



ANNO QUARTO

GEORGII IV. REGIS.

Cap. xci.

An Act for repairing, maintaining, and improving the Highways and other public Places, in the Parish of *Saint Mary Magdalen Bermondsey* in the County of *Surrey*. [17th June 1823.]

WHEREAS by an Act passed in the Forty-third Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for enlarging and altering the Term and Powers of several Acts of Parliament, for making a Road from New Street Southwark, to the Places therein mentioned; and from Freeschool Street Southwark, to Dock-Head and Lilliput-Hall Bridge in Bermondsey, and from the Stones End in Kent-street Southwark, to Dartford, so far as respects the Road leading from Stones End in Bermondsey Street, towards Saint Thomas-a-Waterings; and also for repairing and maintaining a certain Lane, called Long-lane, in the Parish of Bermondsey in the County of Surrey, the said Street or Lane called Long-lane, and also the Footpaths of that Part of the Road therein mentioned to be leading from the Stones End in Bermondsey Street towards Saint Thomas-a-Waterings, and the Passages immediately leading to and from the said Road, were directed to be paved, raised, sunk, or altered in such Manner as the Trustees for putting into Execution the said Act, who should be resident in the said Parish of Saint Mary Magdalen Bermondsey, should from Time to Time direct; and it was thereby further enacted, that from and after the First Day of January next ensuing the Determination of the said Trustees, that the*

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[Local.]

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said

said Lane called *Long-lane* ought to be paved, the Office or Offices of Surveyor of the Highways in the said Parish of *Saint Mary Magdalen Bermondsey*, and also the Payment of the Yearly Sum of Two hundred Pounds, therein made payable to the said Trustees from the said Parish of *Bermondsey* in lieu of Statute Duty, should cease and determine for and during the Continuance of the said Act; and by the said Act, such of the Trustees of the said Roads as should or might be so resident in the said Parish of *Saint Mary Magdalen Bermondsey*, or any Five or more of them, were thereby empowered to make Rates for the raising and paying unto the Trustees for putting into Execution the said Act, the Yearly Compositions therein mentioned, and payable from the said Parish of *Saint Mary Magdalen Bermondsey*, or the Surveyors of the Highways thereof, and the Charges and Expences of paving and repairing the said Lane, and of any other Works which might be done by the Surveyors for the Time being of the Highways in the said Parish, if the said Office was not thereby discontinued; and also to make other Rates for the Purpose of raising and paying to the Trustees for putting the said Act into Execution such Sum and Sums of Money as they might from Time to Time order and adjudge to be necessary, or should expend for the Repairs of or for keeping in good Order and Condition the said Lane and the Footpaths thereof; and also for raising and paying unto the said Trustees such Sum and Sums of Money as they the said Trustees resident as aforesaid, should from Time to Time order and adjudge to be necessary, or should expend for the paving, altering, amending, repairing of or for keeping in good Repair and Condition the Footpaths of the said Road leading from the *Stones End* in *Bermondsey Street* aforesaid, and the Passages leading to and from the said Road, and other the Works by the said Act authorized to be done and performed thereto; and it was thereby directed, that the said Act now in recital should commence and take place on the First Day of *September* One thousand eight hundred and three, and should continue and be in force for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament: And whereas the said Lane called *Long-lane* has, under and by virtue of the Powers and Authority of the said recited Act, been paved, and certain Parts of the Footpaths described in the said recited Act have also been paved and amended: And whereas it is expedient that the Powers and Provisions of the said recited Act should be amended and enlarged, and more effectual Powers and Provisions be granted and made for the paving, repairing, and amending the said Lane and Footpaths, and also for repairing and amending the Highways of the said Parish of *Saint Mary Magdalen Bermondsey* (not being Turnpike Roads), and for raising the Composition Monies payable in lieu of Statute Duty, and also for repairing and amending new Streets and public Places, which are now or may hereafter be formed in the said Parish; and it is also expedient, that the several Objects by this Act provided for should be carried into Execution by Commissioners appointed for that Purpose: And whereas it would facilitate the Execution of the Purposes aforesaid if the said recited Act (so far as relates to the paving and repairing of the said Lane called *Long-lane*, and to the repairing the other Highways of the said Parish of *Bermondsey*, the raising and paying the Composition Money in lieu of Statute Duty, and the paving and repairing the Footpaths of the Road leading from *Stones End* in *Bermondsey Street* towards *Saint Thomas-a-Waterings*) was repealed; and if such of the Powers and Provisions of the said Act as shall be con-

tinued or amended, and the necessary additional Powers and Provisions were consolidated and incorporated in One Act: 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 so much and such Parts of the said recited Act as relate to the paving and repairing of the said Lane called *Long-lane*, and repairing the other Highways of the said Parish of *Bermondsey*, the raising and paying the Composition Money in lieu of Statute Duty, and the paving and repairing the Foot-paths of the Road leading from *Stones End*, in *Bermondsey Street*, towards *Saint Thomas-a-Waterings*, shall, from and after the First Day of *September* next after the passing of this Act, be and the same are hereby declared to be repealed, and null and void to all Intents and Purposes whatsoever.

Certain Parts
of recited
Act repealed.

II. Provided always, and be it further enacted, That nothing herein contained shall extend or be deemed or construed to extend to prevent the levying and recovering of any of the Rates made by or under the Authority of the said recited Act, or the suing for and Recovery of any Penalty incurred for any Offence committed against the Provisions of the said Act, or any of them, previous to the Repeal of the said Act, or to prevent or defeat any Prosecution commenced or to be brought for such Offence; but all Rates made, and all Penalties incurred, may be sued for, levied, and recovered, and all Encroachments, Nuisances, and other Offences made or committed previous to the Repeal of the said recited Act against the Provisions of the said Act, or any of them, may be abated or prosecuted in the same Manner, to all Intents and Purposes, as if this Act had not been passed.

Not to pre-
vent Recove-
ry of Rates
or Penalties
due or incur-
red by or un-
der repealed
Act.

III. And be it further enacted, That every Person who shall have been employed to receive, or who shall have received; any Rates or other Monies under or by virtue or on account of the said former Act hereby repealed, or shall have in his or their Custody or Possession any Vouchers, Books, Accounts, Papers, Writings, or other Things relating to the said Roads, Streets, Highways, and Places hereby intended to be repaired and maintained, or any of them, shall, when required so to do by the Commissioners appointed by virtue of this Act, account for and deliver the same to the said Commissioners, or any Person or Persons appointed by them for that Purpose, in like Manner and under and subject to the like Penalties, as are directed with respect to any Officer or Person appointed under this Act.

Officers un-
der former
Act to ac-
count.

IV. And be it further enacted, That *George Bayly*, *Samuel Bevington*, *Joshua Butterworth* the younger, *William Martin Carter*, *Jesse Curling*, *William Davies*, *Bryan Donkin*, *Beriab Drew* the younger, *Amos Drew*, *Simeon Elkington*, *Edmund Elkins*, *William Ewbank*, *William Foster*, *Thomas Gaitskell*, *John Gamble*, *John Harcourt*, *Cleeve Jehohannon Hooper*, *John Harvey*, *Thomas Hays*, *Joseph Jackson*, *Thomas Keeton*, *Jonathan Lacy*, *Thomas Larkin*, *Thomas Laurance*, *John Lloyd*, *Charles Miles*, *William Morris*, *George Alfred Muskett*, *Daniel Nelson*, *Joseph Nicholson*, *William Nottidge*, *Philip Pearcc*, *Henry Phillips*, *William Rattenbury*, *John Rattenbury*, *Robert Rich*, *William Bennett Rich*, *James Riley*, *James Riley* the younger, *John Roberts*, *William Rolls*, *Thomas Smith*, *Alexander Smith*,
John

Commission-
ers.

John Smith, Samuel Henry Sterry, Richard King Watts, William George Watts, John Whayman, James Williams, and Richard Williams, being Persons inhabiting, occupying, possessing, or entitled to Lands, Tenements, or Hereditaments, within the said Parish of *Saint Mary Magdalen Bermondsey*, and their Successors, to be elected as herein-after mentioned, shall be and they are hereby appointed Commissioners for putting this Act into Execution.

For the Appointment of new Commissioners.

V. And be it further enacted, That when and so often as any of the Commissioners hereby appointed or to be appointed in Manner herein-after mentioned shall die, or cease to inhabit, occupy, or possess Lands, Tenements, or Hereditaments in the said Parish, or by Writing under his Hand, to be delivered to the Clerk to the said Commissioners, shall decline to act, or shall neglect to attend at some Public Meeting of the said Commissioners for the Space of One Year, or shall become Bankrupt or Insolvent, it shall and may be lawful for the surviving or remaining Commissioners from Time to Time, at any of their Meetings to be held in pursuance of this Act, by Writing under their Hands, to elect and appoint some other Person inhabiting, occupying, or possessing Lands, Tenements, or Hereditaments within the said Parish of *Bermondsey*, to be a Commissioner in the Place of every Commissioner so dying, ceasing to inhabit, occupy, or be possessed of Lands, Tenements, or Hereditaments within the said Parish, or declining or neglecting to act, or becoming Bankrupt or Insolvent as aforesaid; and every Person so appointed shall be and is hereby vested with the same Powers for putting this Act into Execution as if he had been named a Commissioner in this Act.

Qualification of Commissioners.

