commissioners for the only Uses and Purposes of this Act, 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 every Person having an Estate in the said Premises had actually conveyed the same by Lease and Release, Bargain and Sale inrolled, Feoffment with Livery and 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 Fine or Recovery would do if levied or suffered by the proper Parties in due Form of Law.

Mortgagees to assign on Tender of Principal and Six Calendar Months Interest;

or on Six Months Notice.

XXXVII. 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, 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 Six 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 Six Calendar Months, to be computed from such Notice given, shall be due on such Mortgage, that then at the End of the said Six Calendar Months, on Payment or Tender of the Principal or 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: Provided always, that in case the Sum due upon any such Mortgage or Mortgages, with all Interest due thereon, shall amount to more than the real Value of the Premises to be ascertained as directed by this Act, then the said Commissioners shall not be liable to pay the Mortgagee or Mortgagees more than the real Value of such Premises so ascertained as aforesaid: Provided also, that in case any such Mortgagee shall neglect or refuse to convey or assign as aforesaid, then, upon Payment of the Principal Money

Money and Interest due on any Mortgage as aforesaid into the Bank of *England*, at the End of Six Calendar Months from the Day of giving such Notice as aforesaid, for the Use of the Mortgagee or Mortgagees, the Cashier or Cashiers of the Bank shall give a Receipt or Receipts for the said Money in like Manner as is herein directed in Cases of other Payments into the Bank; and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of the said Mortgagee or Mortgagees, and of all and every Person and Persons in Trust for him, her, or them, shall vest in the said Commissioners, and they shall be deemed to be in the actual Possession of the Premises comprised in such Mortgage or Mortgages, to all Intents and Purposes whatsoever: Provided also, that if such Mortgage or Mortgages shall comprise any other Lands, Tenements, or Hereditaments, than those which shall be so purchased or taken by the said Commissioners, such Mortgagee or Mortgagees shall, upon Payment or Tender of the Sum so ascertained as the Value of the said Lands, Tenements, or Hereditaments as aforesaid, forthwith convey, assign, and transfer his, her, or their Interest in such Lands, Tenements, or Hereditaments to the said Commissioners, or to such Person or Persons as shall be appointed in Trust for them; and in default of their so doing, and on Payment of such Money into the Bank of *England* for the Use of the Mortgagee or Mortgagees, the Cashier or Cashiers of the Bank shall give such Receipt or Receipts as above-mentioned; and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of the said Mortgagee or Mortgagees, and of all and every Person and Persons in Trust for them, in the said Lands, Tenements, or Hereditaments, the Value whereof shall have been so ascertained and paid into the Bank as aforesaid, shall vest in the said Commissioners, and they shall be deemed to be in the actual Possession of the said Premises to all Intents and Purposes whatsoever; and such Sums of Money shall be deducted from the Amount of the Principal and Interest due to such Mortgagee or Mortgagees by virtue of such Mortgage or Mortgages.

XXXVIII. Provided always, and be it further enacted and declared, That if any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, Aggregate or Sole, shall be applied to, by or on behalf of the said Commissioners, to treat for, sell, dispose of, or convey, for the Purposes aforesaid, any Part or Parts of any House or Premises in the actual Occupation of one Tenant, or of several joint Tenants, and the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, shall by Notice in Writing, to be left with the Clerk of the said Commissioners within Fourteen Days next after such Application, signify his, her, or their Inclination or Desire to treat for, sell, dispose of, and convey the whole of such House or Premises, then and in every such Case the whole of such House and Premises shall be deemed, taken, and held to be necessary to be purchased for the Purpose aforesaid; and if it shall happen that the said Commissioners shall not think proper or be willing to purchase the whole of such House or Premises, then and in every such Case nothing in this Act contained shall extend or be construed to extend to compel the Owner or Owners, Occupier or Occupiers thereof, to treat for, sell, dispose of, or convey any Part of such House and Premises, any thing herein-before contained to the contrary thereof in anywise notwithstanding.

In what Manner Houses, &c. may be purchased.

Tenants to
quit on No-
tice given.

XXXIX. And be it further enacted, That in case the said Commissioners, or any Person authorized by them, shall, after the said Houses, Buildings, Lands, Tenements, and Premises shall be purchased by them in pursuance of this Act, give Six Calendar Months Notice in Writing to the Tenants or Occupiers respectively of any such Premises so purchased, to quit or deliver up such Premises at the Expiration of such Six Calendar Months, then every such Tenant or Occupier shall at the End of such Term peaceably and quietly deliver up the Possession of the Premises so by him or her respectively occupied, whether upon Lease or otherwise, to the Person or Persons who shall be appointed by the said Commissioners to take Possession thereof; and if any Person or Persons so in Possession shall refuse to give up such Possession at the Expiration of such Six Calendar Months after every such Notice as aforesaid, it shall be lawful for the said Commissioners to issue a Precept or Precepts to the Sheriff of the said County of *Surrey*, to cause Possession thereof to be delivered to such Person or Persons who shall be in such Precept or Precepts nominated to receive the same, and to direct the said Sheriff to levy such Costs as shall accrue by means of the issuing and Execution of every such Precept by Distress and Sale of the Goods and Chattels of any Person or Persons who shall have refused to give up such Possession as aforesaid, and shall refuse or neglect to pay the same Costs, and the said Sheriff is hereby required to deliver Possession and levy such Costs in manner aforesaid: Provided always, that in case any such Tenant or Occupier shall be required to quit Possession of any such Houses, Buildings, Lands, Tenements, or Premises, before the Expiration of his or her Term therein, then and in every such Case the said Commissioners shall and they are hereby required to make Satisfaction and Compensation to every such Tenant or Occupier for such Determination of his or her Term; and in case any Dispute or Difference shall arise concerning the Amount of such Satisfaction and Compensation, the same shall be settled and determined in such and the like Manner as the Satisfaction to be made for the Purchase of any Lands, Tenements, or Hereditaments to be taken or made use of for the Purposes of this Act, is herein directed to be settled and determined.

If Parties are
dissatisfied,
or refuse or
are unable to
treat, &c.
a Jury to be
impanelled,
to decide the
Matter.

XL. And for settling all Differences which may arise between the said Commissioners and the several Owners of or Persons interested in any Lands, Houses, Erections, Cellars, Steps, Projections, Encroachments, Tenements, or Hereditaments which shall or may be taken, used, affected, or prejudiced by reason of the Execution of any of the Powers hereby granted, be it further enacted, That if any Body Politic, Corporate, or Collegiate, or any other Person or Persons so interested for and on his, her, or their Part or Parts, or for or on the Part of his, her, or their Cestuique Trusts, or of any other incapacitated Person or Persons as aforesaid, shall refuse to accept such Purchase Money or other Compensation as shall be offered by them the said Commissioners, or their Agents by or on their Behalf, and shall give Notice thereof in Writing to the Clerk for the Time being to the said Commissioners within Twenty-one Days next after such Offer shall have been made, and the Party or Parties giving such Notice as aforesaid shall therein request that the Matter or Matters in dispute may be submitted to the Determination of a Jury, or if any Body Politic, Corporate, or Collegiate, or any other Person or Persons seised or possessed of or interested in any such Lands, Houses, Cellars, Steps, Projections, Encroachments, Tenements, or other Hereditaments

as aforesaid, shall refuse to treat or agree, or shall not agree, or by reason of Absence or Disability cannot agree with the said Commissioners, or with any Person or Persons authorized by them, for the Sale and Conveyance of their respective Estates and Interests therein, or cannot be found or known, or shall not produce and evince a clear Title to the Premises they may be in Possession of, or to the Interest they shall claim therein, to the Satisfaction of the said Commissioners, or of the Person or Persons authorized by them, then and in every such Case the said Commissioners shall and they are hereby empowered and required from Time to Time to issue a Warrant to the Sheriff of the County in which such Lands, Tenements, or Hereditaments shall lie, or the Matter in question or dispute shall arise, or in case such Sheriff or his Under Sheriff shall happen to be One of the said Commissioners, or shall enjoy any Office of Trust or Profit under them, or shall be otherwise interested in the Matter or Matters in question, then to the senior Coroner of the said County, and in case he shall be so interested, then to the next Coroner of such County in point of Seniority who shall not be so interested, and if all the Coroners shall be so interested as aforesaid, then to the last Person who filled the Office of Sheriff of the said County then in being who shall not be so interested as aforesaid, commanding such Sheriff or Coroner or other Person (and the said Sheriff or Coroner, or such other Person, is hereby empowered and required,) to impanel, summon, and return not less than Forty-eight nor more than Seventy-two substantial and indifferent Persons qualified to serve on Juries; and the Persons so to be impanelled, summoned, and returned as aforesaid, are hereby required to come and appear before the Justices of the Peace for the County wherein the Premises shall lie, or the Damage thereto be sustained, at some Court of General or Quarter Sessions of the Peace to be holden in and for the same County, or at some Adjournment thereof, as in such Warrant shall be directed or appointed, and to attend such Court of General or Quarter Sessions from Day to Day until discharged by the said Court; and out of such Persons to be impanelled, summoned, and returned, a Jury of Twelve Men shall be drawn by the Clerk of the Peace for the County wherein such Jury shall be returned, or his Deputy, in such Manner as Juries for Trials of Issue joined in His Majesty's Courts at *Westminster* are by Law directed to be drawn; and in case a sufficient Number of Jurymen shall not appear at the Time and Place appointed as aforesaid, the said Clerk of the Peace as before mentioned, or his Deputy, shall return other honest and indifferent Men of the By-standers, or of others who can be speedily procured to attend that Service; (being so qualified as aforesaid,) to make up the said Jury to the Number of Twelve; and all Parties concerned may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and the said Clerk of the Peace, or his Deputy, is hereby empowered and required to summon and call before the said Justices any Witnesses touching the Matter in question, and may order and authorize the said Jury, or any Three or more of them, to view the Place or Places or Matters or Things in controversy; and such Jury shall upon their Oaths (which Oath, as well as the Oaths to such Witnesses, the said Justices are hereby empowered and required to administer,) inquire of, assess, and ascertain, and give a Verdict for the Sum or Sums of Money which shall be paid for the Purchase or for the Hire and Use of such Lands, Houses, Erections, Cellars, Steps, Projections, Encroachments, Tenements, or Hereditaments, and the Compensation which shall be made for the Damages sustained as aforesaid; and the said Justices shall give Judgment

ment for such Purchase Money, Recompence, or Compensation so assessed by such Jury; which said Verdict, and the Judgment thereupon, shall be binding and conclusive, to all Intents and Purposes, upon all Bodies Politic, Corporate, and Collegiate, and upon all Persons whomsoever, provided that Fourteen Days Notice in Writing at the least of the Hour and Place at which such Jury are so required to be returned, be given to the Bodies Politic, Corporate, or Collegiate, or to the Person or Persons interested or claiming so to be, before the Time of the Meeting of the said Justices and Jury as aforesaid, by leaving such Notice at the Dwelling House of such Person or Persons, or of the Head Officer of such Body or Bodies Politic, Corporate, or Collegiate, or with some Tenant or Occupier of the Premises respectively intended to be valued; and in each and every Case where a Verdict shall be given for more Money or for a greater Annual Rent, as a Recompence or Satisfaction for the absolute Sale of any Lands, Houses, Erections, Cellars, Steps, Projections, Encroachments, Tenements, or other Hereditaments, or as a Compensation for any Damages done or to be done to such Lands or other Hereditaments or Property, than shall have been previously offered by or on behalf of the said Commissioners before the summoning such Jury, or where any Verdict shall be found for any Damages, where the Dispute is for Damages only, and where no Compensation shall have been previously offered in respect thereof by and on behalf of the said Commissioners, or where, by reason of Absence or other Impediment or Disability, there shall not be found any Person or Persons at hand who may be legally capacitated to contract with and make Conveyances to or receive Compensation from the said Commissioners as herein-before mentioned, then and in all such Cases all the reasonable Expences of causing such Value or Compensation to be assessed and awarded as aforesaid shall be settled by the said Justices, and be defrayed by the said Commissioners; but if any Verdict shall be given for the same Sum that shall have been previously offered by or on behalf of the said Commissioners, or for a less Sum than shall have been so previously offered, or in case no Damages shall be given by the Verdict, where the Dispute is for Damages only, or in case of such Refusal to treat with or make Conveyances to the said Commissioners by any Bodies Politic, Corporate, or Collegiate, or by any Person or Persons whomsoever who is or are, by the Provisions of this Act or otherwise, legally empowered to treat and convey, or receive such Compensation as aforesaid, then and in all such Cases (except where, by reason of Absence or otherwise, any Person shall have been prevented from treating and agreeing as aforesaid, in which Case all such Costs and Expences shall be borne and paid by the said Commissioners,) the reasonable Costs and Expences of causing such Value or Compensation to be assessed and awarded as aforesaid shall be settled in like Manner by the said Justices, and be borne and paid by the Body or Bodies Politic, Corporate, or Collegiate, or by the Person or Persons with whom the said Commissioners shall have such Concerns, Controversies, or Disputes; which said Costs and Expences shall and may be deducted out of the Money so assessed and awarded, and the Payment or Tender of the Remainder of such Sum or Sums of Money shall be deemed and taken, to all Intents and Purposes, to be a Payment or Tender of the whole Sum or Sums so assessed and awarded as aforesaid; and in case no Damages shall be given by such Verdict, where the Dispute is for Damages only, such Costs and Expences shall and may be recovered by the said Commissioners by such Ways as are herein provided for the Recovery of any Penalty incurred by this Act.

XLI. Provided always, and be it further enacted, That all and every Person or Persons making Complaint, and requesting a Jury to be summoned, shall, before the said Commissioners shall issue their Warrant for that Purpose, enter into a Bond, with Two sufficient Sureties, to the Treasurer of the said Commissioners, in a Penalty of Two hundred and fifty Pounds, with Condition to prosecute his, her, or their said Complaint, and to bear and pay the Costs and Expences of summoning such Jury and taking such Verdict, in case the same shall be given for no greater or for a less Sum than had been offered by or on behalf of the said Commissioners, before the summoning and returning the said Jury or Juries, for the Purchase of or as a Recompence for any Lands, Houses, Erections, Cellars, Steps, Projections, Encroachments, Tenements, or Hereditaments, or as a Compensation for any Damages, or in case no Verdict shall be found for Damages, where the whole Dispute was whether any Damages was or was not done as aforesaid.

Persons requesting Juries to enter into Bonds to prosecute.