VI. Provided always, and be it further enacted, That no Person shall be qualified or capable of becoming and acting as a Commissioner in the Execution of this Act (except in administering the Oath or Affirmation of Qualification hereafter mentioned); unless he shall inhabit, occupy, or possess Lands, Tenements, or Hereditaments in the said Parish, and be in his own Right, or in the Right of his Wife, in the actual Possession or Receipt of the Rents and Profits of Freehold or Copyhold Lands, Tenements, or Hereditaments of the clear Yearly Value of Fifty Pounds above Reprizes, or possessed of a Personal Estate, or Real and Personal Estate together, to the Amount or Value of Two thousand Pounds over and above what shall be sufficient to pay and satisfy all his Debts, nor unless he shall, before he shall act as such Commissioner, take and subscribe an Oath or Affirmation, before any Three or more of the Commissioners appointed or to be appointed by or in pursuance of this Act, who are hereby authorized to administer the same, in the Words or to the Effect following; (that is to say),

The Oath.

‘ I do swear [*or being of the People called Quakers, do solemnly affirm*],
 ‘ That I inhabit, occupy, or possess (*as the Case may be*), Lands,
 ‘ Tenements, or Hereditaments in the Parish of *Saint Mary Magdalen*
 ‘ *Bermondsey* in the County of *Surrey*; and that I truly and *bona fide* am
 ‘ in my own Right [*or in the Right of my Wife*] in the actual Pos-
 ‘ session and Enjoyment of [*or in the Receipt of Rents and Profits*
 ‘ issuing out of] Freehold or Copyhold Lands, Tenements, or Heredita-
 ‘ ments, of the clear Yearly Value of Fifty Pounds above Reprises, [*or*
 ‘ that I am possessed of a Personal Estate, *or Real and Personal Estate*
 ‘ together

‘ together, of the Value of Two thousand Pounds clear of all Debts and Incumbrances, *as the Case may be*] ; and that I will truly and impartially, according to the best of my Skill and Judgment, execute and perform the several Powers, Authorities, and Trusts reposed in me as a Commissioner by virtue of an Act passed in the Fourth Year of His Majesty King George the Fourth, intituled *An Act* [*here set forth the Title of this Act*].

So help me GOD.’

‘ [Or, being a Quaker, omit the Words ‘ So help me God.’]

VII. Provided also, and be it further enacted, That no Person appointed or to be appointed a Commissioner in or by virtue of this Act, shall be capable of acting as such in the Execution of the same, in any Case where he shall be personally interested, except as herein-after provided, nor during the Time he shall keep a Victualling House, or other House of Public Entertainment, or who shall sell Wine, Cider, Beer, Ale, spirituous or other strong Liquors by Retail ; and if any Person, not being qualified as aforesaid, or being disqualified by any of the Causes aforesaid, or not having taken and subscribed the Oath herein-before mentioned, or being a Quaker, not having made and subscribed the Affirmation herein-before mentioned, shall nevertheless presume to act as a Commissioner in the Execution of this Act, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered with full Costs of Suit, in any of His Majesty’s Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, Wager of Law, or more than one Imparlance shall be allowed ; and the Person so sued or prosecuted shall prove that he is qualified and not disqualified as aforesaid, or otherwise shall pay the said Penalty without any other Proof or Evidence on the Part of the Prosecutor than that such Person had acted as a Commissioner in the Execution of this Act.

Commissioners not to act where interested, or while keeping a Victualling House, &c.

Penalty for acting not being qualified.

VIII. Provided nevertheless, That no Act or Proceeding touching the Execution of this Act, which shall be done or performed by any such unqualified or disqualified Person, previously to his being convicted of the Offence before mentioned, shall be thereby impeached or rendered nugatory, but all such Proceedings shall be as valid and effectual as if such Person had been duly qualified : Provided always, that no Mortgagee or Assignee of any Mortgage or other Security, or any Lender of Money upon the Credit of the Rates herein-after authorized to be made, or receiving Interest thereout for the same, shall on that account only be deemed unqualified to act as a Commissioner in the Execution of this Act.

Proceedings not to be impeached on account of Disqualification.

Mortgagees not disqualified.

IX. And be it further enacted, That such of the said Commissioners as are or shall be Justices of the Peace, shall and may in their respective Jurisdictions, and they are hereby empowered, to act as Justices of the Peace in the Execution of this Act, notwithstanding their being Commissioners, except in such Cases only wherein he or they shall be personally interested otherwise than as a Commissioner, Mortgagee, Assignee, Lender of Money, or Holder of any Security on the Credit of the Rates authorized to be made by this Act.

Commissioners may act as Justices except when interested.

No Person holding any Place of Profit to act as a Commissioner.

X. Provided always, and be it further enacted, That no Person shall be capable of acting as a Commissioner in any Case, in the Execution of this Act, if at the Time of his acting he shall hold any Place of Profit under the said Commissioners, other than that of Treasurer, or shall be directly or indirectly interested or concerned in any Contract or Contracts made by virtue of this Act; and if any Person being so interested or concerned in any Contract or Contracts, shall presume to act as a Commissioner in the Execution of this Act, every such Person shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall inform or sue for the same in any of His Majesty's Courts of Record at *Westminster*, by Action or Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than one Imparlance shall be allowed: Provided nevertheless, that all Acts and Proceedings which shall have been done and performed by any such Person touching the Execution of this Act, previous to his being convicted of the Offence before-mentioned, shall notwithstanding such Conviction, be as valid and effectual, as if such Person had not been concerned or interested as aforesaid.

First Meeting of Commissioners.

XI. And be it further enacted, That the said Commissioners, or any Three or more of them, shall meet together at the Committee Room of the Workhouse of the said Parish of *Saint Mary Magdalen Bermondsey*, or at some other Place within the said Parish, on the *Monday* next after the said First Day of *September*, or as soon after as conveniently may be, between the Hours of Ten and Twelve in the Forenoon, and shall then and there proceed in the Execution of this Act; and shall then, and from Time to Time thereafter, adjourn and meet again at such Place and Time as they shall direct: Provided always, that Two Commissioners shall be sufficient for the Purpose of Adjournment only, and if at any Meeting there shall not appear a sufficient Number of Commissioners to act or to adjourn, or in case the Commissioners at any Time assembled shall omit or neglect to adjourn, then and in either of the said Cases, it shall be lawful for any Two or more of the said Commissioners (or for the Clerk to the said Commissioners, being authorized by an Order in Writing, signed by any Two or more Commissioners), to call a Meeting of the said Commissioners, by Notice to be sent to each of the said Commissioners for the Time being, who shall have theretofore qualified, according to the Direction of this Act, at least Four Days previous to such Meeting, at such Time and Place as such Two Commissioners shall think proper and appoint; and the said Commissioners at all their Meetings shall pay their own Expences, except a reasonable Sum, not exceeding Ten Shillings, for the Use of the Room where such Meetings shall be held, which shall be allowed out of the Monies to arise by virtue of this Act.

Orders to be made at Meetings.

XII. And be it further enacted, That no Order or Determination shall be made, unless the major Part of the Commissioners present shall concur therein; and all Acts, Orders, and Proceedings relating to this Act, which are directed to be had, made, done, or exercised by or before the said Commissioners, and all the Powers and Authorities hereby in them vested generally, shall and may be had, made, done, and exercised by the major Part of the Commissioners who shall be present at the respective Meetings to be held by virtue of this Act, the whole Number present

present not being less than Three (except in Cases where any other Number is herein named), and all Acts, Orders, and Proceedings had, made, or done, by or before such Three Commissioners, shall have the same Force and Effect, and shall be binding and conclusive on all Persons, and to all Intents and Purposes whatever, as fully and effectually as if the same were had, made, done, or executed by or before all the said Commissioners; and a Chairman shall and may in the first Place be appointed at every Meeting to be held by virtue of this Act, who, in case of an equal Number of Votes upon any Occasion, including such Chairman's Vote, shall have the casting or decisive Vote: Provided always, that no Order made by Three or more Commissioners at any Meeting shall be revoked or altered at any subsequent Meeting, unless Five Commissioners at the least shall be present at such subsequent Meeting, nor unless a Majority of the Commissioners present at such subsequent Meeting shall concur in such Revocation or Alteration, nor unless Seven Days Notice shall be given by Two or more Commissioners to the Clerk to the said Commissioners, of their Desire to have a Meeting at any Time and Place to be mentioned in such Notice, for the Purpose of taking into Consideration the said Order, with a view to revoke or alter the same, or will be proposed to revoke or alter such Order at the next adjourned Meeting, and in such Case Notice of the Time, Place, and Purpose of such Meeting shall be given by the said Clerk, or by any Two or more of the said Commissioners, Five Days at least before such Meeting in Manner by this Act directed.

XIII. And be it further enacted, That if after any Adjournment of the said Commissioners, it shall at any Time be thought necessary that an earlier Day of Meeting should be appointed than the Day appointed by such Adjournment, it shall be lawful for any Three or more of the said Commissioners, or for the Clerk to the said Commissioners, by an Order in Writing signed by any Three or more of the said Commissioners, although not assembled at a Meeting, to give Notice in manner hereinbefore directed of such earlier Meeting, and in such Notice shall be expressed the Time, Place, and Purpose of such earlier Meeting, such Time being not less than Three Days after such Notice, and such earlier Meeting may be held accordingly, and all the Orders and Determinations of the said Commissioners at such Meetings, shall be as valid and effectual as they would have been in case such Meetings had been held in pursuance of Adjournments. Meetings on Emergencies,

XIV. And be it further enacted, That the said Commissioners at their first or any subsequent Meeting, as occasion shall require, shall and may elect and appoint a Treasurer or Treasurers, and a Clerk or Clerks, Collector or Collectors of all Monies to be collected, or which shall be due and payable under or by virtue of this Act, and may also appoint a Surveyor or Surveyors of the Highways, Beadle or Beadles, Street-keeper or Street-keepers, and all such other Officers as they the said Commissioners shall think proper; and also may remove from Time to Time all such Treasurers, Clerks, Collectors, Receivers, Surveyors, Beadles, Street-keepers, and other Officers, or any of them, when and as often as they the said Commissioners shall see occasion; and the said Commissioners shall and may, out of the Money to be raised by virtue of this Act, make such Allowance unto the Treasurers, Clerks, Receivers, Collectors, Commissioners to appoint Officers.

lectors, Surveyors, Beadles, Street-keepers, and other Officers so appointed or continued, for and in consideration of the Care and Pains respectively taken in the Execution of their respective Offices, and to such other Persons as shall be assisting in and about the Execution of this Act, as to them the said Commissioners shall seem proper; and all such Officers and Persons shall from Time to Time, when thereunto required by the said Commissioners, deliver to such Commissioners, or to such Person or Persons as they shall for that Purpose appoint, a true and perfect Account in Writing under their respective Hands, of all Monies which shall have been by them respectively had, collected, or received, and how, and to whom, and for what Purpose the same and every Part thereof hath been disposed of; together with the Vouchers and Receipts for such Payments; and all such Officers and Persons shall and are hereby respectively required to pay all such Monies, as upon the Balance of such Account or Accounts shall appear to be in their Hands, to such Person or Persons as the said Commissioners shall appoint to receive the same; and if the said Officers or Persons, or any of them, shall refuse or neglect to render and give such Account as aforesaid, or to produce and deliver up the Vouchers and Receipts relating to the same, or to pay the Balance remaining in their Hands when thereunto required in manner aforesaid; or if any such Officer or Person shall refuse or neglect to deliver up to the said Commissioners; or to such Person or Persons as they shall appoint, within Five Days after being thereunto required by the said Commissioners, or by such other Person or Persons, all Books, Papers, or Writings in their Custody or Power relating to the Execution of this Act, then and in every such Case, Complaint being made by the said Commissioners, or by any Person or Persons on their Behalf, of any such Neglect or Refusal, to any Justice of the Peace for the County or Place where the Officer or Officers, Person or Persons, so neglecting or refusing, shall live or reside, such Justice may, and he is hereby authorized and required, by Warrant or Warrants to cause such Officer or Officers, Person or Persons, to be brought before him, and upon his or their appearing, or not being to be found, or not sending some reasonable Excuse, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account or Accounts, if produced, in such manner as the said Commissioners might have done; and if upon the Confession of the Officer or Officers, Person or Persons, against whom such Complaint shall be made, or by the Oath or Oaths of any Witness or Witnesses, it shall appear to such Justice that any of the Monies which shall have been collected or received, shall be in the Hands of such Officer or Officers, Person or Persons, such Justice may, and he is hereby authorized and empowered, upon Non-payment thereof, by a Warrant or Warrants under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Officers, Person or Persons respectively; and if no Goods or Chattels can be found sufficient to answer and satisfy the said Monies, and the Charges of taking and making such Distress, and of selling the same, or if such Officer or Officers, Person or Persons, shall not appear before the said Justice at the Time and Place appointed for that Purpose, or if appearing, shall refuse or neglect to give and deliver to the said Justice an Account or Accounts of such Receipts and Payments as aforesaid, or to produce and deliver up to the said Justice the several Vouchers and Receipts relating to such Accounts respectively, or to deliver

liver up all such Books, Papers, and Writings as aforesaid, then and in either of the Cases aforesaid the said Justice may, and he is hereby authorized and required, by a Warrant or Warrants under his Hand and Seal, to commit such Officer or Officers, Person or Persons, to the Common Gaol or House of Correction of the County or Place where such Offender or Offenders shall be or reside, there to remain without Bail or Mainprize until he or they shall have delivered in and settled his or their Accounts, and shall have delivered up the Vouchers and Receipts relating thereto, and shall have paid all the Money which shall appear to be in his or their respective Hands, and the reasonable Charges of such Distress and Sale as shall in that respect have been made, or until he or they shall have compounded with the said Commissioners for the same, and paid the Composition Money to the said Commissioners, or to such Person or Persons as they shall appoint to receive the same, and which Composition the said Commissioners are hereby empowered to make, or until he or they shall have delivered up such Books, Papers, and Writings as aforesaid, or have given Satisfaction in respect thereof to the said Commissioners: Provided always, that no Person who shall be committed for want of a sufficient Distress shall be detained in Prison for any longer Time than Six Calendar Months.

XV. And be it further enacted, That the said Commissioners shall and they are hereby required to take such sufficient Security from their Treasurer or Treasurers, Receiver or Receivers, Collector or Collectors of the Rates and other Monies, and also from their Clerk or Clerks, or other Officers to be appointed for the Purposes of this Act, for the due and faithful Execution of their respective Offices, as they the said Commissioners shall think proper.

Officers to give Security.

XVI. And be it further enacted, That all Orders and Proceedings of the said Commissioners shall be entered in a Book or Books to be kept for that Purpose, and such Orders and Proceedings so entered shall be signed by the Chairman for the Time being of such Meeting, or by any Two or more of the Commissioners present thereat, and all such Acts, Orders, and Determinations so entered and signed shall be deemed and taken to be original Acts; and which said Book or Books, and also the Books herein-after mentioned and directed to be kept for registering the Mortgages and Assignments hereby authorized to be made, or Transcripts thereof, signed by the Clerk to the said Commissioners, shall and may be read in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, or Actions, touching any thing done or to be done in pursuance of this Act.

Proceedings to be entered in a Book.

XVII. And be it further enacted, That the said Commissioners shall and they are hereby required to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books such Clerk shall enter, or cause to be entered, true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on account of this Act, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed, laid out, and paid, which Book or Books shall at all seasonable Times be open to the Inspection of the said Commissioners, or any Creditor or Creditors of the Rates or Duties hereby granted, without Fee or Reward; and the said Commissioners and Creditors, or any of them, shall and

Book of Accounts, &c. to be kept of Receipts and Disbursements, which shall be open to Inspection.

may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and in case the said Clerk shall refuse or shall not permit the said Commissioners or such Creditors to inspect the same, or take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum not exceeding Five Pounds, to be levied, recovered, and applied in manner herein-after mentioned.

Commis-
sioners may
purchase or
rent Ground
or Buildings.

XVIII. And be it further enacted, That the said Commissioners may and they are hereby authorized or empowered, either to purchase, take, or hire any Piece or Pieces of Ground for the Purpose of digging Gravel, for the better making or gravelling the Footways, Roads, Streets, or other public Passages and Places by this Act authorized to be repaired, paved, and maintained, or for the Purpose of depositing Materials thereon, for or on account of the paving or gravelling thereof, or for the Purpose of erecting a Watch-house or Watch-houses, Meeting and Committee Rooms thereon, or to rent, take on Lease for Years, or erect any Building or Buildings to be made use of as or for any other of the Purposes of this Act, as shall appear to them to be necessary, for such Sum or Sums of Money, yearly Rent or Rents, and for such Time as to them shall appear reasonable, which Sum and Sums of Money, yearly Rent or Rents, shall be respectively paid out of the Monies to arise by virtue of this Act; and also to erect any Number of Watch Boxes for the Purposes of this Act, in such Place or Places as they shall think proper; and likewise from Time to Time to buy or hire such Horses, Carts, Teams, Carriages, and Barges, as may be necessary for the Purpose of conveying or carting such Gravel, Stones, and other Materials, and for cleansing or watering such Roads, Streets, and other public Passages and Places as aforesaid, or for any other Purposes directed by this Act; and also to hire from Time to Time, and appoint such Workmen and Labourers and other Persons, and buy such Materials and Implements for the Purpose of carrying this Act into Execution, as they the said Commissioners shall in their Discretion think proper.

Officers ap-
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XIX. Provided always, and be it further enacted, That the present Clerk, Surveyor, and Collectors of the Rates, and other Officers appointed or acting under the said recited Act of the Forty-third Year of His said late Majesty King *George* the Third, for the Care and Management of or relating to the said Lane, Highways, and Footpaths, or any of them, except the Treasurer, shall, and they are hereby authorized to act in the Execution of this Act, until they shall be removed, or others appointed in their Stead.

Commis-
sioners may
sue or be
sued in the
Name of
their Trea-
surer or
Clerk.

XX. And be it further enacted, That the said Commissioners may sue and be sued, for or concerning any thing to be done by virtue or in pursuance of this Act, in the Name or Names of any One or more of them, or in the Name of their Treasurer or Clerk for the Time being; and that no Action or Suit to be brought or commenced by the Direction of or against the said Commissioners, by virtue of this Act, in the Name or Names of any One or more of them, or in the Name of their Treasurer or Clerk, shall abate or be discontinued by the Death or Removal of any such Commissioner or Commissioners, Treasurer or Clerk, nor by the Act of such Commissioner or Commissioners, or such Treasurer or Clerk, without

without the Consent of the said Commissioners; but that the Commissioner or Commissioners, or the Treasurer or Clerk for the Time being to the said Commissioners, shall be deemed Plaintiff or Defendant, Plaintiffs or Defendants, as the Case may be, in such Action or Suit: Provided always, that every such Commissioner or Commissioners, or such Treasurer or Clerk, in whose Name or Names any Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act, shall be fully reimbursed and paid, out of the Monies to arise in pursuance of this Act, all such Costs, Charges, Damages, and Expences as by the Event or in consequence of any such Action or Proceeding he or they shall pay, bear, or expend, or be put unto, or become liable for or chargeable with, by reason of his or their being so made Plaintiff or Defendant, Plaintiffs or Defendants, as aforesaid.

XXI. Provided always, and be it further enacted, That all and every the Commissioners herein-before named and hereafter to be appointed, and all Justices of the Peace acting in the Execution of this Act, shall from Time to Time and at all Times hereafter be fully indemnified, from and out of the Monies to be raised under and by virtue of this Act, of and from all Costs, Charges, Damages, and Expences which they or any of them, or the Treasurer, Clerk or Clerks of the said Commissioners as aforesaid, shall or may pay, sustain, or be put unto, for or by reason of any Action, Suit, or Proceedings which may be had, sued, commenced, or prosecuted against them, or any or either of them, for any Matter or Thing which may be by them respectively legally done in and about the Execution of this Act, and the Trusts reposed in them under the same.