XLII. And be it further enacted, That the said Commissioners shall not, nor shall any Jury to be summoned by virtue of this Act, be allowed to receive or take notice of any Complaint or Complaints to be made by any Person or Persons whomsoever for any Injury or Damage by him, her, or them sustained, or supposed to be sustained, unless Notice in Writing, stating the Particulars of such Injury or Damage and the Amount of the Compensation claimed in respect thereof, shall have been given by or on the Behalf of such Person or Persons to the said Commissioners, or to their Treasurer or Clerk, within the Space of Two Calendar Months next after the Time that such supposed Injury or Damage shall have been sustained, or the doing or committing thereof shall have ceased.

Notice of Inquiry to be given to the Commissioners before Appeal to a Jury.

XLIII. And be it further enacted, That if the Sheriff or other Person so directed to summon and return a Jury as aforesaid, or his Deputy or Agent, shall make Default in the Premises, he shall for every such Offence forfeit and pay any Sum not exceeding Fifty Pounds; and if any Person so summoned and returned as aforesaid upon such Jury shall not appear, or appearing shall refuse to be sworn or to give his Verdict, or shall in any other Manner wilfully neglect his Duty, contrary to the true Intent and Meaning of this Act, or if any Person so summoned to give Evidence shall not appear, or appearing shall refuse to be examined or to give Evidence, or shall in any other Manner wilfully neglect his Duty, contrary to the true Intent and Meaning of this Act; every Person so offending, having no reasonable Excuse (to be allowed by the said Justices), shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; which several and respective Penalties shall and may be levied by virtue of any Warrant under the Hand and Seal of any one of the said Justices, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to him the Overplus, after such Penalty, and the Charges of such Distress and Sale, shall be deducted; and every such Penalty so recovered from any Person who shall have been so summoned on such Jury, or to give Evidence as aforesaid, shall go and be paid to the Party who shall appear to the said Justices to be injured by the Default of such Person.

Compelling the Sheriff to summon a Jury.

Punishing
Persons guilty
of Perjury.

XLIV. And be it further enacted, That all Persons who in any Examination to be taken upon Oath by virtue of this Act shall wilfully give false Evidence, or otherwise forswear themselves before any such Jury, or before any Justice of the Peace acting as such in the Execution of this Act, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject and liable to such and the same Pains and Penalties as Persons guilty of wilful and corrupt Perjury are by the Laws in being subject and liable to.

Verdict for
Value of
Lands and
Damages to
be ascer-
tained sepa-
rately.

XLV. And be it further enacted, That the said Juries shall award all Determinations, Judgments, and Verdicts which they shall respectively make and give in the Execution of the Powers hereby vested in them, concerning the Value of Lands, Houses, Erections, Cellars, Steps, Projections, Encroachments, Tenements, or Hereditaments, separately and distinctly from any Damage sustained or to be sustained as aforesaid, and shall distinguish the Value set upon the Lands and other Hereditaments, and the Money assessed or adjudged for such Damages as aforesaid, separately and apart from each other; and also shall settle what Shares and Proportions of the Purchase Money or Compensation for Damages shall be allowed to any Tenant or other Person or Persons having a particular Estate, Term, or Interest in the Premises, for his, her, or their respective Interest therein.

Power to en-
ter and take
Possession of
Lands, &c.
on Payment
or Tender of
Purchase
Money.

XLVI. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money as shall have been contracted or agreed for between the Parties, or determined and adjusted by any Jury or Juries in manner as aforesaid, for the Purchase of any such Lands, Houses, Erections, Cellars, Steps, Projections, Encroachments, Tenements, or other Hereditaments, or as a Recompence for the yearly Produce or Profits thereof, or as a Compensation for Damages as herein-before mentioned, to the Proprietor or Proprietors of such Lands and Premises, or such other Person or Persons as shall be interested therein or entitled to receive such Money or Compensation respectively, at any Time after the same shall have been so agreed for, determined, or awarded, or if the Person or Persons so entitled or interested, or any of them, cannot be found, or shall refuse to receive the same, or shall not be able to make good Title to the Premises to the Satisfaction of the said Commissioners, or shall refuse to execute a Conveyance or Conveyances of the Premises which shall be required for the Purposes of this Act, then upon Payment of the said Sum or Sums of Money into the Bank of *England* as herein-after directed and required (in case the same shall be requisite) for the Use of such Person or Persons so interested or entitled as aforesaid, it shall be lawful for the said Commissioners, and their Agents, Servants, and Workmen, immediately to enter upon such Lands, Grounds, and other Hereditaments respectively; and then and thereupon the Lands, Houses, Erections, Cellars, Steps, Projections, Encroachments, Tenements, or other Hereditaments, and all the Estate, Use, Trust, and Interest therein of the Person or Persons respectively to whose Use such Payment or Tender of Investment was made as aforesaid, shall from thenceforth be vested in the said Commissioners to and for the Purposes of this Act; and such Tender, Payment, or Investment shall not only bar all Right, Title, Claim, Interest, and Demand of the Person or Persons to whom the same shall or ought to have been made, but also shall extend to and shall be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail and other

other Estates in Reversion and Remainder of his, her, or their Issue: Provided nevertheless, that before such Payment, Tender, or Investment as aforesaid, it shall not be lawful for the said Commissioners, or any Person acting under their Authority, to pull down or cut into such Houses, Lands, and other Hereditaments, or any of them, without Leave of the respective Owner or Occupiers thereof respectively.

XLVII. And be it further enacted, That all the said Judgments and Verdicts (being first signed by the Clerk of the Peace, or his Deputy, present at the taking of such Verdicts and pronouncing of such Judgments respectively,) shall be kept by the respective Clerks of the Peace amongst the Records of the Quarter Sessions of the said County of *Surrey* (as the Case shall require), and shall be deemed to be Records of the said Quarter Sessions to all Intents and Purposes; and the same, or true Copies thereof, shall be allowed to be good Evidence in all Courts whatsoever; and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of One Shilling, and to take Copies thereof, paying for every Copy the Sum of Nine-pence for every One hundred Words, and so in proportion for any less Number of Words.

Verdicts to be recorded.

XLVIII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Houses, Buildings, Lands, 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, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or on behalf of any Infant, Lunatic, Idiot, Feme Covert, or other Cestuique Trust, or to any Person whose Lands, Tenements, or Hereditaments are limited in any strict or other Settlement, or to any Person or Persons under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the Commissioners for executing this Act, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Houses, Buildings, Lands, or Hereditaments, in the Purchase or Redemption of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Houses, Buildings, Lands, or Hereditaments, or affecting other Houses, Buildings, Lands, or Hereditaments standing settled therewith, or to 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 Direction and Approbation of the said Court, in the Purchase of other Houses, Buildings, Lands, or 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 Houses, Buildings, Lands, or Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled and 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

Application of Compensation Money if amounting to 200*l.*

until such Purchase shall be made, the said Money shall, by Order of the said Court, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the same 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 Houses, Buildings, Lands, or Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application where the Money is less than 200*l.* and amounting to or exceeding 20*l.*

XLIX. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Houses, Buildings, Lands, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under 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 or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiocy, or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank in the Name and with the Privity of the said Accountant General of the said 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, such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties, in order that such Principal Money, and the Dividends arising thereon, may be applied in any Manner herein-before directed, so far as the same be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Chancery.

Application where Money is less than 20*l.*

L. 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 or Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Commissioners, or any Five or more of them, shall think fit; or in case of Infancy, Idiocy, or Lunacy, then 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.

In case of not making out Titles.

LI. And be it further enacted, That in case the Person or Persons to whom such Sum or Sums of Money shall be so ordered to be paid as aforesaid shall not be able to make a good Title to the Premises, to the Satisfaction of the said Commissioners, or any Five or more of them, or shall refuse to execute a Conveyance or Conveyances thereof, or in case such Person or Persons to whom such Sum or Sums of Money shall be

so ordered to be paid as aforesaid, cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Commissioners, or any Five or more of them, to order the said Sum or Sums so awarded to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments (describing them), subject to the Order, Controul, or Disposition of the said Court; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, or to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum and Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Cashier of the Bank to give a Receipt for the Money.

LII. 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 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 said 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.

Respecting disputed Titles.

LIII. 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

Court of Chancery may order reasonable Expences.

[*Loc. & Per.*]

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lawful

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 Money 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.

Commis-
sioners may
resell Lands.

LIV. And whereas the said Commissioners under the Provisions of this Act may purchase Lands, Tenements, and Hereditaments, which may be found not necessary for the Purposes thereof; be it further enacted, That it shall be lawful for the said Commissioners, or any Five or more of them, acting in the Execution of this Act, to sell and dispose of, and by Indenture or Indentures under their Hands and Seals to grant and convey, by way of absolute Sale in Fee Simple, for a Consideration in Money, all or any Part or Parts of the Land, Tenements, or Hereditaments as may have been so purchased, as shall in the Judgment of the said Commissioners, at any of their Meetings to be holden in pursuance of this Act, not be wanting for the Purposes of this Act; and upon Payment of the Money which shall arise from or by the Sale or Sales of such Lands, Tenements, or Hereditaments, or any Part or Parts thereof, it shall and may be lawful for the Treasurer or Treasurers, Clerk or Clerks for the Time being to the said Commissioners, to sign and give Receipts for the Money for which the same shall be sold, which Receipts shall be sufficient Discharges to any Person or Persons for the Purchase Monies for which such Lands, Tenements, or Hereditaments shall be so sold, or for so much thereof as in such Receipts shall be expressed or acknowledged to be received; and such Person or Persons shall not be answerable or accountable for any Losses, Misapplication, or Nonapplication of such Purchase Money, or any Part thereof: Provided always, that the said Commissioners, before they shall sell and dispose of such Lands, Tenements, or Hereditaments, shall first offer to resell the same to the Person or Persons from whom they shall have purchased the same, or who would have been then entitled thereto in case such Lands, Tenements, or Hereditaments had not been purchased by the said Commissioners, the Price at which the same shall be resold being adjusted and settled by a Jury in like Manner as the Price for any Lands to be taken in pursuance of this Act is herein-before directed to be settled, in case of Difference or Dispute as to the Value thereof; and if such Person or Persons shall not agree or shall refuse to repurchase the same, it shall and may be lawful to and for any Person or Persons (not interested in the Premises) to make an Affidavit, to be sworn before a Master Extraordinary of the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the County where such Lands, Tenements, or Hereditaments shall lie or be, stating that such Offer was made by or on the Behalf of the said Commissioners, and that such Person or Persons did not agree or did refuse to purchase such Lands, Tenements, or Hereditaments (as the Case may be); and such Affidavit shall in all Courts be sufficient Evidence and Proof that such Offer was made, and not agreed to, or refused.

Money to be
received to
be applied to
the Purposes
of this Act.

LV. And be it further enacted, That the Monies arising from the Sale of such Lands, Tenements, and Hereditaments, shall be applied and disposed of by the said Commissioners for carrying the several Purposes of this Act into Execution.

LVI. And be it further enacted, That it shall and may be lawful to and for the said Commissioners and they are hereby empowered to describe and direct the Limits and Extent of the several Streets, Lanes, public Passages and Places within the said Manor or Liberty, in such Manner as they shall think proper; and shall and may paint, or cause to be painted, engraved, or described, on a conspicuous Part of some House or other Building at or near the Corner of every such Street, Lane, public Passage and Place, the Name or Number by which such Street, Lane, public Passage or Place now is or shall be called; and may order and direct the several Houses, Shops, Warehouses, and Buildings within the said several Streets, Lanes, public Passages and Places, or any of them, to be numbered with Figures, printed or placed on the Door of every such House, Shop, Warehouse, or other Building, or such other Part thereof as the said Commissioners shall think proper; and if any Person shall wilfully destroy, obliterate, or deface any of such Names or Numbers, or any Part thereof, or cause or procure the same to be done, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Streets to be named.

LVII. And be it further enacted, That when any such Number or Numbers, Figure or Figures, painted or put on any House, Shop, Warehouse, or other Building within the said Manor or Liberty, shall be defaced or rubbed out, the Owner or Owners, Occupier or Occupiers of any such House, Shop, Warehouse, or other Building 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, Shop, Warehouse, or other Building, 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, Shop, Warehouse, or other 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.

Penalty on Owners not restoring Numbers.

LVIII. And be it further enacted, That all the present and future Pavements in the several Streets, Lanes, and other public Passages and Places, and the Stones, Gravel, and other Materials of which as well the Footways as Carriageways of such Streets, Lanes, and other public Passages and Places, do and shall consist, and also all the Dirt, Dust, Dung, Ashes, and Filth to be swept and gathered and collected in, or from those Places, or any of them, and also all Lamps, Lamp Irons, Lamp Posts, Watchboxes, Watch-houses, and other Houses and Buildings, which now are or shall hereafter be used, erected, or fixed up by Order of the said Commissioners, and all Materials, Implements, and other Things which shall be purchased or provided by the said Commissioners for the Purposes of this Act, shall belong to and be the Property of and are hereby vested in the said Commissioners; and the said Commissioners shall and may cause to be brought any Action or Actions, or direct the preferring of any Bill or Bills of Indictment (as the Case may require), against any Person or Persons who shall steal, take or carry away, detain, spoil, injure, or destroy the several Articles and Things hereby vested in them the said Commissioners as 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

Pavements, &c. vested in Commissioners.

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 the Manor of *Southwark*, otherwise called *The Clink* or *Bishop of Winchester's Liberty*, 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, for the Purposes of this Act, all or any of the said Articles and Things, or any Part or Parts of the same respectively, to such Person or Persons and in such Manner as they the said Commissioners shall think proper.

Penalty on
damaging
Materials.

LIX. And be it further enacted, That if any Person or Persons shall wilfully or maliciously break up, injure, destroy, or otherwise damage any of the Articles or Things hereby vested in the said Commissioners, or any of the Works done by them in pursuance of this Act, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, over and above such Expences of repairing and reinstating the same, as shall be ascertained by any Justice before whom the Party offending shall be convicted, which may be levied and recovered in like Manner as any Penalty can or may be levied and recovered by virtue of this Act.

Where Ma-
terials for
paving may
be lodged,
&c.

LX. And be it further enacted, That during the Time any Street, Lane, public Passage or Place shall be new paving, flagging, or repairing, or any of the Grates, Drains, or Sewers therein shall be altering or repairing, the said Commissioners shall have Power to order the necessary Materials to be lodged in that or any adjoining Street, Lane, public Passage or Place, according to their Discretion, and also to stop up the Way through that or any adjacent Street, public Passage or Place, so long as shall be necessary for such Purposes; and the said Commissioners are hereby indemnified from any Prosecution or Action whatsoever for so doing.