Indemnity to Commissioners when acting legally.

XXII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time, at any of their Meetings, to make such Rules, Orders, Regulations, and Bye-laws, (not inconsistent with or repugnant to any of the Directions or Provisions contained in this Act, or to any Law or Statute of that Part of the United Kingdom of *Great Britain and Ireland* called *England*), for the good Government and Conduct of the said Commissioners, and of the Officers, Servants, and other Persons employed in the Execution of this Act, and from Time to Time to alter, vary, revoke, or make void any of such Rules, Orders, Regulations, and Bye-laws, at their Discretion, and to fix and appoint such reasonable Fines and Penalties for the Breach or Non-performance of any such Rules, Orders, Regulations, and Bye-laws, or any Part thereof, as to them shall seem expedient, so that no such Fine or Penalty shall exceed the Sum of Five Pounds for any One Offence; all which Rules, Orders, Regulations, and Bye-laws, so as aforesaid from Time to Time made, shall be valid and effectual to all Intents and Purposes whatsoever, and shall be observed and obeyed in all things by the said Commissioners, and all Persons acting under their Orders and Authority: Provided always, that Copies of the several Rules, Orders, Regulations, and Bye-laws by this Act authorized to be made, shall be fairly written out or printed, and signed by the Clerk or Clerks to the said Commissioners, and shall be placed or affixed in such Place or Places as the said Commissioners shall direct: Provided also, that all such Rules, Orders, Regulations, and Bye-laws shall be subject to Appeal in manner herein-after mentioned.

Commissioners may make Bye-laws;

XXIII. Pro-

and appoint
Committees.

XXIII. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Commissioners from Time to Time, at any General Meeting, to appoint or depute any Number of the Commissioners executing this Act, to be a Committee to treat for the Purchase of any Lands, Tenements, Hereditaments, Rights, and Property for the widening or Improvement of the said Roads, Streets, Highways, and public Places and Passages, or any of them, or for superintending any Works or Proceedings authorized, directed, or required to be done by such or any previous General Meeting of the said Commissioners; and also to authorize such Committee or Committees to conclude any Agreement for the Purchase of any such Lands, Tenements, Hereditaments, Rights, or Property, with the Owner or Owners, or other Person or Persons interested or entitled to the same, and also to give such Orders and Directions respecting the Works or Proceedings so authorized, directed, or required to be done, as to such Committee or Committees shall seem expedient, or to authorize such Committee to report their Proceedings from Time to Time to the Commissioners at some subsequent General Meeting or Meetings; and all and every such Committee or Committees shall have Power to adjourn themselves from Time to Time as they may think fit; and all Agreements, Orders, and Directions made, entered into, or given by any such Committee or Committees respecting the Matters so deputed or referred to them, shall be as valid and effectual as if made at any General Meeting of the said Commissioners: Provided always, that no such Agreement, Order, or Direction shall be made, entered into, or given by any Committee to be appointed as aforesaid, unless Three Commissioners shall be present thereat, and that a Majority of the Commissioners present at the respective Meetings of such Committee or Committees shall concur therein.

Clerk re-
strained from
acting as
Treasurer,
and vice
versa.

XXIV. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to continue or appoint the Person or Persons who has or have been or may be appointed to act as their Clerk or Clerks in the Execution of this Act, or the Partner of any such Clerk or Clerks, or the Clerk or Clerks or any Person in the Service or Employ of such Clerk or Clerks, the Treasurer or Treasurers for the Purposes of this Act, nor to continue or appoint the Person or Persons who has or have been or may be appointed Treasurer or Treasurers, or the Partner of any such Treasurer or Treasurers, the Clerk or Clerks to the said Commissioners; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person, being the Partner of any such Clerk or Clerks, or the Clerk or Clerks or any Person in the Service or Employ of such Clerk or Clerks, shall act as Treasurer, or being the Partner of any such Treasurer or Treasurers, shall act as Clerk in the Execution of this Act, or if any Treasurer shall hold any Place of Profit or Trust under this Act other than that of Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager at Law, or more than One Imparlance shall be allowed.

XXV. And be it further enacted, That the said Commissioners shall and may, and they are hereby authorized and empowered, at any Time or Times hereafter, to treat, contract, and agree with any Person or Persons, Body or Bodies Corporate or Collegiate, Spiritual or Lay, Corporations Aggregate or Sole, Tenants for Life or in Tail, or other the Owner or Owners, Proprietor or Proprietors of, and any Party, Person or Persons whomsoever, interested in any Manner in any Messuages, Shops, Buildings, Lands, Grounds, Erections, Tenements, Hereditaments, and Premises, with their Appurtenances, or any Part or Parts thereof, which the said Commissioners shall think necessary or proper to be purchased for widening, altering, extending, or otherwise improving or enlarging any of the present or future Streets, Highways, Lanes, and public Places and Passages within the said Parish, under the Jurisdiction of the said Commissioners, at or for such Price or Prices as shall be mutually agreed upon for the same; and to pay the respective Purchase Monies for the Premises so purchased out of the Monies to be raised by the Rate or Assessment herein-after authorized to be made, called the Highway Rate.

Power to Commissioners to purchase Property for the Improvement of the Highways, &c.

XXVI. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life or Years, or in Fee Tail, General or Special, and all Feoffees in Trust, Husbands, Guardians, Committees for Lunatics and Idiots, and other Trustees whatsoever, not only for and on Behalf of themselves and their respective Heirs and Successors, but also for and on Behalf of their respective Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, Femes Covert, and other Persons under any Disability of acting for themselves, who are or shall be seised or interested in their own Right, and for all and every other Person and Persons whomsoever, who are or shall at any Time or Times hereafter be seised or possessed of, or in any Way interested in any Messuages, Shops, Buildings, Lands, Tenements, or Hereditaments within the several Streets, Highways, Lanes, and public Places and Passages within the Jurisdiction of the said Commissioners, which the said Commissioners shall think proper or necessary to purchase for the Purposes aforesaid, to contract and agree at any Time or Times hereafter with the said Commissioners for the absolute Sale thereof, or of any Part or Parts thereof, and to sell and convey the same, or any Part or Parts thereof, and all the Estate, Right, Title, and Interest whatsoever of, in, or to the same, unto the said Commissioners for the Purposes aforesaid; and all Contracts, Bargains, Sales, Conveyances, and other Assurances which shall be made by virtue and in pursuance of the Provisions of this Act, shall, without any Fine, Recovery, or other Assurance in the Law whatsoever, and without Enrolment or Registry, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Party or Parties so conveying, but also to convey all the Right, Estate, Interest, Trust, Use, Property, Possession, Claim, and Demand whatsoever of their several Cestuique Trusts, and all Persons whomsoever claiming or having Title to claim by, from, through, or under them, and of all Persons entitled in Remainder or Reversion expectant on any particular Estates, and the same shall be considered and deemed to bar, and shall bar all Dower of the Wife or Wives of such Party or Parties, and all Estates Tail and other Estates in Possession, Reversion, Remainder, or Expectancy, and all the Issue or Issues of the same Party or Parties claiming under them or any of them respectively,

Power to Bodies Politic and others to sell.

[Local.]

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any

any Law, Statute, or Usage, or any other Matter or Thing whatsoever to the contrary thereof in anywise notwithstanding; and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Spiritual or Lay, and all Tenants for Life, Fee Simple, or in Fee Tail, General or Special, and all Feoffees in Trust, Husbands, Guardians, Committees, and Trustees, Executors, and Administrators, and all other Persons whomsoever, are and shall be hereby fully indemnified for what they shall respectively do by virtue and in pursuance of this Act.

Form of
Conveyance.

XXVII. And be it further enacted, That all Sales, Conveyances, and Assurances to be made to the said Commissioners of any Messuages, Shops, Buildings, Lands, Tenements, or Hereditaments, by virtue of this Act, may be made in the Form or to the Effect following; (that is to say),

I (or we) in consideration of the Sum of
to me (or us, or into the Bank of *England*, as the Case may be)
paid by the Commissioners acting by virtue of an Act of Parliament
passed in the Fourth Year of the Reign of King *George* the Fourth,
intituled (*here set forth the Title of this Act*) do hereby grant and convey
to the said Commissioners all (*describe the Premises*), and all my (or
our) Right, Title, and Interest to and in the same and every Part thereof;
to hold to the said Commissioners for ever, to and for the Uses and
Purposes of the said Act. In witness whereof I (or we) have here-
unto set my (or our) Hand and Seal (or Hands and Seals), this
Day of in the Year of our Lord

And every such Sale, Conveyance, and Assurance, made in Manner aforesaid, shall be valid and effectual to all Intents and Purposes, and shall be sufficient in Law to vest the Property of and in any such Messuages, Shops, Buildings, Lands, Tenements, and Hereditaments, so purchased and conveyed as aforesaid in the said Commissioners, for the Uses and Purposes of this Act, any Law, Statute, Usage, or other Matter or Thing to the contrary thereof notwithstanding.

Application
of Compensa-
tion Money
where 200/
or upwards.

XXVIII. And be it further enacted, That if any Money shall be agreed to be paid for any Lands, Buildings, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Body Politic, Corporate, or Collegiate, Tenant for Life or in Tail, Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on Behalf of any Infant, Lunatic, Idiot, Feme Covert, or other Cestuique Trust, or to any Person whose Lands, Buildings, Tenements, or Hereditaments are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall be equal to or exceed 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 said Commissioners and such Person and Persons as the said Commissioners shall name or appoint by Writing under their Hands, or the Hands of any Three or more of them, to the Intent that such Money may 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

the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Buildings, Tenements, or Hereditaments, in the Purchase or Redemption of the Land Tax, or towards the Discharge of any Debt or Debts, or other Incumbrances, or Part thereof, affecting the said Lands, Tenements, or other Hereditaments standing settled therewith, to the same or the like Uses, Intents, and Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Lands, Buildings, Tenements, or Hereditaments, which shall be conveyed and settled to, for, or upon such and the like Uses, Trusts, Intents and Purposes, and in the same Manner as the Lands, Buildings, Tenements, and Hereditaments, which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking Effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by order of the said Court of Chancery, upon Application thereto, be invested by the said Accountant General in his Name, in the Purchase of Three Pounds *per Centum* Consolidated Bank Annuities, or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court of Chancery to be sold for the Purposes aforesaid, the Dividends and Annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Buildings, Tenements, or Hereditaments, so hereby authorized to be purchased, in case such Purchase or Settlement was made.

XXIX. Provided always, and be it further enacted, That if any Money so agreed to be paid for any Lands, Buildings, Tenements, or other Hereditaments, purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or be equal to the Sum of Twenty Pounds, then and in all such Cases the same shall (at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Buildings, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified by Writing under their respective Hands), be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed, or otherwise the same shall be paid at the like Option to Two Trustees to be nominated by the Person or Persons making such Option, and approved by Three 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 therefrom, may be applied in Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction and Approbation of the said Court of Chancery.

Application of Purchase Money, where the same shall be less than 200*l.* and amount to 20*l.*

XXX. Pro-

Application
where less
than 20l.

XXX. Provided also, and be it further enacted, That where such Money so agreed to be paid as last 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, Buildings, Tenements, and Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Commissioners shall direct; or in case of Infancy or Lunacy, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, to or for the Use of such Person or Persons so entitled respectively.

In Cases
where satis-
factory Title
not made out.

XXXI. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be agreed to be paid for the Purchase of any Lands, Buildings, Tenements, or Hereditaments by virtue of this Act, shall not be able to make a good Title to the Premises, or to any Part thereof, to the Satisfaction of the said Commissioners, then and in any such Case, it shall be lawful for the said Commissioners to order the said Sum or Sums of Money so agreed to be paid as aforesaid, to 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, to the Credit of the said Commissioners, and the Parties interested in the said Lands, Buildings, Tenements, or Hereditaments, (describing them) subject to the Order, Controul, and Disposition of the said Court of Chancery; which said Court of Chancery, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such Order in the Premises as to the same Court shall seem meet, just, and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Provision in
Cases where
the Right or
Title to re-
ceive Money
is questioned.

XXXII. Provided always, and be it further enacted, That where any Question shall arise touching the Right or 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, Buildings, 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 of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Buildings, 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, Buildings, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said

Court

Court of Chancery; and the Dividends and Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongfully Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Buildings, Tenements, or Hereditaments, or to some Estate or Interest therein.

XXXIII. 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, Buildings, Tenements, or Hereditaments, 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, or to be applied in the Purchase of other Lands, Buildings, Tenements, or Hereditaments to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court of Chancery to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, to be paid by the said Commissioners out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

The Court of Chancery, in certain Cases, may order Expences to be paid by the Commissioners.

XXXIV. And be it further enacted, That every Sum of Money to be agreed for as aforesaid shall be paid out of the Monies to be collected and received under the Rate hereby authorized to be made called the Highway Rate, to the Party or Persons respectively entitled to such Monies, or to their Agents; and upon Payment or Tender thereof, or on placing the same in the Bank of *England* in Manner by this Act directed, whether such Conveyance as aforesaid shall or shall not be made, all the Estate, Right, Interest, Use, Trust, Property, Claim, and Demand in Law and Equity of the Person or Persons respectively unto or to whose Credit or Use the same shall have been paid, in, to, or out of such Lands, Buildings, Houses, Tenements, or Hereditaments, shall vest in the said Commissioners and their Successors, in Trust for effecting the Purposes of this Act, and they shall be deemed in Law to be in the actual Seisin or Possession thereof, to all Intents and Purposes whatsoever; and such Payments or Tenders shall not only bar all Right, Title, Interest, Claim, and Demand of the Person or Persons unto or to whose Use or Credit such Payments or Tenders shall have been made as aforesaid, but also shall extend to and be deemed and construed to bar the Dower and the Dowers of the Wife and Wives of such Person and Persons, and all Estates Tail and other Estates in Possession, Reversion, Remainder, or Expectancy, and the Issue and Issues of such Person and Persons, and every Person claiming under them.

Provision for Payment of Purchase-Money, &c. and for vesting Property and delivering Possession thereof in and to the Commissioners.

XXXV. And whereas the widening, altering, and improving the Turnpike Roads in the said Parish of *Bermondsey* will be of great Benefit to the Inhabitants thereof, be it therefore enacted, That it shall and may be lawful to and for the Commissioners for executing this Act, from Time to Time to contribute any Sum or Sums of Money to be raised by the Highway Rate, to the Trustees for repairing and maintaining the said Turnpike Roads, for the Purpose of widening, altering, or otherwise improving the said Roads.

Commissioners empowered to contribute towards the widening and improving Turnpike Roads.

[*Local.*]

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XXXVI. And

Commissioners empowered to agree with Trustees of Roads for Removal of any Turnpike Gate within the Parish, or for the passing of the Inhabitants through the same.

XXXVI. And be it further enacted, That it shall and may be lawful to and for the said Commissioners for executing this Act, if they shall think fit, and they are hereby authorized at any Time, and from Time to Time, to compound and agree with the Trustees of any Turnpike Road within the said Parish of *Saint Mary Magdalen Bermondsey*, for the Removal or Discontinuance of any Turnpike Gate or Gates, or for the passing of the Horses, Cattle, or Carriages, laden or unladen, belonging to any Inhabitants of the said Parish, or going to or coming from the immediate Premises of such Inhabitant through all or any of the Toll Gates or Bars erected or to be erected on any of the said Roads or the Sides thereof; and for the Purpose aforesaid it shall and may be lawful to and for the said Commissioners appointed or to be appointed for putting this Act into Execution, out of the Monies to be collected on the Rate hereby authorized to be made called the Highway Rate, to pay to the Trustees of any such Turnpike Road, wherefrom such Removal or Discontinuance of any Gate, or the passing of the Horses, Cattle, or Carriages of the Inhabitants of the said Parish through any Toll Gate or Bar shall or may be agreed on, such Annual Sum of Money as such Commissioners and Trustees may mutually agree on, as the Consideration for any such Removal or Discontinuance of any Turnpike Gate, or for the passing of the said Horses, Cattle, and Carriages of the said Inhabitants of the said Parish, or going to or coming from the immediate Premises of such Inhabitant as aforesaid, through all or any such Toll Gates or Bars as are now or shall be hereafter erected within the said Parish.

Commissioners empowered to pave and alter Streets.

XXXVII. And be it further enacted, That from and after the passing of this Act, the said Commissioners shall and may, and they are hereby authorized and empowered from Time to Time to cause, order, and direct as well the Carriage as Footways of all the Streets, Roads, Highways, Lanes, Yards, Courts, Alleys, and public Passages, except as herein-after provided, which now are or hereafter may be made or formed within the said Parish of *Bermondsey*, and each and every of them, and each and every or any Part or Parts thereof respectively, to be paved, flagged, relaid, repaired, raised, lowered, altered, amended, or improved with Stones, Pebbles, Gravel, or other Materials from Time to Time, and in such Manner as they the said Commissioners shall think fit; and to erect or set up, or cause to be erected and set up, any Posts, Rails, Pales, or Fences, in or near any Ditch or Ditches, Sewer or Sewers, Place or Places, which they the said Commissioners may think proper for the better Security of Passengers, Cattle, or Carriages, or of the said Pavement; provided always, that nothing in this Act contained shall extend, or be construed to extend, to any of the Turnpike Roads in the said Parish, or Carriageways of any Streets, Lanes, or public Places which are now paved, amended, and repaired by Commissioners acting in the Execution of any Act or Acts of Parliament for making, repairing, or amending any such last-mentioned Carriage Road or Carriageways.

Commissioners empowered to pave the Footways of Turnpike Roads;

XXXVIII. 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 cause the several Footways next the Turnpike Roads in the said Parish already paved, to be amended and kept in good Repair, and also to pave all other Parts of the Footways of the said Turnpike Roads in the said Parish, at such Times, and from Time to Time as they shall think fit

and expedient, and afterwards to amend and keep the same in good Repair; and also to erect or set up, or cause to be erected and set up and continued, any Posts, Rails, Pales, or Fences, in or near any Ditch or Ditches, Sewer or Sewers, adjoining the said Turnpike Roads; as the said Commissioners shall think proper for Security of Passengers, Cattle, or Carriages.

XXXIX. And be it further enacted, That the said Commissioners shall and may, and they are hereby empowered from Time to Time, if they shall think proper, as Occasion shall require, to contract and agree with any Person or Persons, for the doing and performing all and any of the Works by this Act authorized or directed to be done and performed by them, or for the supplying any of the Materials for the same, or for watering the said Streets, Lanes, or Public Places, or any Part or Parts of them, which Contract shall specify the several Works to be done, and the Prices to be paid for the same, and the Time or Times within which the same Works shall be completed, and the Penalties to be suffered in case of Non-performance thereof, and also by the Persons contracting to perform the same respectively; provided always, that if the said Commissioners shall be of Opinion that it shall not be of Advantage to the said Commissioners to contract with the Person or Persons offering the lowest Price, it shall be lawful for the said Commissioners to contract with such other Person or Persons as they shall think proper.

And make
Contracts.

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

Commissioners not to be
personally
liable for
Contracts.