Paviors and
Carters to be
appointed;
and Mate-
rials, &c.
purchased.

LXI. And be it further enacted, That it shall and may be lawful to and for the said Commissioners from Time to Time to appoint such and so many Paviors, Artificers, Workmen, Labourers, Carters, and others, and also to purchase any Horses, Carts, Tools, and Implements, and also to cause to be dug, carted, and carried out, or brought into the said Streets, Lanes, Courts, Yards, Alleys, Passages and Places, such Gravel, Stones, and other Materials, and to issue such Money on these Accounts, and to do all and every such other Acts and Things as the said Commissioners shall judge necessary for the Purposes of carrying this Act into Execution.

Commis-
sioners may
direct the
paving, &c. of
Streets, &c.

LXII. And be it further enacted, That from and after the passing of this Act the said Commissioners shall have full Power and Authority from Time to Time to order and direct the several Streets, Lanes, Courts, Yards, Alleys, Passages and Places, or any of them, which now are or may hereafter be made within the said Manor or Liberty, to be paved, repaired, raised, sunk; or altered, watered, cleansed, lighted, and watched, when and in such Manner as they shall think fit.

LXIII. And

LXIII. 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 and at any Time after the passing of this Act, to order and direct Lamp Irons to be affixed unto, upon, or against the Walls, Palisades, or other Parts of the Houses, Tenements, Walls, or Buildings within the said Manor or Liberty, or in any other Manner that they shall think proper and convenient; and to purchase, provide, affix, set up, alter, take down, and renew such and so many Lamp Irons and Lamps of such Sizes and Sorts, and to erect such Lamp Posts, and in such Places and in such Manner, as to them shall seem necessary or proper for lighting all or any of the Streets, Lanes, public Passages or Places aforesaid; and also to contract with any Person or Persons for furnishing and providing and for lighting the said Lamps at such Seasons of the Year, and for so many Hours, as they shall judge necessary.

Lamps to be set up.

LXIV. And be it further enacted, That if any Person or Persons shall break, take away, throw down, or otherwise destroy or damage any Lamp or Lamps already erected or which shall be erected by or by Order of the said Commissioners, or by any Person or Persons at his, her, or their own Expence, for the Purpose of lighting any of the said Streets, Lanes, public Passages or Places, or any Post, Iron, Cover, or other Furniture thereof, or shall wilfully extinguish the Light or Lights of any such Lamp or Lamps, it shall be lawful to and for any Justice of the Peace for the said County of *Surrey*, and he is hereby required, upon Complaint to him made by One or more credible Witness or Witnesses of any such Offence, to issue a Warrant for apprehending the Party or Parties accused; or it shall and may be lawful to and for any Person or Persons who shall see 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, in order to be secured and conveyed before some Justice of the Peace for the said County; and on the Party or Parties accused being brought before some Justice, such Justice shall proceed to examine upon Oath any Witness or Witnesses who shall appear or be produced to give Evidence touching such Offence; and if the Party or Parties accused shall be convicted of such Offence, either by his, her, or their Confession, or upon such Evidence as aforesaid, then and in every such Case he, she, or they shall, for every such Offence respectively, and, if more than One, shall severally, forfeit and pay any Sum not exceeding Twenty Shillings; and shall besides make full Satisfaction (to be ascertained by such Justice) to the said Commissioners or other Party injured for the Damages so done; and in case such Offender or Offenders shall not upon Conviction forthwith pay such Penalty by him, her, or them incurred, and also such Satisfaction as aforesaid, such Justice is hereby required to commit such Offender or Offenders to the Common Gaol or House of Correction of the said County, there to be kept to hard Labour for any Term not exceeding One Calendar Month, and such Offender or Offenders shall not be discharged before the Expiration of the Time for which he, she, or they shall be so committed, unless such Penalty and Satisfaction as aforesaid shall be sooner paid and given.

Penalty for breaking Lamps.

For negli-
gently
breaking
Lamps.

LXV. And be it further enacted, That if any Person or Persons shall carelessly or negligently break, destroy, or damage any Lamp or Lamps already hung out or set up, or that shall be set up by the Order of the said Commissioners, or by any Person or Persons at his, her, or their private Expence, or any Post, Iron, Cover, or Furniture thereof respectively, and shall not upon Demand make Satisfaction for the Damage so done, then and in every such Case it shall and may be lawful to and for any Justice of the Peace of the said County of *Surrey*, and he is hereby required, upon Complaint thereof made by One or more credible Witness or Witnesses, by Warrant under his Hand to summon before him the Party or Parties complained of for doing such Damage; and upon his, her, or their appearing, or making Default to appear, Oath having been made that the Party complained against had been served with such Summons, or that the same had been left at his, her, or their usual Dwelling or Place of Abode (if known), or that he, she, or they could not be found, such Justice shall proceed to examine the Cause of such Complaint, and upon Proof thereof, either by Confession of the Party or the Oath of One or more Witness or Witnesses, shall award and order such Satisfaction to be made by the Party or Parties complained against, for the Damage so done, to the said Commissioners, or other Owner or Owners of such Lamp or Lamps, as to such Justice shall appear just and reasonable; and in case the Sum so awarded shall not be paid forthwith, it shall and may be lawful to and for such Justice and he is hereby required to cause the same to be levied and recovered as any Fine or Penalty can or may be levied and recovered by virtue of this Act.

Commis-
sioners to ap-
point Patrol
or Watch-
men.

LXVI. And be it further enacted, That it shall and may be lawful for the said Commissioners and they are hereby empowered from Time to Time to appoint such a Number of able-bodied Men as they shall judge proper to be employed as Patrol or Watchmen within the said Manor or Liberty during the Night-time, under such Regulations and subject to such Orders as the said Commissioners shall make and give from Time to Time in that Behalf; and to provide proper Watch-houses, Watchboxes, or Places for the Reception of such Patrol or Watchmen, and for the safe Custody of such Persons as may be apprehended by such Patrol or Watchmen while on Duty; and to pay such Patrol or Watchmen reasonable Wages or Allowances; and also to appoint One or more fit Person or Persons in the Stead of any Patrol, Watchman or Watchmen who shall die or who shall be discharged from his or their Office for Neglect of Duty or other Misbehaviour in Office; and also to impose from Time to Time any Fine not exceeding Twenty Shillings on any Patrol or Watchman for every such Neglect or Misbehaviour, such Fine to be deducted out of the Wages of such Patrol, Watchman or Watchmen; and from Time to Time to make such Orders and Regulations as they the said Commissioners shall judge expedient for the better Government of the Patrol or Watchmen to be so appointed, and to repeal such Orders and Regulation, or any of them, and to substitute others; and it shall and may be lawful to and for such Patrol or Watchmen and they are hereby required in their respective Stations to apprehend and secure, in some proper Place or Places of Security to be for that Purpose appointed within the said Manor or Liberty, all Malefactors, Rogues, Vagabonds, and Disturbers of the public Peace, and all suspected Persons who shall be found wandering or misbehaving themselves during the Hours of
keeping

keeping Watch, and to conduct all such Persons, as soon as conveniently may be, before some Justice of the Peace for the said County, to be examined and dealt with according to Law.

LXVII. And be it further enacted, That if any Victualler, or Keeper of any Public House, shall knowingly harbour or entertain, or suffer to remain in his or her Public House, any such Patrol or Watchmen as aforesaid, during any Part of the Time appointed for his being on Duty, every such Victualler or Keeper shall on Conviction forfeit and pay any Sum not exceeding Forty Shillings.

Penalty on Victuallers harbouring Watchmen while on Duty.

LXVIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to give such Rewards in Money to the Patrol or Watchmen respectively to be appointed as aforesaid, who may be disabled or wounded in the Execution of their Office, as they the said Commissioners shall think reasonable, such Money to be paid out of the Monies to be raised for the Purposes of this Act.

Power to reward disabled Watchmen.

LXIX. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to take down, alter, remove, or regulate, in such Manner as they shall from Time to Time judge proper, all Signs or other Emblems used to denote the Trade, Occupations, or Calling of any Person or Persons, and all Sign Irons, Sign Posts, and other Posts, Sheds, Penthouses, Spouts, Gutters, Steps, Stairs, Cellar Doors, Bow and other Windows projecting over the Footways or Streets, Window Shutters, Stumps, Trees, Rails, Pales, Palisades, Porches, Bulks, Show Glasses, and Show Boards, Pools, Cesspools, Cisterns, and Reservoirs for Water, and other Encroachments, Projections, and Annoyances, belonging or which shall be hereafter affixed or belong to any House or Houses, or other Buildings, and which do or shall, in the Judgment of the said Commissioners, obstruct the free and commodious Passage along the Carriage or Footways of any of the said Streets, Lanes, and other public Passages and Places of or within the said Manor or Liberty; and also to cause the Water to be conveyed from the Roofs, Cornices, Eaves, and Penthouses of or belonging to such Houses or other Buildings respectively, by proper Pipes or Trunks to be affixed to the Sides of such Houses or other Buildings respectively, and to be brought down to the Ground; and that the Costs, Charges, and Expences attending the taking down, taking away, removing, altering, or regulating such Signs, Sign Irons, Sign Posts, and other Posts, Sheds, Penthouses, Spouts, Gutters, Steps, Stairs, Bow or other projecting Windows, Window Shutters, Stumps, Trees, Rails, Pales, Palisades, Porches, Bulk, Show Glasses, Show Boards, Pools, Cesspools, Cisterns, and Reservoirs for Water, and other Encroachments, Projections, and Annoyances, or any of them, and of making and affixing such Pipes or Trunks as aforesaid, shall be borne and defrayed out of the Money to be raised by virtue of this Act: Provided nevertheless, that it shall be lawful for the said Commissioners and they are hereby empowered to demand of the Owners, Proprietors, Lessors, Lessees, or Occupiers of such Houses, Buildings, or Premises, if they shall think fit, any Sum of Money on account of such Removals or Alterations, not exceeding the Amount of the Expence thereby incurred; and in default of Payment thereof for Fourteen Days next after Demand thereof in Writing shall have been made by the Clerk to the said Commissioners, such

Power to remove Projections and Encroachments.

such Sum of Money shall and may be levied and recovered in like Manner as any Penalty can be recovered by virtue of this Act: Provided always, that if the said Commissioners shall cause to be taken up or removed any Stumps, Posts, or other Guards at the Corners of any House or Building forming a Corner of any Street, Lane, public Passage or Place, for the Protection of such House from Injury by Carriages, they the said Commissioners shall, by some other proper Ways and Means, sufficiently guard and protect the same from Damage as aforesaid; and in case any Damage shall at any Time happen to any such House by reason of taking up or removing any such Stumps, Posts, or other Guards by the said Commissioners, they the said Commissioners shall from Time to Time make good such Damage out of the Monies to be raised by virtue of this Act.

For preventing future Projections.

LXX. And be it further enacted, That if any House or other Building in or near any Street, Lane, public Passage or Place within the said Manor or Liberty, shall after the passing of this Act be made, erected, or built in such Manner or Form as in the Front or in any of the Gables or Sides thereof to project into or over such Street, Lane, Highway, and other public Passage or Place, or in any other Manner or Form than in a perpendicular Line or Direction upwards from the Foundation of such House or Building; or if any Spout, Pipe, or Trunk for conveying Water from the Roof, Eaves, or Cornices of any House or other Building, in any Street, Lane, public Passage or Place in the said Manor or Liberty, shall be affixed otherwise than from the Roofs, Eaves, or Cornices thereof, by such Spouts, Pipes, or Trunks on the Fronts or Sides of such Houses or Buildings respectively, and brought down to the Ground; or if any Sign, Sign Iron, Sign Post, or other Post, Shed, Penthouse, Step, Stair, Cellar Door, Bow Window, or other projecting Window, Window Shutter, Stump, Rail, Palisade, Porch, Bulk, Show Glass, Show Board, Pool, Cesspool, Cistern, or Reservoir for Water, or any other Encroachment or Projection against or in Front or Outside of any House or other Building within or adjoining to any Street, Lane, public Passage or Place within the said Manor or Liberty, shall be made, erected, or built so as to obstruct the free and commodious Passage along the Carriage or Footways of the same; then and in every such Case the Owner or Owners of every such House or other Building, Sign, Sign Iron, Sign Post, or other Post, Shed, Penthouse, Step, Stair, Bow or other projecting Window, Window Shutters, Stump, Rail, Pale, Palisade, Porch, Bulk, Show Glass, Show Board, Pool, Cesspool, Cistern, or Reservoir for Water, or other Encroachment or Projection which shall be so made, erected, or built as aforesaid, or of every such Spout, Pipe, or Trunk which shall be so made or affixed otherwise than as aforesaid, contrary to this Act, shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings for each and every Day such House or other Building, Sign, Sign Iron, Sign Post, or other Post, Shed, Penthouse, Step, Stair, Bow or other projecting Window, Window Shutter, Stump, Rail, Pale, Palisade, Porch, Bulk, Show Glass, Show Board, Pool, Cesspool, Cistern, or Reservoir of Water, Spout, Pipe, or Trunk, or other Encroachment or Projection, shall continue in such State as herein provided against; and shall be paid and payable by the respective Tenants or Occupiers of such Houses and other Buildings, Sign Irons, and other Things; and

and it shall and may be lawful to and for the said Commissioners (whether any such Penalties or Forfeitures shall be levied or not) to cause Notice to be given to the respective Owners or Proprietors, Feoffees, Trustees, or Occupiers of all such Houses and other Buildings, Signs, Sign Irons, Sign Posts, Sheds, Penthouses, Steps, Stairs, Bow or other projecting Windows, Window Shutters, Stumps, Trees, Rails, Pales, Palisades, Porches, Bulks, Show Glasses, Show Boards, Pools, Cesspools, Cisterns, and Reservoirs for Water, Spouts, Pipes, Trunks, and other Encroachments and Projections, or any of them, to take down, remove, take away, alter, and regulate the same in such Manner and Form as they the said Commissioners shall from Time to Time judge proper; and in case the Owners or Proprietors, Feoffees, Trustees, or Occupiers shall refuse or neglect to do as before directed 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 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 and may be lawful to and for the said Commissioners to cause all such Houses and other Buildings, Signs, Sign Irons, Sign Posts, Sheds, Penthouses, Steps, Stairs, Bow or other projecting Windows, Window Shutters, Stumps, Trees, Rails, Pales, Palisades, Porches, Bulks, Show Glasses, Show Boards, Pools, Cesspools, Cisterns, and Reservoirs for Water, Pipes, Trunks, and other Encroachments and Projections, or any of them, to be taken down, removed, taken away, altered, and regulated in such Manner as they shall think proper; 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 personal Demand made thereof, or by Notice in Writing under the Hand of the said Clerk, Surveyor, or other Person appointed by the said Commissioners, to be delivered to or left at the Dwelling House of such Tenant or Tenants, Occupier or Occupiers, the same, together with the aforesaid Penalty or Penalties, 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 County of *Surrey*, (which Warrant the said Justice or Justices is and are hereby authorized and empowered 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; and where any House or other Building shall be let or demised to more than one Tenant or Occupier, any one or more of such Tenants or Occupiers shall be deemed the actual Tenant or Tenants, Occupier or Occupiers, for the Purposes of this Act; and in case any Tenant or Tenants, Occupier or Occupiers, shall remove out of such House or other Building before such Charges, Penalty and Penalties shall be paid by him, her, or them, or if the Goods and Chattels of such Tenant or Tenants, Occupier or Occupiers, shall not be sufficient to defray such Charges and Penalties, or if it shall happen that any of the

Notice to
be given to
Owners, &c.
to remove.