XLI. And be it further enacted, That the said Commissioners shall cause all and every the Works to be done in pursuance of this Act to be inspected by their Surveyor or Surveyors, Inspector or Inspectors, or by such other Person or Persons as they shall for that Purpose appoint; and in case the same shall not be well and sufficiently performed, according to the Terms, Intent, and Meaning of such Contract or Contracts, or shall not be finished or completed at or within the Time or Times specified in such Contract or Contracts, then the said Commissioners may cause an Action to be brought in any of His Majesty's Courts of Law at *Westminster* against any such Contractor, for any Penalty contained in his Contract, and on Proof of the signing of the said Contract or Contracts, and Non-performance thereof at the Time or Times for that Purpose to be therein mentioned, the said Commissioners shall be entitled to; and shall recover the

Surveyors
to inspect
Works con-
tracted for;

And may
compound
for Penalties.

the full Penalty contained in such Contract, which, when recovered, shall be applied for the Purposes of this Act: Provided always, that it shall be lawful for the said Commissioners, if they shall think fit, to compound and agree with any Contractor for any Penalty incurred by him for the Breach or Non-performance of any such Contract, for such Sum of Money as the said Commissioners shall think proper, not being less than the Damage or Injury sustained by the Breach or Non-performance of such Contract, and all Costs, Charges, and Expences as shall be occasioned thereby; and it shall be lawful for the said Commissioners to cancel or make void any Contract with any Person or Persons whomsoever, by mutual Consent, if they shall think proper.

Projections
to be remov-
ed.

XLII. And be it further enacted, That all Steps of any House or Building projecting into the Footways of the said Lane, Streets, Highways, and Public Places, or any of them; and all Steps and Doors going down out of the Footways of the said Lane, Streets, Highways, and Public Places, into any Cellars, Vaults, or other Places belonging to any House or other Building; as also all Shew-glasses or Shew-boards projecting over or into the said Footways, and all Areas in the Front of any House or other Building next the said Lane, Highways, Streets, and public Places, and all and every Trees, Blocks, or other Material, Matter, or Thing belonging to any House, Shop, Cellar, or other Building, which do or shall cause or occasion any Nuisance, Annoyance, Encroachment, or Obstruction in the said Lane, Highways, Streets, and public Places, either in the Foot or Carriageway thereof, shall and may be from Time to Time removed, fixed, placed, or altered by any Person or Persons under the Order and Direction of the said Commissioners, as to them shall seem meet.

Pavements
vested in
Commission-
ers.

XLIII. And be it further enacted, That all the present and future Pavements, Flag Stones, Curb Stones, Stone, Gravel, and all other Materials of the several present and future Streets, Lanes, Roads, Highways, Passages, and other Public Places in the said Parish (except the Pavement of the Footways of the *Bermondsey* New Road, and any other Street, Lane, or Place, included in the Jurisdiction of any other Commissioners for paving the Carriageways thereof); and also all Lamps, Lamp Irons, Lamp Posts, Pipes, and other Articles, Matters, and Things to be erected, set up, and fixed by the said Commissioners by virtue of this Act; and all Materials and other Articles, Matters, and Things purchased or provided for the Purposes of this Act, shall belong to and be the Property of and the same 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 may steal, take, or carry away, or detain, spoil, injure, damage, or destroy the several Articles, Matters, 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 sufficient to state generally, that the Article or Articles, Thing or Things, for or on account of which such Action or Actions shall be brought, or Bill or Bills of Indictment preferred, is or are the Property of "the Commissioners for repairing, maintaining, and improving the Highways and other Public Places in the Parish of *Saint Mary Magdalen Bermondsey*, in the County of

of *Surrey*," without particularly mentioning or specifying the Name or Names of all or any of such Commissioners; and the said Commissioners shall have the full Power and Authority from Time to Time to sell and dispose of all or any of the said Articles, Matters, and Things, or any Part or Parts of the same respectively, for the Purposes of this Act, to such Person or Persons, at such Time or Times, and in such Manner as they the said Commissioners shall think proper; and if any Person or Persons shall wilfully or maliciously break, injure, damage, or destroy any of the Articles, Matters, or Things hereby vested in the said Commissioners or any of them, or any Part or Parts thereof, or any of the Works done or to be done in pursuance of this Act, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds.

XLIV. And be it further enacted, That if any Person or Persons shall at any Time hereafter take up, remove, or alter, or cause to be taken up, or removed, or altered, any Part of the Pavements, Flags, or other Materials of the Carriageways or Footpaths in the said Streets, Lanes, Highways, Passages, or other public Places or any of them, or shall make or cause to be made any Alterations in any of the Tunnels, Gutters, Sloughs, Drains, or Watercourses therein, without the previous Consent or Authority of the said Commissioners made or given at some Meeting held in pursuance of and according to the Directions of this Act, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds.

Not to take up Pavement without consent of Commissioners.

XLV. And whereas, since the passing of the Act passed in the Thirteenth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to explain, amend, and reduce into one Act of Parliament, the Statutes now in being for the Amendment and Preservation of the Public Highways within that Part of Great Britain called England, and for other Purposes*, divers new Streets, Lanes, Passages, and Places have been made by the Owners, Lessees, or Occupiers of Land within the said Parish, which Streets, Lanes, Passages, and Places, such Owners, Lessees, or Occupiers or their Tenants are by Law liable to repair and keep in repair: And whereas many of the said Streets, Lanes, and Places so made by such Owners, Lessees, or Occupiers, have been greatly neglected and require to be paved or put into a proper State of Repair by the Person or Persons liable to the Expences thereof; be it therefore enacted by the Authority aforesaid, That the Commissioners for the putting into Execution this Act shall and may, from Time to Time, and at all Times hereafter, inspect and survey all Streets or public Places, or other Parts within the said Parish of *Saint Mary Magdalen Bermondsey*, the Carriageways whereof may not have been heretofore paved or repaired, by any Commissioners or other Persons having the Controul of the Pavement of the Carriageways of any of the Streets or public Places in the said Parish by virtue of any Local Act or Acts of Parliament; and all other Streets, Lanes, Passages, and public Places which may hereafter be made or formed in the said Parish, (not under the Jurisdiction of any such Commissioners as aforesaid); and in case it shall appear to the said Commissioners for executing this Act, that such Streets, Lanes, and public Places, or any or either of them, are not in sufficient Repair, it shall and may be lawful to and for the said last-mentioned Commissioners, or for their Surveyor for

Commissioners to survey Streets, &c. 13 G. 3. c. 78.

[Local.]

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the Time being, to cause a Notice or Notices, under the Hand of such Surveyor, to be given to or for the Owner or Owners, or Lessee or Lessees, or Occupier or Occupiers, of all or any Messuages, Houses, Lands, or Hereditaments adjoining to such Parts of the said Streets, Lanes, or public Places, or other Parts within the said Parish, as shall not on any such Survey be found in sufficient Repair, as the said Commissioners for executing this Act shall think expedient; and by such Notice or Notices, to require such Owner or Owners, or Lessee or Lessees, Occupier or Occupiers, as the said Commissioners shall think expedient, to pave or to repave, or otherwise to repair (as the said last-mentioned Commissioners shall think expedient), the Foot and Carriageways, or Foot or Carriageways (as the Case may be) abutting on the Messuages, Houses, Lands, or other Hereditaments belonging to or occupied by him, her, or them, in the Streets, Lanes, or public Places wherein or on one Side whereof any such Messuages, Houses, Lands, or other Hereditaments may be situated, or so much of the said Foot and Carriageways or either of them as the said last-mentioned Commissioners shall direct; and that such Notice or Notices may be given to or left for such Owner or Owners, Lessee or Lessees, Occupier or Occupiers, or any or either of them, at his, her, or their or any or either of their usual or last known Place or Places of abode; or at, or on, or affixed against the Messuages, Houses, Lands, or other Hereditaments, or some of them, or some Part thereof, belonging to or occupied by such Owners, Lessees, or Occupiers respectively, or at or on some Premises adjoining thereto; and in case any such Owner, Lessee, or Occupier, within Twenty-one Days after any such Notice shall be given or left as aforesaid, shall not well and effectually pave or repave or repair all such Foot and Carriageways pursuant thereto, to the Satisfaction of the said last-mentioned Commissioners, or of their Surveyor for the Time being, then it shall and may be lawful to and for the said Commissioners to direct such Pavements, Roads, or public Places to be paved or repaved or repaired with such Materials and in such Manner as they may direct, and by such Person or Persons as they or he may from Time to Time appoint, at the Expence of the Owner or Owners, Lessee or Lessees, Occupier or Occupiers, or any of them who shall not have paved or repaved, or repaired or amended such Foot or Carriage Pavements as the said last-mentioned Commissioners shall have directed, to the Satisfaction of the said Commissioners or of their Surveyor; and the Amount of the Charges and Expences thereof shall be ascertained and determined by the said Surveyor, and shall be certified to such Owner or Owners, Lessee or Lessees, Occupier or Occupiers, who shall have neglected to pave or repave, or repair, according to such Notice as aforesaid, by a Note signed by such Surveyor, by whom such Charges and Expences shall have been ascertained, and shall be given to or left for such Owner or Owners, Lessee or Lessees, Occupier or Occupiers, at the Place or Places, and in the Manner in which Notices to pave or to repave, or to repair, are herein-before directed to be given or left; and the Amount of such Charges and Expences, or such Portion thereof as the said Surveyor may apportion to each of such Owners, Lessees, or Occupiers, in respect of the several Messuages, Houses, Lands, or other Hereditaments as aforesaid, belonging to or occupied by each of them respectively, and mentioned in such Notice or Certificate of the said Surveyor, shall be paid by such Owner or Owners, Lessee or Lessees, Occupier or Occupiers respectively, to or for whom such Notice or Cer-

ificate was so given or left as aforesaid, within Three Days after such Notice or Certificate shall have been given or left as aforesaid, to the said Surveyor, or to such Person or Persons as he shall appoint, and whose Receipt shall be a good and sufficient Discharge, or good and sufficient Discharges for the Monies in such Receipt or Receipts acknowledged to have been by him or them received; and in case any such Owner or Owners, Lessee or Lessees, Occupier or Occupiers, shall not pay such Charges and Expences, or such Part thereof as may be apportioned as aforesaid accordingly, within the Time herein-before appointed, then and in every such Case, he, she, or they shall forfeit and shall pay to the said Commissioners Double the Amount of the Charges and Expences so certified as aforesaid, as the Amount to be paid by him, her, or them; and that the same and every Part thereof shall and may be recovered in such and the same Manner, and by such and the same Proceedings, or any of them, as are by this Act authorized and directed for the Recovery of any of the Rates to be made by virtue of this Act.