In case of
Refusal to
remove Nui-
sances, &c.

Tenants to
be liable to
Rates.

said Premises shall be untenanted, then and in every such Case such Houses and other Buildings shall be and the same are hereby made a Security for and chargeable with all such Charges, Expences, and Penalties, and the same shall and may be levied by Distress and Sale (by Warrant as aforesaid) of any Goods and Chattels which shall afterwards be found in or upon the same respective Premises, or of the Goods and Chattels of the Owner or Proprietor, Feoffee or Trustee thereof, in case such Owner or Proprietor, Feoffee or Trustee, shall neglect or refuse to pay the same for the Space of Fourteen Days next after the same shall be personally demanded of him, her, or them, or by Notice in Writing under the Hand of the said Clerk, Surveyor, or other Person, to be delivered to or left at the Dwelling House or usual Place of Abode of such Owner or Proprietor, Feoffee or Trustee, be levied by Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the County, City, Town, or Place where such Owner or Proprietor, Feoffee or Trustee, shall reside, or where such Goods and Chattels shall be found; and it shall be lawful for any Tenant or Occupier who shall have performed any of the Works, Matters, or Things in manner as directed by this Act, or who shall have paid and reimbursed to the said Commissioners the Expences of doing the same, and shall have paid the said Penalty or Penalties, or on whom any such Expences and Penalties shall have been levied, to deduct out of his or her Rent the Charges, Expences, and Penalties which such Tenant or Occupier shall pay or have levied upon him or her on any of the Accounts aforesaid; and the Owner or Proprietor, Feoffee or Trustee of such Premises, is hereby required to allow such Deductions and Payments upon the Receipt of the Residue of his or her Rent; and in case any Tenant or Occupier shall pay or have levied upon him or her more Money on account of any thing done by virtue of this Act than shall be due from him or her for the Rent of his or her House or other Building, the Overplus thereof shall and may be levied on the Owner or Proprietor, Feoffee or Trustee of such respective Premises, by Distress and Sale of the Goods and Chattels of such Owner or Proprietor, Feoffee or Trustee, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the County, City, Town, or Place where such Goods and Chattels shall be found, such Owner or Proprietor, Feoffee or Trustee, having refused or neglected to pay the same for the Space of Fourteen Days after Demand made thereof by such Tenant or Occupier, his or her Attorney or Agent for that Purpose appointed.

Expences to be allowed to the Tenants by the Owners.

For preventing Annoyances, &c.

LXXI. And be it further enacted, That if any Person or Persons shall, within any Street, Lane, or Place within the said Liberty, beat or dust any Carpet or Carpets, or drive any Carriage or Carriages for the Purpose of breaking in Horses, or ride any Horse for the Purpose of exercising or airing such Horse, otherwise than by passing through such Street, Lane, or Place; and that if any Person or Persons shall throw, cast, or lay, or cause, permit, or suffer to be thrown, cast, or laid, any Coal Ashes, Dust, Dirt, Rubbish, Offal, Dung, Soil, or other Filth or Annoyance, or shall put or place any Stall Board, Basket, Wares, Merchandize, Casks, or Goods of any kind whatsoever, or who shall hoop, wash, or cleanse any Pipe, Barrel, Cask, or Vessel, in or upon any of the Carriage or Footways, or shall drain or permit or suffer to be drained any Soil, Blood, or other Filth, into any of the Channels of
the

the Streets, Lanes, and Places within the said Manor or Liberty, or drive or place, or cause to be driven or placed, any Coach, Cart, Waggon, Dray, or other Carriage, upon any of the Carriageways, 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 Cart, Waggon, or other Carriage, with Hay or Straw therein for Sale, or any Cart, Waggon, Coach, or other Carriage intended to be let out or working for Hire, (except Hackney Coaches which shall stand in such Part or Parts of the said Streets, Lanes, or other Places, or some of them, as shall be appointed by the said Commissioners,) shall be suffered to stand in either of the said Streets or Lanes for any of the Purposes aforesaid respectively; or if any Person or Persons shall set or place, or cause, permit, or suffer to be set or placed, any Cart, Waggon, Dray, or other Carriage in any Part of the said Streets, Lanes, and Places, any longer than is needful and necessary for the loading and unloading thereof, (which in all Cases shall be as near to the Footways as conveniently may be,) or shall set or place, or cause to be set or placed, any Coach, Cart, Waggon, Dray, or other Carriage athwart or across any of the said Streets, Lanes, and Places, either for the Purpose of taking up or setting down any Fare, or for loading or unloading thereof, or on any other Pretence whatsoever; or if any Carter, Drayman, Carman, Waggoner, or other Driver shall ride upon or in any Cart, Dray, or Waggon, or the Shafts thereof, within the said Manor or Liberty, or upon any Horse drawing the same, or shall drive or lead, or ride or permit or suffer any Horse or Horses to be driven, led, or rode within the said Manor or Liberty, without having a leading Rein or Cord of Four Feet long at the most to the Shaft Horse, which Rein or Cord such Driver or Drivers shall and he and they is and are hereby required to hold in his or their Hand or Hands, and to walk by the Side of the Horse which he or they shall so lead or drive; all and every Person or Persons offending in any of the Cases aforesaid shall forfeit and pay any Sum not exceeding Five Pounds for any such Offence; or if any Person or Persons shall set or place, or cause to be set or placed, in any of the said Carriage or Footways, any Timber, Stones, Bricks, Lime, or other Materials or Things whatsoever, for the Purpose of building or repairing any House, Shop, or other Building, (except the same shall be inclosed by a Hoard,) and shall not immediately remove the same, being thereunto required by the said Commissioners, or by their Surveyor or other Officer; or if any Person or Persons shall run, drive, or draw, or cause to be run, driven, or drawn, any Coach, Waggon, Cart, Dray, or other Carriage, or any Wheel Sledge or Wheelbarrow, or shall ride, lead, place, or drive, or cause to be rode, placed, led, or driven, any Horse, Ass, Beast, or other Cattle, upon any of the Foot Pavements, 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 or Flower Pots, (save and except the same shall be sufficiently secured from falling,) or other Matter or Thing in front of any House or Houses, or shall carry on the said Footway, or shall permit or suffer any Hog, Pig, or other Swine to stray or be in any of the Streets, Lanes, or Passages within the said Manor or Liberty; every Person offending in any or either of the said Cases last 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

Penalty on
obstructing
the Footway.

Goods, &c.
may be
seized;

and detained
until the Pe-
nalties paid.

Persons see-
ing any such
Offence com-
mitted may
seize the
Offender, &c.

other Offence any Sum not exceeding Three Pounds; and any One or more of the said Commissioners, or the Beadle or Beadles, Street-keeper, or other Officer by them appointed for the Time being, or such Person or Persons as the said Commissioners, or any Five or more of them, shall appoint for the Removal of Annoyances and Obstructions, may seize such Stall, Board, Basket, Ware, Merchandize, Cask, Goods, Coach, Cart, Waggon, Dray, or other Carriage, and all Goods or other Things which may be found 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, Brick, Lime, or other Materials or Things aforesaid, and every such Horse, Ass, Beast, or other Cattle aforesaid, with the Accoutrements thereof, and also such Wheel Sledge, Wheelbarrow, and all Goods and Things which may be on or in the same, or other Carriage, Butcher's Meat, Garden or Flower Pots, and all Hogs, Pigs, or Swine, and every other Article, Matter, or Thing, 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 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 interested therein as aforesaid shall cause to be paid the Penalty which he, she, or they shall have incurred as aforesaid, together with the Charges of such Removal, and of keeping such Horse or Horses, or other Cattle or Swine (if any); and in case the Goods, Carriages, Drays, Horse or Horses, or other Cattle, Materials, or other Things so removed, shall not be claimed, and the said Penalty or Penalties 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 and paid to the Owner or Owners thereof on Demand, after deducting the said Penalty or Penalties, 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 Authority of this Act, and without any other 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 so to do, and to convey such Offender or Offenders before some Justice of the Peace for the said County of *Surrey*, 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 Penalties and all Charges attending the same shall be sooner paid and satisfied, any thing in this Act contained to the contrary notwithstanding; and in case the said Goods, Carriages, Drays, Horses, or other Cattle, Materials or other Things, shall not be seized in manner aforesaid, or the said Offenders apprehended or Penalties paid, the Owner or Owners of the said Goods, Carriages, Drays, Horses, or other Cattle, Materials or other Things, shall be subject and liable to the said Penalties, and the same shall be levied and recovered by Distress and Sale of his, her, or their Goods and Chattels, in like Manner and under the like Powers and Authorities as any Penalty inflicted by this Act may be levied and recovered; and if
the

the Monies to arise by such Distress and Sale shall not be sufficient to answer and satisfy such Penalties, Charges, and Expences; or if no such Distress can be made, such Justice is hereby authorized and required to commit him, her, or them to the Common Gaol or House of Correction for the said County, there to be kept to hard Labour for any Time not exceeding Three Calendar Months, unless such Penalties, and all Charges attending the same, shall be sooner paid.

LXXII. Provided always, and be it further enacted, That in all Cases where it is by this Act directed, required, and provided that any Person or Persons setting or placing any Stall, Board, Basket, Wares, and Merchandizes, Cask, Goods, Timber, Stones, Bricks, Lime, and other Materials or Things, or driving or placing any Coach, Cart, Waggon, Dray, or other Carriage, in or upon any of the Carriage or Foot Pavements within the said Manor or Liberty, shall have Notice and be required to remove the same previous to such Person or Persons being subject or liable to the Penalty or Penalties herein inflicted, or to the said Goods, Carriages, Drays, Materials, and other Things being liable to be seized, appraised, and sold in manner directed by this Act, it shall and may be lawful, if any Person or Persons shall set, place, or drive any such Goods, Carriages, Drays, Materials, or Things upon or over the said Pavements, at any Time or Times subsequent to his, her, or their having received Notice, or having been required to remove the same, or any other Goods, Carriages, Drays, Materials, or Things, from off the said Pavement, then and in any such Case it shall not be necessary or requisite that the Person or Persons seeing such Offence or Offences committed again to require the said Offender or Offenders to remove the said Goods, Carriages, Drays, Materials, or Things, but the same, being so again set, placed, or driven upon or over the said Pavements, contrary to the Directions of this Act, shall and may be seized, appraised, and sold in manner herein provided; and the Person or Persons so committing the said Offence or Offences, and the Owner or Owners of the Goods, Carriages, Drays, Materials, or other Things so set, placed, or driven, shall be subject and liable to the said Penalty or Penalties, although a Repetition of the said Notices or Requisitions shall not be given to the Person or Persons committing such Offence or Offences; any thing in this Act or any other Law or Statutes to the contrary thereof in anywise notwithstanding.

Not necessary to repeat Notices for removing Annoyances.

LXXIII. And be it further enacted, That every Occupier of any House or Tenement within the said Manor or Liberty, and in respect to Houses let to Inmates, every House Owner, shall Once in every Day, before the Hour of Nine of the Clock in the Forenoon, scrape, sweep, or otherwise cleanse the Footway and Channel all along the Front of their respective Houses or Tenements, or cause the same to be scraped, swept, and cleansed, and in default thereof shall for every such Offence forfeit and pay any Sum not exceeding Five Shillings.

Footways to be swept.

LXXIV. And be it further enacted, That in case, in any Part or Parts of the said Manor or Liberty, any Hog Stye, Necessary House, or other Nuisance shall be in any of the Streets, Lanes, Courts, Yards, Alleys, Passages, and Places within the said Manor or Liberty, it shall be lawful for the said Commissioners, upon Complaint thereof to them

Nuisances to be removed.

[*Loc. & Per.*]

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made

made by any Inhabitant of the said Liberty, and after due Investigation of such Complaint, by Notice in Writing under the Hand or Hands of their Surveyor or Surveyors, Clerk or Clerks for the Time being, to order every or any such Nuisance or Nuisances, Offence or Offences, to be forthwith remedied or removed; and if the same shall not be remedied or removed within Seven Days after such Notice given to the Owner or Owners, Occupier or Occupiers of the Premises wherein such Nuisance or Nuisances shall be situate, or left for him, her, or them at his, her, or their last or usual Place or Places of Abode, it shall and may be lawful to and for the said Commissioners to indict or cause to be indicted such Person or Persons so neglecting or disobeying such Notice or Notices, at the then next General or Quarter Sessions or Adjourned Quarter Sessions of the Peace for the said County of *Surrey*, for such Nuisance or Nuisances; and such Person or Persons being found guilty thereof, such Nuisance or Nuisances shall be removed, taken down, and abated, according to Law, with regard to public or common Nuisances.

Hoads or Inclosures may be made for building or repairing.

LXXV. Provided always, and be it further enacted, That it shall be lawful for any Person or Persons to erect or set up, or cause to be erected or set up, in the said Streets, Lanes, Courts, Yards, Alleys, Passages, or Places, any Inclosures, Posts, Bars, or Rails, or other Matters or Things, for the Purpose of making Mortar, and depositing Bricks, Lime, or other Materials for building or repairing any Houses, Buildings, or other Works, every such Person or Persons first obtaining Leave under the Hand of the Surveyor for the Time being to the said Commissioners for those Purposes respectively, which he is hereby empowered to give by their Permission; but if any Person or Persons shall erect or set up, or cause to be erected or set up, any such Inclosures, Posts, Bars, or Rails, or any other Matter or Thing for the Purposes aforesaid, without such Leave first had and obtained, every such Person shall for every such Offence forfeit and pay a Sum not exceeding Ten Shillings for every Hour such Inclosure, Matter, or Thing as aforesaid shall remain and continue.

Penalty.

Penalty on Persons making or leaving Holes, &c. and not inclosing the same.

LXXVI. And be it further enacted, That if any Person or Persons shall dig or make any Hole, or leave or cause to be left any Hole before any vacant Ground, or before any House or Tenement built or in building in any Street, Lane, or Place formed or to be formed or forming in the said Manor or Liberty, for the Purposes of making any Vault or Vaults, or any other Purpose whatsoever, and shall not forthwith inclose the same in a good and sufficient Manner, to the Satisfaction of the Surveyor for the Time being to the said Commissioners, or shall keep up such Inclosure longer than, in the Opinion of the said Commissioners or their said Surveyor, shall be absolutely necessary, or shall not, when thereunto required by such Surveyor, well and sufficiently fence or inclose, to the Satisfaction of such Surveyor, the Area or Areas, or Space open or left open and intended for an Area or Areas, or for any other Purpose whatsoever, in the Front or Flank of such vacant Ground, House, or Tenement, and adjoining to such Street, Lane, or Place, then and in every or any such Case he, she, or they so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds for the First Week, and any Sum not exceeding Ten Pounds for each and every such subsequent Week

Week that such Nuisance shall be continued; and all such Penalties and Forfeitures shall be raised, levied, recovered, and applied in manner herein-after directed.

LXXVII. And whereas the Entrances or Doorways made in or near the Footways, for the Purpose of Persons descending to and ascending from the Cellars or Basement Stories of sundry Houses and Buildings within the said Manor or Liberty, and the Holes, Funnels, Trap Doors, or Cellar Flaps made in such Footways, for the Purpose of putting down Coals, Casks, or other Things into the Vaults beneath or the Basement Stories of such Houses or Tenements, are often left open and insecure, by reason whereof the Lives and Limbs of His Majesty's Subjects are greatly endangered; be it therefore further enacted, That if the Occupier or Occupiers of any such House, Building, or Premises within the said Manor or Liberty, having such Doorway or Entrance into the Basement or Cellar Story thereof, shall not, when thereunto required by the Surveyor or Surveyors to the said Commissioners for the Time being, or other Person or Persons appointed by the said Commissioners, forthwith either safely or 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 Surveyors, or other Person or Persons appointed by the said Commissioners, and so as to prevent Danger to Persons passing and repassing, or if any such Occupier or Occupiers do or shall leave open or not sufficiently and substantially cover and keep the same covered and secured 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 Things 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 Surveyors, or other Person or Persons 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, to be recovered and applied in manner herein-after mentioned; 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, (without the Authority of any Meeting to be called for that Purpose,) or their Surveyor or Surveyors for the Time being, or other Person or Persons appointed as aforesaid, to cause all and every such Doorways, Entrances, Holes, and Funnels to be well and securely covered over and guarded, and all Flaps, Trap Doors, or Coverings to be well and substantially repaired or 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 Penalty inflicted by this Act may be levied and recovered.

Powers for guarding or covering Entrances to Cellars for Coal Holes, &c.

Occupiers not guarding same, to forfeit not exceeding 10*l.*

LXXVIII. And be it further enacted, That the Person or Persons for the Time being contracted with or employed by the said Commissioners

for Scavengers to carry away the Dust, &c.

for cleansing the Streets, Lanes, Courts, Yards, Alleys, and Passages within the said Manor or Liberty, under and by virtue of this Act, shall Once at the least in every Week, and oftener, if thereunto required by the said Commissioners, or by any Person or Persons by them appointed for that Purpose, bring or cause to be brought convenient Carriages into all the Parts aforesaid, where such Carriages can be drawn near or pass unto, and at or before his or their Approach, by Bell, Clapper, or otherwise by a loud Noise and Cry, shall give Notice to the Inhabitants of his or their coming, and give the like Notice in every other Place into which the said Carriages cannot pass and abide; and such Surveyor or Scavenger, 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, Dirt, Dust, and Filth, all which the said Scavenger or Scavengers, Cleanser or Cleansers, shall carry away or cause to be carried away *gratis*, upon pain of forfeiting any Sum not exceeding Forty Shillings 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 shall refuse to permit such Soil, Ashes, Cinders, Rubbish, Dust, Dirt, or Filth to be taken away, except such Cinders, Breeze, Ashes, Dust, or other Article or Thing produced in any Manufactory, (as herein-after excepted,) every such Person or Persons so offending shall in like Manner forfeit any Sum not exceeding Ten Pounds.

Contractors
only to re-
move Dust.

LXXIX. 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 Time being for cleansing the Streets, Lanes, Courts, Yards, Alleys, Passages, and Places under their Direction, or those for the Time being employed by and under such Person or Persons, shall on any Pretence whatsoever go about to collect or gather, or ask for, receive, or carry away any Dust, Cinders, Ashes, or Breeze within the said Liberty, (except as after excepted,) 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 con-
victed

victed of going about to collect or gather, asking for, receiving, or carrying away any Dust, Cinders, Ashes, or Breeze from any House or other Premises within the said Manor or Liberty, (except 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 Overplus thereof shall be returned on Demand to the Party or Parties whose Horses, Asses, Cattle, Carts, Trucks, Wheelbarrows, or other Carriages or Implements 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, Trucks, Wheelbarrows, or other Carriages or Implements 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, Trucks, Wheelbarrows, or other Carriages or Implements 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 Directions of this Act, shall not be apprehended, or the said Horses, 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, or 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 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.

If Contract-
ors neglect to
take away
Dust, &c.
for Seven
Days, any
other Person
may be at
liberty to
take it.

LXXX. 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, Lanes, Courts, Yards, Alleys, Passages, and Places 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 Dust, Dirt, Soil, Rubbish, Filth, Cinders, and Ashes, and to give the like Notice in every Court, Yard, Alley, Passage, and Place into which the said Carts or Carriages cannot pass, that then it shall and may be lawful for the Inhabitants of such of the said Streets, Lanes, Courts, Yards, Alleys, Passages, and 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 or Persons shall be appointed by the said Commissioners to collect such Dust, Dirt, Filth, Cinders, and 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 herein imposed on him 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 is imposed and recoverable before any Justice or Justices as aforesaid.

Manufac-
turers and
others may
have their
own Dust,
Ashes, &c.

LXXXI. Provided also, That nothing in this Act 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 Manor or Liberty, or to prevent or hinder any Person or Persons whomsoever from purchasing the said Cinders, Breeze, Ashes, Dust, or other Articles or Things, and going into the said Liberty with Horses, Carts, and other Carriages, and carrying and conveying the same away; 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, or to be otherwise disposed of,) any Dust, Dirt, Filth, Cinders, Ashes, or other Article or Thing from his, her, or their own Dwelling House or Premises within the said Manor or Liberty, not having been produced from any Manufactory as aforesaid.

For cleansing
Privies, &c.

LXXXII. And be it further enacted, That if any Person or Persons shall begin to empty any Privy, Cesspool, or Boghouse, or to take away any Night Soil from any House or Houses within the said Streets, Lanes, Courts, Yards, Alleys, Passages, and Places in the said Manor or Liberty, or come with Carts or Carriages for that Purpose (save and except between the Hours of Ten of the Clock in the Night and Five of the Clock in the Morning from *Lady Day* to *Michaelmas Day*, and between Ten of the Clock at Night and Six of the Clock in the Morning from

Michaelmas Day to Lady Day); or if any Person or Persons shall put or cast, or cause to be put or cast, out of any Cart, Tub, or otherwise, any such Night Soil in or near any of the Streets, Lanes, Courts, Yards, Alleys, Passages, and Places within the said Manor or Liberty, it shall be lawful for any Constable, Headborough, Patrol, Beadle, Streetkeeper, or Watchman, (and they are hereby strictly charged, required, and directed so to do,) or any other Person or Persons whomsoever, to apprehend and carry any Person or Persons guilty of the said Offences to any Watch-house within the said Manor or Liberty, and from thence to convey him, her, or them, as soon as conveniently may be, before some Justice of the Peace for the said County of *Surrey*, who (upon Oath made of such Offence or Offences as aforesaid) shall commit every such Offender or Offenders to the House of Correction for the said County, for any Time not exceeding Thirty Days, to be computed from the Day of Commitment; and the Owner or Owners of any Carts, Carriages, Horses, or Beasts employed in and about emptying or removing such Night Soil (save and except within the Hours hereby allowed), shall forfeit a Sum not exceeding Five Pounds for every such Offence; and any Person or Persons may seize such Carts or Carriages, Horses or Beasts drawing the same, and drive, remove, and take such Carts or Carriages, Horses or Beasts, to such Place in or near the said Manor or Liberty as the Surveyor or Surveyors, or other Person appointed by the said Commissioners, shall order and direct, there to be detained until the Owner or Owners shall pay the said Penalty, together with all Charges relating thereto; and in case the same shall not be demanded, and the said Penalty and Charges paid within Three Days next after such Seizure, then it shall be lawful for such Surveyor or other Person to order the same to be appraised and sold, and the Money arising therefrom shall be applied in Payment of such Penalty and Charges, returning the Overplus (if any) to the Owner or Owners thereof on Demand.

LXXXIII. And be it further enacted, That if any Person or Persons shall drive or cause to be driven any Cart or other Carriage with any Soap Lees, Slop Filth, or Channel Mire, or Dirt therein, through or in any of the said Streets, Lanes, and Places within the said Manor or Liberty, without such Cart or other Carriage having a proper Covering, or Boards called Flush Boards, to prevent the same from slopping or spilling in any of the said Streets, Lanes, and Places, or shall fill any such covered Cart or other Carriage so as to turn over or cast any Soap Lees, Slop Mire, or Channel Dirt or Filth, in or upon any of the said Streets, Lanes, or other Places, it shall and may be lawful for any Person or Persons whomsoever to seize and apprehend, and to assist in seizing and apprehending, the Offender or Offenders, and by the Authority of this Act, and without any other Warrant, to convey him, her, or them before some Justice of the Peace for the said County, which Justice is hereby authorized and required to hear Evidence and determine upon such Offence; and every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds: Provided always, that in case the Person or Persons so offending cannot be apprehended, the Owner or Owners of such Carts or Carriages in which such Soap Lees, Slop Filth, Mire, or Channel Dirt shall be put or placed, shall be liable to and shall forfeit and pay such Penalty as aforesaid.

Penalty on carrying Slop in any other than covered Carts.

LXXXIV. And

Notice to be given to the Commissioners, &c. of taking up Pavements.

LXXXIV. And be it further enacted, That when and as often as any Part of the Pavement of the said Streets, Lanes, Courts, Yards, Alleys, Passages, or Places, shall be taken up for the Purpose of making, repairing, altering, cleansing, or emptying any Sewer, Vault, or Drain, or of laying, altering, or amending any Water Pipe or Plug, or for any other Purpose whatsoever, the Person or Persons so taking up such Pavement shall immediately give Notice thereof to the Surveyor to the Commissioners for putting this Act into Execution, in order that the same may, with all convenient Speed, be laid down and repaired by them; and the Charges and Expences thereof shall be paid by the said Commissioners, and they shall be reimbursed the same by the Person or Persons, Companies of Waterworks, or Commissioners of Sewers, who shall take up, or cause or procure to be taken up, the said Pavement, or any Part or Parts thereof; and in default of Payment thereof for Ten Days next after Demand thereof in Writing shall have been made by the Clerk of the said Commissioners, such Sum or Sums of Money shall and may be levied and recovered in like Manner as any Penalty can be recovered by this Act.

On Refusal of Payment by them after Ten Days Notice.

LXXXV. And be it further enacted, That in case such Person or Persons, Companies of Waterworks, or Commissioners of Sewers respectively, shall neglect or refuse to pay what the said Commissioners shall have so paid and disbursed, within Ten Days next after Notice thereof, to be left at the Dwelling House or last Place of Abode of such Person or Persons, or of the Secretary or Secretaries, Clerk or Clerks of such Companies of Waterworks, or Commissioners of Sewers respectively, which Notice shall be in Writing, and signed by the Clerk of the Commissioners for putting this Act in Execution, by Order of the said Commissioners, and annexed to the Bill containing an Account of the Expences of such Repair, it shall be lawful for the said last-mentioned Commissioners, and they are hereby authorized and empowered, to bring or cause to be brought any Action or Actions against such Person or Persons, wherein they shall recover a reasonable Satisfaction for such Work and Labour and Materials, together with Costs of Suit; but where the Companies of Waterworks, Commissioners of Sewers, or other Bodies Politic or Corporate, occasion such Damage to the said Pavement, that then the respective Treasurer or Clerk to such Companies of Waterworks, Commissioners of Sewers, or Bodies Politic or Corporate, shall stand Debtor for such Repairs upon an implied Promise to the said Commissioners, who are hereby authorized to commence such Action as aforesaid against any such Treasurer or Clerk, wherein they shall recover reasonable Satisfaction for such Work, Labour, and Materials, together with Costs of Suit; and such Treasurer or Clerk is hereby authorized and allowed to deduct and retain out of any Monies in his Hands the Monies he shall pay on account of the Premises, or shall be repaid and reimbursed the same by the said Commissioners of Sewers, Companies of Waterworks, or Bodies Politic or Corporate, together with lawful Interest for the same.

Commissioners to pay for altering Pipes.

LXXXVI. And be it further enacted, That if for the Purposes of this Act it shall at any Time be found necessary to raise, sink, or otherwise alter the Position of any of the Pipes or Plugs laid down or placed by the said Companies, or any of the Leaden or other Pipes which shall be laid into or from any of the said Companies Pipes, (which the said Commissioners are hereby empowered to cause to be done as often and in such
Places

Places as they shall think proper,) the same shall be paid for out of the Monies arising by virtue of this Act, and shall be done with as little Detriment or Inconvenience to the said Companies and other Persons as the Circumstances of the Case will admit.