XLVI. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Commissioners for executing this Act, if they shall think fit, and they are hereby authorized at any Meeting to be held in pursuance of this Act, to compound and agree with the Owner or Owners, Lessee or Lessees, Occupier or Occupiers (such Occupiers not being Tenants at Rack Rent, nor Lessees for a Term of Years, which shall not exceed Seven Years) of the Messuages, Houses, Lands, or Hereditaments adjoining to such Parts of the said Streets, Lanes, or public Places, or other Parts within the said Parish, as shall not on such Survey as herein-before mentioned be found in sufficient Repair, for the paving, repaving, or repairing the Foot and Carriageways, or Foot or Carriageways (as the Case may be), abutting on the Messuages, Houses, Lands, or other Hereditaments respectively, belonging to or occupied by any such Owner or Owners, Lessee or Lessees, Occupier or Occupiers, in the said Streets, Lanes, or public Places, at and for such Sum or Sums of Money as the said Commissioners shall think fit; and it shall and may be lawful to and for the Occupier or Occupiers of all and every such Messuages, Houses, Lands, or other Hereditaments, to pay to the said Commissioners or their Surveyor, the Composition Monies that shall be so agreed on, and which Composition Monies every such Occupier who shall be a Tenant at Rack Rent, or for a Term of Years not exceeding Seven Years, shall and may and is hereby authorized to deduct and retain out of his or her Rent, and the said Owner or Owners, Lessee or Lessees, is and are hereby required to allow such Deduction: Provided always, that nothing in this Act contained shall be construed, deemed, or taken to impeach, alter, or make void any Agreement made or to be made between Landlord and Tenant, on any Demise, or Lease, or Agreement for the same.

XLVII. And be it further enacted, That it shall be lawful for the said Commissioners when and so often as any such new Street, Road, Way, Passage, or Place, which has heretofore been or shall be hereafter laid out and made in the said Parish of *Benmondsey*, shall be well and effectually paved, stoned, or otherwise be put into good Order and Repair to the Satisfaction of such Commissioners, by any Writing under their Hands, to declare the same to be public Streets, Roads, Highways, Passages, and

Commissioners may compound for paving new Streets.

New Streets when paved to be public Streets.

and Places, and from and after such Declaration made, such new Streets, Roads, Lanes, Passages, or Places as aforesaid, and every of them, shall be deemed and taken to be public Streets, Roads, Highways, Passages and Places, to all Intents and Purposes, and shall be repaired and kept in repair by the said Commissioners under the Powers and Provisions of this Act.

Streets may
be watered.

XLVIII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to cause all or any of the Streets, Lanes, Roads, Ways, and public Passages and Places within the said Parish, to be watered at such Seasons and Times as the said Commissioners shall direct.

Duties of
Beadles.

XLIX. And be it further enacted, That the Beadles and Street Keepers appointed by virtue of this Act shall exert themselves in the Prevention of Fires, and also of Murders, Burglaries, Robberies, and other Outrages, Disorders, and Breaches of the Peace; and they are hereby required and empowered to apprehend all Felons, Malefactors, Vagrants, and Disturbers of the Peace, and all disorderly and suspected Persons, who shall be found misbehaving or wandering within the Streets and Places within the Jurisdiction of the said Commissioners, and to lodge them in a Watch House, or other Prison or Place of Security, to be there detained until they can conveniently be carried before some Justice of the Peace for the said County of *Surrey*, to be examined and dealt with according to Law: Provided always, that all such Beadles and Street Keepers shall be sworn in as Constables before some Justice of the Peace for the said County of *Surrey*, and shall and may act as such during the Time they shall be acting in the Execution of this Act, and all such Beadles and Street Keepers are hereby respectively vested with such and the same Powers, Authorities, Privileges, and Protections as Constables are invested with and entitled to by Law.

Penalty on
Persons mo-
lesting
Beadles.

L. And be it further enacted, That if any Person or Persons shall at any Time or Times, obstruct, hinder, molest, or interrupt any Beadle, Street Keeper, Workman, or other Person, who shall be employed by or under the Authority of the said Commissioners, by virtue or in pursuance of this Act, in the Exercise of any of the Powers hereby granted, or in the Performance or Execution of any Works or other Duties, Matters, or Things whatsoever by this Act directed or authorized to be done; then and in every such Case, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding the Sum of Five Pounds.

Commission-
ers to give
Rewards.

LI. And for the better Security of the Inhabitants of the said Parish of *Bermondsey*, be it further enacted, That the said Commissioners shall give such Rewards, Allowances, and Gratuities to the Beadles and Street Keepers, or other Persons who shall be appointed or employed by or under the Authority of this Act, and who may become wounded, hurt, or disabled in their respective Duties, as they the said Commissioners shall think proper, and also shall and may offer and give, as well to the said Persons as to any others not especially employed by them, such Gratuities and Rewards for apprehending Felons and other Offenders within the Limits aforesaid, and shall and may defray the Expences of prosecuting any such Felons and Offenders, or defending their respective Officers in the Execution of their Duty, if they shall think proper; and such

such Rewards, Allowances, and Gratuities, and the Costs of such Prosecutions or Defences, and all other Expences that may be incurred by the said Commissioners, for the Guard and Protection of the Inhabitants, shall and may be paid by the said Commissioners or their Treasurer for the Time being, out of the Money arising from the Rate called the Highway Rate, directed to be raised by this Act.

LII. And for defraying the Charges and Expences of paving and keeping the said Lane called *Long Lane*, and the Footpaths thereof in repair for the future, and the Charges and Expences of putting this Act into Execution, so far as respects the paving and keeping in repair the said Lane and the Footpaths thereof, be it enacted by the Authority aforesaid, That from and after the passing of this Act the said Commissioners shall, and they are hereby authorized and required Once in every Year or oftener, to make one or more Rate or Assessment, Rates or Assessments (to be called "The *Long Lane Paving-Rate*,") upon all and every Person and Persons who do or shall inhabit, hold, or occupy any Land, Ground, House, Shop, Warehouse, Coach House, Stable, Yard, Wall, Rope Walk, Cellar, Vault, Building, Manufactory, Garden, Tenement, or other Hereditament, situate, standing, lying, or being in the said Parish of *Bermondsey*, on the Southern Side of *Long Lane*, and also on or upon all and every Person and Persons who do or shall inhabit, hold, or occupy any such Land, Ground, House, Shop, Warehouse, Coach House, Stable, Yard, Wall, Rope Walk, Cellar, Vault, Building, Manufactory, Garden, Tenement, or other Hereditament, situate, standing, lying, and being in the said Parish of *Bermondsey*, within the Boundary Line or Sewer running on the North Side of the said Lane, as herein-after described; that is to say, from the Back or North Side of Houses and Shops in *Laxton's Court*, being at the West End of the said Lane, and extending thence Eastward at the Back of Houses and Yards on the North Side of the said Lane, crossing *Crosby-row*, and continuing in a Line behind the Warehouses and Premises now or late of *John Maberly Esquire*, up to the Sewer or Ditch at the East End of the Premises of the said *John Maberly*; then turning Northward in a Line with the said Sewer or Ditch, and following the Line of the said Sewer up to the Place where the collateral Sewer running at the Bottom of *Nelson Street* and *Richardson Street* join the first-mentioned Sewer; then turning Eastward along the last-mentioned Sewer up to a Sewer dividing the Stable Yard now or late of *Day* from the Garden of *William Morris*; then turning Southward, and running along the said Sewer up to the Yard or Manufactory of the said *William Morris*; then turning Eastward, following the said Sewer to the End of the said Yard or the Manufactory of the said *William Morris*; and then returning Southward along the said Sewer up to another Sewer which divides the Garden now occupied by *Joseph Howlett Fenner*, from a Garden occupied by *Sarah Walker* Widow; and then following the last-mentioned Sewer up to another Sewer, which divides the Tan Yard of *Henry Bacon* from the Tan Yard of *John Hepburn*; then turning Southward along the last-mentioned Sewer up to the Manufactory of *Pillett Savignac*; and then turning Eastward in a Line with the Sewer there up to the End of the Tan Yard of *John Hepburn*; then turning Southward in a Line with a small Sewer or Ditch running on the East Side of the same Tan Yard to the Head of such Sewer; and then running at the Back of the Yards of Houses on the North Side of the said Lane up to the End of the Back Yard belonging to a House in the

Rates to be made for paving of Long Lane.

Occupation of *James Palmer* at the East End of the said Lane ; and that such Rates or Assessments shall be made according to the Yearly Value of such Land, Ground, House, Tenement, or Hereditament respectively, in such competent Sum and Sums of Money as they the said Commissioners shall think fit, for the Purpose of raising and paying to the said Commissioners such Sum and Sums of Money as they may from Time to Time order or adjudge to be necessary, or shall expend for the Repairs of or keeping in good Order and Condition the said Lane and the Footpaths thereof, and in putting this Act into Execution, so far as respects the paving and keeping in repair the said Lane, and the Footpaths thereof, so as such Rates or Assessments do not exceed in the Whole the Sum of Sixpence in the Pound in any One Year of the Yearly Value of the Premises to be assessed as aforesaid.