LXXXVII. And be it further enacted, That when and so often as it shall happen that any Pipe or Pipes within the said Manor or Liberty, belonging to any Company or Proprietors of Waterworks, shall break, burst, or become out of Repair, or the Pavement over or near the Spot where any of the said Pipes may lie shall sink or give way on account of any Defect in the said Pipes, notwithstanding the Water may not ooze through the Surface of the said Pavement in the said Streets, Lanes, or other Places, or either of them, it shall be lawful for the Treasurer, Surveyor, Clerk, or Pavior to the said Commissioners for the Time being, or such other Person as the said Commissioners shall appoint for that Purpose, to give immediate Notice thereof to the Treasurer, Clerk, Engineer, Inspector, Turncock, or other Officer of the Company, or Proprietors of Waterworks, to whom he apprehends such Pipe or Pipes does or may belong, or require him or them to cause the Pavement to be taken up, and the Ground opened at or near the Place where the Water shall or may issue by reason of such Pipe or Pipes breaking or bursting, or where the Pavement may have given way, or sunk as aforesaid, and to cause the said Pipe or Pipes to be substantially repaired and made good, and the Ground properly filled in, within Two Days next after such Notice given to such Treasurer, Clerk, Engineer, Inspector, Turncock, or other Officer, or left at his or their last or usual Place or Places of Abode, or at or upon the Premises where the Business of the Waterworks shall be then carried on; and if upon taking up the Pavement, and opening the Ground, it shall appear the Pipe or Pipes so broken or burst do not belong to the Company or Proprietors of Waterworks whose Officer or Servant shall have taken up such Pavement and opened such Ground, that then and in such Case the said Treasurer, Clerk, Engineer, Inspector, Turncock, or other Officer of the Company or Proprietors of Waterworks, who shall have opened such Ground, shall give immediate Notice in Writing to the Treasurer, Clerk, Engineer, Inspector, Turncock, or other Officer of that Company or Proprietors of Waterworks to whom it shall appear that such Pipe or Pipes doth or do belong, such Notice to be given or left with the said last-mentioned Treasurer, Clerk, Engineer, Inspector, Turncock, or other Officer, or at his or their last or usual Place or Places of Abode, or at or upon the Premises where the Business of the said Waterworks shall be then carried on; and the Treasurer, Clerk, Engineer, Inspector, Turncock, or other Officer of the Company or Proprietors of Waterworks to whom such Pipe or Pipes shall belong, is hereby required substantially to cause the same to be repaired, and the Ground to be properly filled in, to the Satisfaction of the Surveyor of the said Commissioners, within Two Days after such Notice given or left as aforesaid, and also within Twenty-four Hours after such Pipe or Pipes shall be repaired and the Ground filled in, to give Notice in Writing to the Pavior or Paviers contracted with or employed by the said Commissioners, or to the Treasurer, Surveyor, or the Clerk of the said Commissioners, or other Person as aforesaid, of such Pipe or Pipes being repaired, and such Ground being filled in, such Notice to be given to such Pavior or Paviers, Treasurer, Surveyor, Clerk, or other Person, in Writing, or

How the Water Pipes when broken are to be repaired.

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left at his or their last or usual Place or Places of Abode, in order that the Pavement may be forthwith re-laid in manner directed by this Act; and in case it shall happen that the Treasurer, Clerk, Engineer, Inspector, Turncock, or other Officer of the Company or Proprietors of Waterworks, who first received Notice to take up the Pavement and open the Ground for the Purposes aforesaid, shall cause such Pavement to be taken up and such Ground opened, and it shall then be discovered that the Pipe or Pipes which is, are, or shall be burst or broken, doth or do not belong to that Company or Proprietors of Waterworks, that then and in such Case the Treasurer, Clerk, Engineer, Inspector, Turncock, or other Officer of the Company or Proprietors of Waterworks to whom such Pipe or Pipes doth or do belong, shall make Satisfaction to the Treasurer, Clerk, Engineer, Inspector, Turncock, or other Officer of the Company or Proprietors of Waterworks who so caused such Pavement to be taken up and Ground opened for such Work; and in case the Treasurer, Clerk, Engineer, Inspector, Turncock, or other Officer to whom such Notice shall be so given to cause such Pavement to be taken up and Ground opened, shall neglect or refuse to cause the same to be done within Two Days after Notice given as aforesaid, and to give Notice to the Treasurer, Clerk, Engineer, Inspector, Turncock, or other Officer, to whom it shall then appear such Pipe or Pipes does or do belong as aforesaid, he or they shall for the First Offence forfeit any Sum not exceeding Twenty Shillings; for the Second Offence any Sum not exceeding Forty Shillings; and for the Third and every subsequent Offence any Sum not exceeding Three Pounds; and in case the Treasurer, Clerk, Engineer, Inspector, Turncock, or other Officer of the Company or Proprietors of Waterworks to whom such Pipe or Pipes so broken or burst shall belong, shall neglect or refuse to cause the same to be repaired and amended, and the Ground filled in as aforesaid, for the Space of Two Days next after such Notice given or left, or shall neglect or refuse to give Notice to the Pavior or Paviers contracted with or employed by the said Commissioners, or to the Treasurer, Surveyor, or Clerk to the said Commissioners, or to such other Person as aforesaid, such Treasurer, Clerk, Engineer, Inspector, Turncock, or other Officer 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 Three Pounds; and if the Pavior or Paviers contracting with or employed by the said Commissioners shall neglect or refuse to re-lay such Pavement so taken up for the Reasons and Purposes aforesaid, in a good, sufficient, and effectual Manner, within Two Days after such Notice given to him or them as aforesaid, or if the Treasurer, Surveyor, Clerk, or other Person to whom such Notice shall be given, shall neglect to acquaint the Pavior or Paviers contracting with or employed by the said Commissioners of such Notice, then and in every such Case the Person or Persons so offending 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 subsequent Offence any Sum not exceeding Three Pounds.

In case the
Waterwork
Companies
neglect to

LXXXVIII. And be it further enacted, That in case the said Treasurer, Clerk, Engineer, Inspector, Turncock, or other Officers of the Company or Proprietors of Waterworks to whom such Pipe or Pipes so broken or

burst does or do belong, or shall have been supposed to belong, shall refuse or neglect to cause the said Pipe or Pipes to be substantially repaired, and the Ground properly filled in to the Satisfaction of the Surveyor to the said Commissioners, or shall refuse or neglect to give Notice to the Treasurer, Clerk, Engineer, Inspector, Turncock, or other Officer of the Company or Proprietors of Waterworks to whom it shall be discovered such Pipe or Pipes does or do actually belong, within the Time aforesaid, it shall and may be lawful for the said Commissioners to cause such Pipe or Pipes to be thoroughly and substantially repaired and amended, or a new Pipe or Pipes laid down in the Place and Stead of such as shall in the Judgment of the Surveyor to the said Commissioners be decayed and worn out, and cause the Ground to be again filled in, in such Manner as the said Commissioners or their said Surveyor shall think proper; and the Charges and Expences attending the same shall be reimbursed the said Commissioners, and be paid and payable by the Treasurer, Clerk, Engineer, Inspector, Turncock, or other Officer who shall so refuse or neglect to cause the said Pipe or Pipes to be repaired, and the Ground filled in as aforesaid, or to give such Notice as aforesaid, and shall be levied and recovered by virtue of this Act; or it shall be lawful for the said Commissioners to cause any Action or Actions to be brought, in the Name of their Treasurer or Clerk, against the said Treasurer, Clerk, Engineer, Inspector, Turncock, or other Officer, for the Recovery of the said Charges and Expences, with Costs of Suit.

repair Pipes, Commissioners may do it, and charge them with the Expences.

LXXXIX. And be it further enacted, That no Person or Persons shall make or cause to be made any Alteration in the Forms of any of the Pavement of the said Streets, Lanes, or other Places, or of any Part thereof, without the Consent and Direction of the said Commissioners, under their Hands and Seals, upon pain of forfeiting for every such Offence the Sum of Five Pounds, over and above all Expences incurred or to be incurred in reinstating the same.

No Alteration to be made in the Pavements without the Consent of Commissioners.

XC. And be it further enacted, That it shall be lawful for the said Commissioners to erect Porters Blocks or Rests, and to cause to be dug and sunk in such Place or Places in the said Streets or Lanes, or in any Street, Lane, Court, Yard, Alley, Passage, or Place adjoining, any Well or Wells, and also to erect any Pump or Pumps on or near the same; and also to remove or alter any Pump now standing in the said Streets, Lanes, or other Places, for the Purpose of watering the said Streets, Lanes, or Places, in such Manner as the said Commissioners shall direct.

Commissioners may order Porters Blocks to be erected, and Wells to be dug in proper Places.

XCI. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to direct and cause the Course of any Gutter or Channel running in or through the said Streets, Lanes, or other Places, or either of them, to be turned or altered in such Manner as they shall think proper; and to direct the Grates already placed or hereafter to be placed over any Sewers to be removed and replaced in such Manner and at such Place and Places as they shall think most proper; all which shall from Time to Time be done at the Expence of the said Commissioners, and paid for out of the Money arising by virtue of this Act, any Law, Usage, or Custom to the contrary notwithstanding.

The Course of the Gutters or Channels may be turned if necessary.

XCII. And

Whereit shall be necessary to make new Grates, or to repair or alter old ones, the Commissioners of Sewers to pay the Expence.

XCII. And be it further enacted, That when and so often as there shall be Occasion to make new or additional Grates, or to repair or alter any of the Grates now placed or hereafter to be placed over any Sewer or Sewers within the said Streets, Lanes, or other Places, or either of them, the same shall be made, repaired, or altered by and at the Expence of the Commissioners of Sewers for the District wherein the same is or may be situated, and shall be laid down in such Places and in such Manner and Form as shall be directed by the Surveyor to the Commissioners for putting this Act in Execution, at the like Expence of the said Commissioners of Sewers; and in case the said Commissioners of Sewers shall neglect or refuse so to do for the Space of Thirty Days next after Notice in Writing given or left with their Treasurer or Treasurers, Surveyor or Surveyors, Clerk or Clerks for the Time being, such Notice to be signed by the Surveyor or Clerk to the Commissioners of Pavements, it shall be lawful for the said Commissioners appointed by this Act to cause such Grate or Grates to be made, repaired, altered, and laid down, the Expence whereof shall be reimbursed and paid by the said Commissioners of Sewers, or recovered of them in like Manner as the Charges and Expences of re-laying Pavements is herein-before authorized to be recovered.

Sewers to be repaired and cleansed, &c. by Commissioners of Sewers.

XCIH. And be it further enacted, That when and so often as any Sewer or Drain which shall be situate in, under, or adjoining the said Streets, Lanes, or Places, or either of them, or the Embankments, Wall, or Coverings thereof, shall be required by the said Commissioners for putting this Act into Execution to be made new, repaired, altered, cleansed, or emptied, then and in every such Case the said Commissioners of Sewers shall, within Fourteen Days after Notice in Writing, signed by the Clerk to the Commissioners for putting this Act into Execution, given to or left for the Treasurer, Clerk, or Surveyor for the Time being to the Commissioners of Sewers, at his usual Place of Abode, make new, effectually repair, clean, or empty such Sewer or Drain, Embankment, Wall, or Covering, as the Case may require; and in default thereof it shall be lawful for the said Commissioners appointed by this Act, for the Time being, to cause such Sewer or Drain, Embankment, Wall, or Covering, to be made, repaired, altered, cleansed, or emptied, as the Case may require, or so much thereof as shall remain unfinished, the Charges and Expences whereof shall be paid by the Commissioners for putting this Act into Execution, who shall be reimbursed the same by the Treasurer or Clerk for the Time being to the said Commissioners of Sewers; and in case the said Treasurer or Clerk to the said Commissioners of Sewers shall neglect or refuse to pay what shall have been so paid and disbursed within Thirty Days next after Notice thereof shall be left at his Dwelling House or last Place of Abode, which Notice shall be in Writing, and signed by the Clerk to the Commissioners for putting this Act in Execution, and annexed to the Bill containing an Account of such Charges and Expences, it shall be lawful for the said last-mentioned Commissioners, and they are hereby authorized and empowered, to bring or cause to be brought any Action or Actions against such Clerk or Treasurer of the Commissioners of Sewers for the Time being, for the Recovery of such Sum or Sums of Money as they shall have so expended for the Purposes aforesaid, in which Action or Actions no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed; or the said Charges and Expences may be levied and recovered in like Manner as any Penalty can or may be levied

On their Neglect, the same to be done by Commissioners of this Act, and paid for by the Commissioners of Sewers.

levied and recovered by virtue of this Act; and such Clerk or Treasurer is hereby authorized to deduct and retain out of any Monies in his Hands the Monies so paid, levied, or recovered, or shall be repaid or reimbursed the same by the said Commissioners of Sewers, together with lawful Interest for the same.

XCIV. And be it further enacted, That each and every Rate or Assessment now ordered and directed to be levied, assessed, and collected by and under the Authority of the said recited Act, shall and may be levied, assessed, and collected by such Ways and Means, and under such Regulations and Restrictions, as any Rate or Assessment ordered and directed to be levied, assessed, and collected by virtue of this Act can or may be raised, levied, and collected. Old Rates to be deemed good.

XCV. And be it further enacted, That from and after the passing of this Act the said Commissioners shall and they are hereby empowered and required Twice in every Year, or oftener if they think proper, to make and sign a Rate, to be an equal Pound Rate, according to the Annual Rent or Annual Value, to be raised upon all and every Person and Persons who do and shall inhabit, hold, use, occupy, possess, or enjoy any Land, Ground, House, Shop, Warehouse, Coach-house, Stable, Cellar, Vault, Building, Tenement, Hereditament, or Tenter-Ground within the said Liberty, called *The Clink*, or *Bishop of Winchester's Liberty*, so that no such Rate shall exceed in the whole the Sum of Two Shillings and Eight-pence in the Pound in any One Year of the Annual Rent or Annual Value of such Lands, Grounds, Houses, Shops, Warehouses, Coach-houses, Stables, Cellars, Vaults, Buildings, Tenements, or Hereditaments, and which said Rate, and the Money to be from Time to Time raised thereby, shall be applied to the Purposes of this Act. Rates to be made upon the Inhabitants.

XCVI. And be it further enacted, That towards defraying the Charges and Expences of executing this Act it shall be lawful for the said Commissioners, and they are hereby empowered and required, Twice in every Year, or oftener if they shall think proper and needful, after the passing of this Act, to make and sign a Rate to be assessed upon all and every Owner or Proprietor, Landlord or Lessor (save and except the Bishop of *Winchester* and his Successors) of any Land, Ground, House, Shop, Warehouse, Coach-house, Stable, Cellar, Vault, Building, Tenements, Hereditaments, or Tenter-Ground within the said Liberty, in such competent Sum or Sums of Money as the said Commissioners shall from Time to Time order and direct, so that such Rate or Assessment upon the Owner or Proprietor, Landlord or Lessor, do never in any One Year exceed the Sum of One Shilling and Four-pence in the Pound; which Rate the Tenant or Occupier, Tenants or Occupiers for the Time being of such respective Lands, Ground, House, Shop, Warehouse, Coach-house, Stable, Cellar, Vault, Building, Tenement, Hereditament, or Tenter-Ground, shall be liable and compellable to pay the same, and shall and may be recovered and levied in manner by this Act directed; and every such Tenant and Occupier shall and may deduct the whole of such last-mentioned Rate from and out of the next or any other Rent due or to become due and payable to the respective Owner, Proprietor, Landlord, or Lessor (save and except the said Bishop of *Winchester* and his Successors,) for so much Money as shall be so paid by him, her, or them, or shall Rate upon the Proprietors.

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have been levied on his, her, or their Goods and Chattels; and the said Commissioners shall and may also rate and assess all Burial Grounds, and all Meeting Houses, Schools, and other public Buildings whatsoever, and all dead Walls and void Spaces of Ground within the said Manor or Liberty, at the Rate of Nine-pence *per* Square Yard for every Yard of Pavement belonging thereto respectively, which Rate to be charged for such Burial Grounds shall be paid by the Churchwardens of the said Parish; and the Rates to be charged for all Meeting Houses, Schools, dead Walls, and void Spaces of Ground, shall be paid by the respective Owners or Proprietors thereof (other than and except the said Bishop of *Winchester* and his Successors).

Rates to be
allowed by
Two Justices
of the Peace.

XCVII. And be it further enacted, That all the said Rates shall be allowed and signed by Two Justices of the Peace acting in and for the said County of *Surrey* or Borough of *Southwark*, who are also hereby empowered and required to grant a Warrant or Warrants for collecting and levying the same; and the said Rates, after the same shall be so allowed and signed by the said Justices, shall be collected by the Person or Persons from Time to Time appointed by the said Commissioners pursuant to this Act to collect and receive the same; and if any Person or Persons shall refuse, neglect, or omit to pay the Sum or Sums of Money which he, she, or they shall be rated or assessed to in any such Rate for the Space of Ten Days after personal Demand made thereof, or Demand in Writing left at the Place of Abode or Occupation of such Person or Persons, then and in every such Case it shall be lawful for the Collector or Collectors, and he and they is and are hereby authorized and required, to levy the same by Distress and Sale of the Goods and Chattels of the Tenant or Occupier of any House, Building, or other Tenement upon which any Rate or Assessment shall be charged by virtue of this Act, as well all and every such Sum or Sums of Money as he, she, or they shall be rated or assessed in any such Rate or Assessment, as also all and every such Sum and Sums of Money which the Owner or Proprietor, Landlord or Lessor, shall be rated or assessed for or in respect of the Premises in the Tenure or Occupation of every such Tenant or Occupier; and in case no such Goods and Chattels can be found to be so distrained, or in case such Goods and Chattels shall be locked up or secured, or removed from the said Collector or Collectors, so that he or they cannot distrain the same, then and in either of the said Cases, upon Information thereof given to the said Justices, or any Two other Justices of the Peace for the said County of *Surrey*, it shall be lawful for such Justices and they are hereby required to commit the Offender or Offenders to the Common Gaol or House of Correction for the said County of *Surrey*, there to remain without Bail or Mainprize for any Time not exceeding the Space of One Calendar Month, unless Payment of such Rate or Assessment, and all reasonable Charges occasioned by the Nonpayment thereof, be sooner made: Provided nevertheless, that the Power and Authority hereby granted shall not take away or lessen any Power or Mode of Recovery of the Rates and Assessments to be made upon the Owner or Proprietor, Landlord or Lessor, in and by this Act hereby granted, but the same shall continue and be in full Force and Effect notwithstanding.

For the
better Reco-
very of Rates

XCVIII. And whereas divers Houses, Tenements, and Hereditaments within the said Liberty are let at small Rents, or to weekly or monthly
I
Tenants,

Tenants, or entirely let out in Lodgings or separate Apartments, or let ready furnished, and the Collection of the Rates made by virtue of the said recited Act from the Occupiers of such Houses, Tenements, or Hereditaments, has been attended with much Difficulty, and has frequently been evaded, so that much Loss on that Account has hitherto been sustained by the said Commissioners; for Remedy whereof, be it further enacted, That when the yearly Rent or Value of any such House, Tenement, or Hereditaments shall not exceed Twelve Pounds, or where any House, Tenement, or Hereditament shall be let to any weekly or monthly Tenants, or in separate Apartments, furnished or unfurnished, and the Rents thereof shall become payable and be collected at any shorter Period than quarterly, then and in every such Case it shall and may be lawful to and for the said Commissioners (if they shall think proper) 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, within the said Manor or Liberty, for the Payment of the Rate or Rates, Assessment or Assessments, to be made by virtue of this Act, at such a reduced yearly Rental as the said Commissioners shall think reasonable, so that no such House or Houses, Tenement or Tenements, Hereditament or Hereditaments, be rated at less than Two Third Parts of the Rack Rent at which the same respectively shall then be 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 Rent of Twelve Pounds, or as shall be let to any weekly or monthly Tenant, or in separate Apartments furnished or unfurnished, and from whence the several Rents thereof shall become due and be collected at any shorter Period than quarterly, is and are hereby required to enter into such Composition with the said Commissioners; 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 thereupon be rated to, and from Time to Time shall pay or cause to be paid the Rates or Assessments charged upon their respective Premises by virtue of this Act, according to a fair and equal Assessment, unto the Person or Persons appointed by the said Commissioners to collect the said Rates, and who is and are hereby authorized and empowered to receive and collect the same, and upon Nonpayment thereof to levy the same 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, wheresover they may be found, or of the Person or Persons inhabiting the same respectively, in like Manner as any Rate or Assessment may be raised, levied, or collected by virtue of this Act: Provided always, that no such Landlord, Owner, or Lessee shall be charged with or liable to pay for any increased Rent reserved or made payable to him for or on account of such Landlord, Owner, or Lessee having agreed to pay the Rates heretofore chargeable upon the several Occupiers of such Premises: Provided also, that the Goods and Chattels of all and every Person or Persons renting or occupying any such House, Tenement, or Hereditaments, or any Part or Parts thereof, the Rate or Rates, Assessment or Assessments whereof the Landlord or Landlords, Owner or Owners, Lessee or Lessees, is and are hereby made liable and subject to as aforesaid, shall be liable at all Times to be distrained and sold for Payment of so much of the said

on Tenements let at small Rents or to Lodgers.

Landlords not to be rated for reserved Rents.

Rates if collected from Tenants to be repaid by Landlords to Tenants.

said Rates or Assessments, and of all Arrears thereof as become due upon the said Premises during the Term of his or their Occupancy only, and all reasonable Costs, Charges, and Expences attending thereupon; 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 and 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, 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 or Owners of the Premises (unless there shall be some Agreement to the contrary between the Landlord and Tenant), 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 as he, she, or they shall pay in the Manner directed by this Act, and shall be allowed by such Landlord or Landlords of such Houses or Buildings in part or full Payment (as the Case may be) for the Rent due to him, her, or them, for such Person or Persons as aforesaid: Provided also, that no such Tenant or Occupier by Payment of any such Rate or Rates, Assessment or Assessments, in manner aforesaid, or which shall have been compounded for as aforesaid, shall be deemed to acquire any Settlement in the said Parish of *St. Saviour Southwark*; but in every such Case the Landlord, Owner, or Lessee of the Premises shall be deemed and construed to all Intents and Purposes to have paid the same, and shall be deemed and taken to be the Occupier or Occupiers thereof; any Law, Usage, or Statute to the contrary in anywise notwithstanding.

No Tenant by such Occupancy to gain a Settlement.

Agreements between Landlord and Tenant not to be impeached.

XCIX. Provided always, and be it further enacted, That nothing in this Act contained shall be construed, deemed, or taken to alter, impeach, or make void any Agreement made between any Landlord and Tenant in any Lease now granted or hereafter to be granted pursuant to any Contract or Agreement now existing; any thing in this Act contained to the contrary thereof notwithstanding.

Persons receiving Rents to be deemed the Owners.

C. Provided always, and be it further enacted, That to prevent Disputes touching the Designation of the Landlord or Owner intended to be made liable by this Act, the Person or Persons legally authorized and empowered to receive, collect, and gather in, or claiming to be entitled to the Rents of every such House or Houses, Tenement or Tenements, Hereditaments or Premises, immediately payable by Tenants or Occupiers thereof respectively, shall be deemed and taken to be the Landlord or Landlords, Owner or Owners, Lessee or Lessees of the same, for the Purposes of this Act, and to be the Person or Persons required to enter into such Composition as aforesaid, and shall be continued to be rated to and liable to the Payment of all and every such Rates as aforesaid, until some other Person or Persons shall be rated to or pay the same, unless the real Landlord, Owner, or Lessee is known, and shall voluntarily compound for the same with the said Commissioners in manner aforesaid.

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CI. And be it further enacted, That from and after any Composition shall be made with the said Commissioners as herein-before mentioned and directed, the House or Houses, Tenement or Tenements, Hereditaments and Premises therein comprised, shall be rated and assessed according to the same reduced Rental in every future Rate or Assessment, Rates or Assessments, until the said Commissioners shall think proper otherwise to rate and assess the said Premises.

Compositions to remain in force until altered by the Commissioners.

CII. And be it further enacted, That if it shall appear to the said Commissioners at any Time after the making of any Rate or Assessment, Rates or Assessments, under and by virtue of this Act, or after the same shall be allowed and signed in manner directed by this Act, that the Name or Names of any Person or Persons liable to be included in such Rate or Assessment, Rates or Assessments, have or hath been omitted therein, it shall be lawful for the said Commissioners to add or cause to be added to such Rate or Assessment, Rates or Assessments, the Name or Names of the Person or Persons so omitted, together with the Sums which he, she, or they ought to be rated, and the Amount of such Rate or Assessment, Rates or Assessments in respect thereof, and otherwise to alter and amend the said Rate or Rates; and every such Addition and Alteration made to or in any of the said Rates shall be as valid and effectual in Law, to all Intents and Purposes, as if the same had been so inserted in the said Rate or Rates at the Time the same was first made, allowed, and signed.

Commissioners may rectify Omissions in Rates.

CIII. And whereas it may happen that many Persons liable to and who may be rated and assessed by virtue of this Act 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 Liberty; be it therefore enacted, That when any Person or Persons who shall hereafter be rated or assessed in manner by this Act directed shall quit or be about to quit his, her, or their Lands, Grounds, Shops, Warehouses, Coach Houses, Stables, Cellars, Vaults, Buildings, Tenements, or Hereditaments, in any Street or Place wherein such Rates shall be made, before he, she, or they shall have paid the same respective Rates to the Collector or Collectors, or other Person or Persons authorized and appointed to receive the same, and shall afterwards refuse or neglect to pay the same when demanded by the said Collector or Collectors for the Time being, or other Person or Persons as aforesaid, then and in every such Case it shall be lawful to and for the said Collector or Collectors, or other Person or Persons authorized and appointed as aforesaid, 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 and are hereby authorized and required to grant,) on 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 collect and levy not only such Rate or Assessment as shall or may be charged or rated

For recovering Rates from Persons removing out of the Liberty previous to their being made.

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upon

upon such Person or Persons, but also such Rate and Assessment which shall or may be charged and rated upon the Owner or Proprietor, Landlord or Lessor, in respect of the Premises which shall have been occupied or held by such Person or Persons, by Distress and Sale of the Goods and Chattels of such Person or Persons, wherever they may be found, in manner in this Act mentioned: Provided always, that the Person or Persons whose Goods and Chattels shall be so distrained shall nevertheless be entitled to recover from the Owner or Proprietor, Landlord or Lessor, the full Amount of the Rates or Assessments charged or rated upon the Owner or Proprietor, Landlord or Lessor, any thing in this Act contained to the contrary notwithstanding.

Rates may be demanded before the Day on which they become payable.

CIV. And be it further enacted, That in order to avoid the Loss which frequently happens by Tenants or Occupiers of Houses, Messuages, Lands, or other Tenements, quitting or removing from the same before the Day on which the Rates or Assessments charged by virtue of this Act on the said Tenements shall become due and payable, it shall and may be lawful to and for the Collector or Collectors for the Time being to demand and receive, Twenty-one Days before every such Day, or any other Time if necessary, the respective Rates and Assessments which would be due and payable on such subsequent Day, and in case of Nonpayment thereof to enforce the Payment of such Rates or Assessments in the same Manner and with the same Powers as in the Case of Nonpayment of such Rates and Assessments upon or after the Day on which the same would have become payable and due.

Persons paying these Rates not to be liable to any other.

CV. Provided always, and be it further enacted, That no other Rate or Rates, Assessment or Assessments, shall from and after the passing of this Act be assessed, made, or laid upon any of the Inhabitants of the said Liberty, for or on account of paving, cleansing, lighting, or watching the said Streets and other Places, or for repairing any Highways within the said Liberty.

Power to borrow Money.

CVI. And, in order to enable the said Commissioners to carry the several Purposes of this Act into immediate 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 such Sum or Sums of Money, not exceeding in the whole the Sum of Fifteen thousand Pounds at any one Time, as they shall judge necessary for the several Purposes of this Act, on the Credit of the Rates or Assessments to be made, levied, and collected by virtue of this Act, and by Writing under their Hands and Seals, or of any Five or more of them, to assign all or any Part of the said Rates or Assessments to such Person or Persons as shall lend or advance any Money thereon, or to his, her, or their Trustee or Trustees, as a Security for the Principal Money to be advanced, with lawful Interest for the same; and the Charges and Expences of such Assignment (to be made as herein-after mentioned) shall be from Time to Time defrayed by the said Commissioners out of the Money so borrowed; and every such Assignment shall be in the Words or to the Effect following; (that is to say,)

Form of Assignment.

WE, being Five of the Commissioners acting in pursuance of an Act made in the Fifty-second Year of the Reign of His Majesty King George the Third, intituled [*here set forth the Title of this Act*], in consideration of the Sum of _____ Pounds advanced and lent by _____ of _____ in the County of _____ upon the Credit and for the Purposes of the said Act, do hereby grant

Transfer shall be made the Sum of Two Shillings and Sixpence, and no more; and every such Transfer, after Entry thereof as aforesaid, shall entitle the Person to whom the Transfer shall be made, and his or her Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred, without any Registry or Inrolment thereof.

CIX. And, in order that no Preference may be given to any of the Persons who shall have advanced and lent Money upon the Credit of the said Rates or Assessments, be it further enacted, That the said Commissioners (if there shall be more Creditors than One) shall cause the Number or Numbers of all Assignments or Securities granted (in case more than the Sum of One hundred Pounds shall be lent and advanced upon any such Assignment or Security as aforesaid, and then in force for securing the Principal Monies lent and advanced upon the Credit of the said Rates or Assessments, of which Part shall be then intended to be paid off,) to be written upon distinct Pieces of Paper of an equal Size, each Piece of Paper to contain only one Number in respect of every One hundred Pounds so borrowed as aforesaid; and all such Papers shall be rolled up in the same Form, as near as may be, and be put into a Box or Wheel, and the Number or Numbers of the said Assignments or Securities shall be drawn separately out of the said Box or Wheel by the Clerk to the said Commissioners; and after every such Ballot the said Commissioners shall cause Notice, signed by their Clerk, to be given to or left at the last or usual Place of Abode of the Person or Persons who shall be entitled to the Money to be paid off, either in full or part Payment of their respective Assignments or Securities as aforesaid, pursuant to such Ballot; and where there is only One Creditor, to give Six Calendar Months Notice in Writing to such Creditor of the Intention of the said Commissioners to pay him or her as aforesaid; and every such Notice shall express the Sum to be paid off, together with the Interest due thereon, and that the same shall be paid on a Day and at a Place to be specified in such Notice, such Day not being sooner than Six Calendar Months after the Day of giving or leaving such Notice as aforesaid; and the Interest of the Principal Money to be so paid off shall, from and after the Day so specified, cease and be no longer paid or payable, unless such Money shall be demanded pursuant to such Notice, and not paid; but the Principal Money in respect whereof such Notice shall be given, and also the Interest thereof to the Day so specified, shall nevertheless be payable on Demand; but nothing herein contained shall extend or be construed to extend so as to require the said Commissioners to pay off and discharge any Monies lent on the Credit of the said Rates or Assessments by way of Annuity, until all other the Creditors on the said Rates or Assessments shall be paid off and discharged, and the several Parties so lending Money by way of Annuity shall agree to accept the Sum or Sums of Money offered by the said Commissioners for the Re-purchase of such his or their Annuity or Annuities.

CX. Provided always, and be it further enacted, That in case the said Commissioners can at any Time borrow or take up any Sum or Sums of Money at a lower Rate of Interest than the Assignments or Securities which shall be then in force shall bear, it shall and may be lawful to and for the said Commissioners, or any Five or more of them, from Time to Time to charge the Rates or Assessments, in manner aforesaid, with such

[Loc. & Per.]

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Sum

Provision for
Payment of
the Creditors
by Ballot.

Power to bor-
row Money
at lower
Interest, to
discharge Se-
curities at a
higher Rate.

Sum or Sums of Money as they shall think proper, and the Interest thereof at such low Rate as aforesaid, and to pay off and discharge the Assignments or Securities bearing a higher Rate of Interest, according to the Directions and Regulations herein prescribed for paying off Assignments or Securities.

Old Securities, &c. to be good.

CXI. Provided always, and be it further enacted, That all Bonds, Assignments, Securities, Grants, Conveyances, and Leases, made or granted by any Person or Persons, Body or Bodies Politic or Corporate, or any others whomsoever, to the said Commissioners, or any other Officer or Officers acting by or under the Authority of the said recited Act, or made or granted by the said Commissioners by or under the Authority of the said Act, shall be as good, valid, binding, and effectual to all Intents and Purposes whatsoever, according to the Tenor thereof, as if the same had been made or granted to or by the Commissioners acting by and under the Authority of this Act; any thing herein contained to the contrary thereof notwithstanding.

Inhabitants not deemed incompetent Witnesses.

CXII. And be it further enacted, That no Inhabitant of the said Manor or Liberty shall in any Action, Prosecution, Information, Cause, Hearing, Examination, or Proceeding whatsoever, relating to or concerning the said recited Act and this Act, be deemed an incompetent Witness on account of his or her being charged with or liable to pay any Rate or Assessment to be raised, levied, and collected by virtue of the said recited Act and this Act.

How Justices are to proceed on Complaint of Commissioners.

CXIII. And be it further enacted, That in all Cases where One or more Justice or Justices of the Peace is or are or may be empowered by Law to proceed on the Complaint of the Commissioners, or any of them, it shall and may be lawful for such Justice or Justices of the Peace, and he and they are hereby required, to proceed on the Complaint of any One of the said Commissioners, or of their Surveyor, Clerk, or Collector, or of any Person or Persons whom any Five or more of them shall appoint for that Purpose, in such and the like Manner to all Intents and Purposes as if such Complaint had been made by such Commissioners, or any of them.

Penalty on Persons obstructing Workmen, &c.

CXIV. 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, Workmen, or any other Person or Persons whomsoever who is or are or shall be employed by virtue of this Act in the Performance or Execution of their Duty, every such Person shall for the First Offence forfeit 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 Three Pounds.

Recovery and Application of Penalties.

CXV. And be it further enacted, That all Penalties and Forfeitures by this Act imposed (the Manner of levying and recovering whereof are not by this Act otherwise particularly described) shall be levied and recovered by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of One Justice of the Peace acting in and for the said County of *Surrey*, which Warrant such Justice is hereby empowered and required to grant upon the Confession of the Party or Parties, or upon

the Information of any One or more credible Witness or Witnesses upon Oath (which Oath such Justice is hereby empowered to administer); and the Penalties and Forfeitures when recovered, after rendering the Overplus (if any), upon Demand, to the Party or Parties whose Goods and Chattels shall be so distrained and sold, (the Charges of such Distress and Sale being first deducted,) shall be paid to the Treasurer to the said Commissioners, and be applied towards the Purposes of this Act, unless the same shall be herein otherwise provided for; and in case sufficient Distress shall not be found, or such Penalties and Forfeitures shall not be paid forthwith, 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 cause such Offender or Offenders to be committed to the Common Gaol or House of Correction in the said County or Borough, there to remain, without Bail or Mainprize, for any Term not exceeding Three Calendar Months, unless such Penalties and Forfeitures, and all reasonable Charges, shall be sooner paid and satisfied; any Law or Statute to the contrary notwithstanding.

CXVI. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners from Time to Time, if they shall see Cause, to pay and apply such Part of the said Penalties and Forfeitures, or any of them, if they shall think proper, not exceeding One Moiety of them, or any of them, to and for the Use of the Informer or Informers, or any of them, any thing in this Act or any other Law or Statute to the contrary notwithstanding.

For reward-
ing Inform-
ers.

CXVII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time 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 already entered into, or hereafter to be entered into, on account of any Breach or Nonperformance of any such Contract or Contracts, for such Sum or Sums of Money as they shall think proper, and also to mitigate, compound, or lessen any other the Forfeitures incurred under this Act, so as the Sum so compounded and agreed for be not less than the Injury or Damages sustained by the Breach or Nonperformance of such Contract or Contracts, and all the Costs, Charges, and Expences which shall be occasioned thereby, and so as the Mitigation of the other Forfeitures as aforesaid do not extend to remit above One Half of the said Forfeitures respectively.

For mitigat-
ing Penalties.

CXVIII. 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, or by any Rule, Bye Law, or Order made in pursuance of this Act, or any other Matter or Thing done or directed to be done in pursuance of this Act, such Person or Persons may appeal to the Commissioners for putting this Act into Execution at any Meeting to be held within Three Calendar Months after the Cause of Complaint shall have arisen, or after any such Matter or Thing done and committed by or by Order of the said Commissioners, by which such Person or Persons shall think himself, herself, or themselves aggrieved; and the said Commissioners 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 if such Person or Persons shall

Appeal.

Notice of
Appeal.

shall not be satisfied with the Determination of such Commissioners, 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 he, she, or they may appeal to the General or Quarter Sessions of the Peace to be holden for the said County of *Surrey* within Three Calendar Months next after such Determination of the said Commissioners, or after the Cause of Complaint shall have arisen, such Appellant or Appellants first giving or causing to be given Twenty-one Days Notice at least in Writing of his, her, or their Intention to bring such Appeal, and of the Matter thereof, to the Clerk of such Commissioners, or to such Justice or Justices, and within Five Days next after such Notice entering into a Recognizance before some Justice of the Peace for such County, with Two sufficient Sureties, conditioned to try 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 due Proof of such Notice being given as aforesaid, and of the entering into such Recognizances, 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 then and there, if they see Cause, mitigate any Forfeiture or Fine, and may order any Money to be returned which shall have been levied in pursuance of any such Rule, Bye Law, or Order, and award such further Satisfaction to be made to the Party injured as they shall think proper; and the Determination of such Justices at their General or Quarter Sessions shall be final, binding, and conclusive.

CXIX. And, for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That all and every the 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 of Words, or in any other Form of Words to the same Effect (as the Case shall happen); *videlicet*,

Form of
Conviction.

‘ **B**E it remembered, That on the _____ Day of _____ in the
‘ Year of our Lord _____ *A. B.* is convicted before me *C. D.*
‘ one of His Majesty’s Justices of the Peace for the County of
‘ [*specifying the Offence, and 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 first above mentioned.’

Distress not
to be deemed
unlawful, nor
Party making
it a Tres-
passer, for
Want of
Form in Pro-
ceedings.

CXX. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers on account of any Default or Want of Form in any Proceedings relating thereto, 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 Person or Persons aggrieved by such Irregularity may recover full Satisfaction for the special Damage in an Action on the Case: Provided always, that no Plaintiff or Plaintiffs shall

shall recover in any Action for any such Irregularity, Trespass, or other Proceedings, if Tender of sufficient Amends shall be made by or on the Behalf of the Party or Parties who shall have committed such Irregularity, Trespass, or wrongful Proceedings, before such Action brought; and in case no such Tender shall have been made, it shall and may be lawful for the Defendant or Defendants in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he or they shall see fit, whereupon such Proceedings or Orders and Judgments shall be had, 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 having been made before Action brought, Plaintiff not to recover. For paying Money into Court.

CXXI. And be it further enacted, That no Proceedings to be had touching the Conviction of any Offender or Offenders against this Act, or any Order made, or other Matter or Thing to be done or transacted in or relating to the Execution of this Act, shall be vacated or quashed for Want of Form, or be removed 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 notwithstanding.

Proceedings against Offenders not to be quashed for Want of Form.

CXXII. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of this Act, until Twenty Days Notice shall be thereof given in Writing to the Clerk or Treasurer to the said Commissioners, or after sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, or after Six Calendar Months next after the Fact committed for which such Action or Actions, Suit or Suits shall be so brought; and every such Action shall be brought, laid, and tried in the County or Place where such Matters and Things respectively shall be committed or done, and not in any other County or Place; and the Defendant or Defendants in such Actions and Suits, 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 Actions, Suit or Suits shall be so brought, was done in pursuance and by the Authority of this Act; and if the said Matter or Thing shall appear to have been so done, or if it shall appear that such Action or Suit was brought before Twenty Days Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or if any such Action or Suit shall not be commenced within the Time 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 or Verdicts shall be found for such Defendant or Defendants, or if the Plaintiff or Plaintiffs in such Action or Actions, Suit or Suits, shall become nonsuited, or suffer a Discontinuance of such Action or Actions, or if upon any Demurrer or Demurrers in such Action or Actions Judgment shall be given for the Defendant or Defendants therein, then and in either of the Cases aforesaid such Defendant or Defendants shall have Treble Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants may have for his, her, or their Costs in any other Cases by Law.

Limitation of Actions.

General Issue.

Treble Costs.

Saving the
Bishop's
Rights.

CXXIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to take away, diminish, or prejudice the Right of appointing and swearing in of any Officers at the Court Leet of the said Bishop of *Winchester*, held within the said Manor of *Southwark* from the Time whereof the Memory of Man is not to the contrary, or any other Rights or Jurisdiction whatsoever of the said Bishop and his Successors, as Lords of the said Manor.

Saving the
Rights of the
Southwark
Bridge Com-
pany.

CXXIV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to give to or invest the said Commissioners or any other Person or Persons whomsoever with any Right, Power, or Authority which may at all interfere with or which may prejudice, diminish, alter, or take away any of the Rights, Powers, Authorities, or Clauses heretofore granted and contained in and by an Act passed in the Fifty-first Year of the Reign of His present Majesty, intituled *An Act for erecting a Bridge over the River Thames from or near the Three Cranes in the Parishes of Saint James, Garlick Hithe, and Saint Martin, Vintry, in the City of London, to the opposite Bank of the said River in the Parish of Saint Saviour in the County of Surrey, and for making proper Streets and Avenues to communicate therewith*; but all the Rights, Powers, Authorities, and Clauses therein contained shall be as good, valid, and effectual as if this Act had not been made.

For paying
the Expences
of this Act.

CXXV. And be it further enacted, That all the Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act shall be paid and discharged by the said Commissioners out of the Rates or Assessments already collected or received by virtue of the said recited Act, or out of the Rates or Assessments to be collected or received by virtue of this Act, in preference to all other Payments whatsoever.

Public Act.

CXXVI. 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.

The SCHEDULE to which this Act refers.

Occupiers.	Description of the Premises.	Owners.
	<i>A new Street through the Pond Yard from Maid Lane to Bankside.</i>	
John Braby - -	A Wheeler's Shop and Yard - - -	Anthony Horne.
Ryland - -	No. 23, House, Shed, Yard, and Buildings - -	Thomas Leech.
Thomas Bonton -	No. 24, Do. - Do. - - -	Same.
John Arnold - -	Coach House and Warehouse - - -	Thomas Wood.
Myers - -	House - - - - -	Harwood and Lloyd.
Corbett - -	Do. - - - - -	Same.
Harwood and Lloyd -	Two Timber Yards - - - -	Thomas Wood.
Chas. Wyatt Parker } and Co. - - }	Projection of Bow Window to Counting-house -	Thomas Wood.
Same - -	Vacant Ground - - - - -	Thomas Wood.
Same - -	Factory, Corner of Maid Lane - - -	William Astell.
John and Wm. Sutton	An open Piece of Ground - - - -	Thomas Leech.
	Cartway and Passage leading from Bankside into Maid Lane.	
	<i>At the East End of Maid Lane.</i>	
Pattin and Co. - -	No. 141, Smith's Shop - - - -	Bailey.
Lodgers - -	No. 142, House - - - -	Aldermanbury Parish.
Same - -	No. 143, Do. - - - -	Ditto.
Rice Thomas - -	No. 144, Do. - - - -	Evans.
Cocklin - -	No. 145, Do. - - - -	Same.
Henry Pensford -	No. 146, Do. - - - -	Same.
William Knight - -	No. 147, Do. - - - -	William Knight.
John Green - -	House and Yard - - - -	Wateley.