Separate Account to be kept of Monies received and paid on Account of the paving, &c. of Long Lane.

LIII. Provided always, and be it further enacted, That the said Commissioners shall, and they are hereby required from Time to Time to keep or cause to be kept a distinct and separate Account of all Sum and Sums of Money by them received, from or by the Rates or Assessments to be called the "*Long Lane Paving Rate*," and of all Sum and Sums by them paid, applied, and expended for or on account of the paving and keeping in repair the said Lane called *Long Lane*, and the Footpaths thereof, and the Charges and Expences of putting this Act into Execution, so far as respects the paving and repairing of the said Lane.

Exemption of corner Houses in Long Lane on Payment of Half Rates.

LIV. Provided always, and be it further enacted, That the Assessment towards the Expences of repairing of the said Lane upon the first House on the North Side thereof, now in the Occupation of *John Palmer*, and the last House on the South Side of the said Lane, called the *Star and Windmill*, both of which partly abut on *Long Lane* aforesaid, and partly on *Bermondsey Street* adjoining thereto, shall not exceed One Half of the Rates which shall be assessed for or in respect of such paving on such Houses, Tenements, and Buildings, which abut wholly on the said Lane.

Rate for paving Footpaths in Stones End Road.

LV. And for defraying the Charges and Expences of paving and repairing the Footpaths of the said Road, leading from the *Stones End*, in *Bermondsey Street* aforesaid, and the Passages leading to and from the said Road, and the keeping the same in repair ; and also the Charges and Expences of paving, repairing, and maintaining any other of the Footways of the Turnpike Roads within the said Parish, which shall be paved or repaired by the said Commissioners ; and also the Charges and Expences of putting this Act into Execution so far as respects the paving and maintaining the said several Footways ; be it enacted by the Authority aforesaid, That from and after the passing of this Act, the said Commissioners shall, and they are hereby authorized and required Once in every Year, or oftener, if they the said Commissioners shall think fit, to make a like Rate or Rates, to be called "*The Footpath Rate*," upon all and every Persons who do or shall inhabit, hold, or occupy any Land, Ground, House, Shop, Warehouse, Coach House, Stable, Yard, Wall, Rope Walk, Cellar, Vault, Building, Manufactory, Garden, Tenement, or other Hereditament now adjoining, or which shall hereafter adjoin, abut, or be contiguous or next the said Road, leading from the *Stones End* aforesaid, called the *Grange Road*, or the Passages leading to or from the same ; and also upon all and every Person or Persons, who do or shall inhabit,

inhabit, hold, or occupy, any Land, Ground, House, Coach House, or other Tenement or Hereditament as aforesaid, which shall now or hereafter adjoin, abut, or be contiguous or next to the said Turnpike Roads, the Footpaths whereof shall, under the Authority of this Act, be paved or repaired by the said Commissioners, or the Passages leading to and from such Turnpike Road, according to the Yearly Value thereof, in such competent Sum or Sums of Money as they the said Commissioners shall think fit, for the Purpose of raising and paying such Sum and Sums of Money as they the said Commissioners shall from Time to Time order and adjudge to be necessary, or shall expend or be put unto for the paving, altering, amending, repairing, or the keeping in good Order and Condition the said Footways, and other the Works hereby authorized to be done and performed thereto, and in payment of the Charges and Expences of putting this Act into Execution, so far as respects the paving, altering, amending, and maintaining the said several Footpaths, and performing the Works thereto, so as such last-mentioned Rates or Assessments do not exceed in the Whole the Sum of Sixpence in the Pound in any one Year of the Yearly Value of the Premises to be assessed as aforesaid: Provided always, that no Person or Persons who shall inhabit, hold, or occupy any Land, Ground, House, Coach House, or other Tenement or Hereditament adjoining, abutting, or being contiguous to or next to the said Turnpike Roads, the Footpaths whereof shall be paved or repaired under the Authority of this Act, or the Passages leading to and from the said Turnpike Roads (except the several Persons inhabiting, holding, or occupying any such Land, Ground, Messuage, Tenement, or Hereditament adjoining, abutting, or being contiguous or next the said Road called the *Grange Road*, or the Passages leading to and from the same) shall be rated or assessed to any such Rate until the Commissioners shall have resolved and ordered that the Footways of such last-mentioned Turnpike Roads shall be paved or repaired as aforesaid.

LVI. Provided always, and be it further enacted, That the Assessments towards the Expences of paving and repairing the Footpaths of the aforesaid Roads and Places within the District of this Act, upon the House and Premises in the *Grange Road*, at the East Corner of *Bermondsey Road*, now in the Possession of *Robbins*, and on the House and Premises in the said *Grange Road* at the West Corner of the said *Bermondsey Road*, now in the Possession of *John Smith*, both of which partly abut on *Grange Road* and *Bermondsey Road* aforesaid, shall not exceed One Half of the Rates which shall be assessed for or in respect of such paving and repairing the said Footpaths by this Act directed.

Half Rates
on certain
Houses.

LVII. And for the Purpose of raising and paying such Sum and Sums of Money as shall or may be due to the Trustees of the Turnpike Roads within the said Parish of *Saint Mary Magdalen Bermondsey*, for or in respect of any Composition or Compositions in lieu of Statute Labour, and such Sum and Sums of Money as shall or may at any Time hereafter be adjudged or agreed to be paid to the Trustees of the said Turnpike Roads, in lieu of such Statute Labour, and of other the Charges and Expences of repairing the Highways in the said Parish, not being Turnpike Roads, and for performing and executing all and every other the Works, Matters, and Things which are hereby authorized to be done and performed by the said Commissioners, and of putting this Act into Execution (except

Rates for Re-
pairs of High-
ways in gene-
ral.

(except as to the paving and maintaining *Long Lane* and the Footpaths thereof, and the Footpaths of the said Road called the *Grange Road*, and the other Turnpike Roads in the said Parish); be it further enacted by the Authority aforesaid, That from and after the passing of this Act the said Commissioners shall and they are hereby authorized and required, Once in every Year, or oftener, to make One or more general equal Pound Rate, or Assessment, to be called the Highway Rate, upon all and every Person and Persons who do or shall inhabit, hold, or occupy any Land, Ground, House, Shop, Warehouse, Coach House, Stable, Yard, Wall, Rope Walk, Wharf, Dock, Dock Yard, or other Yard, Mill, Mill Pond, Building, Manufactory, Garden, Cellar, Vault, or other Tenement or Hereditament within the said Parish of *Saint Mary Magdalen Bermondsey*, according to the Yearly Rent or Value thereof, in such competent Sum and Sums of Money as they the said Commissioners shall think fit, for the Purpose of raising and paying such Compositions, Charges, and Expences as last aforesaid.

Rates to be signed by Commissioners, with Warrants to collect.

LVIII. And be it further enacted, That all Rates made by virtue of this Act shall be signed by any Three or more of the said Commissioners, who are also hereby empowered and required to nominate and appoint any Person or Persons by Writing under their Hands to collect the same; and such Nomination or Appointment shall be sufficient Authority or Authorities to and for such Person or Persons so appointed, to collect such Rate or Rates, Assessment or Assessments.

How Houses are to be rated which are let at small Rents, and for the better Recovery of the Rates.

LIX. And be it further enacted, That when the Yearly Rent or Value of any House, Tenement, or Hereditament within the said Parish shall not exceed Fifteen Pounds, or where any House, Tenement, or Hereditament shall be let to any weekly or monthly Tenant, 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 (but subject to the Proviso herein-after mentioned), it shall and may be lawful to and for the said Commissioners to compound; if they shall think proper, with the Landlord or Landlords, Owner or Owners, Lessee or Lessees, Proprietor or Proprietors of all and every or any such House or Houses, Tenement or Tenements, Hereditament or Hereditaments within the said Parish, 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 One Half or more than Three-fourth 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, Proprietor or Proprietors of all such Houses, Tenements, or Hereditaments as shall not exceed the Yearly Rent of Fifteen Pounds, or shall be let to any weekly or monthly Tenant, or in separate Apartments, furnished or unfurnished as aforesaid, 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, Proprietor or Proprietors, shall refuse to enter into such Composition, he, she, or they shall from thenceforth

forth 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, unto the Collector or Collectors for the Time being, who is and are hereby authorized and empowered to receive and collect the same, and upon Non-payment thereof, or of the Amount of such Composition, to levy the same by Distress and Sale of the Goods and Chattels of the Landlord or Landlords, Owner or Owners, Lessee or Lessees, Proprietor or Proprietors of the respective Premises aforesaid, wheresoever they may be found, or of the Person or Persons inhabiting the same respectively, in such Manner as by this Act is provided for the Recovery of the Rates in other Cases: Provided always, that no such Landlord, Owner, Lessee, or Proprietor 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, Lessee, or Proprietor having agreed to pay the Rates chargeable upon the several Occupiers of such Premises; and provided also, that the Goods and Chattels of all and every Person or Persons renting or occupying any such House, Tenement, or Hereditament, or any Part or Parts thereof, the Rate or Rates, Assessment or Assessments whereof the Landlord or Landlords, Owner or Owners, Lessee or Lessees, Proprietor or Proprietors, is and are hereby made liable and subject as aforesaid, shall be liable at all Times to be distrained and sold for Payment of such of the said Rates or Assessments, and of all Arrears thereof, as become due upon the said Premises during the Time of his, her, or their Occupancy only; but no such Occupier or Occupiers shall at any Time be required to pay, or be subject or liable to pay, any greater Sum for or towards the Discharge of the said Rates or Assessments, or of any of them, and Arrears thereof, than the Amount of the Rent actually due or payable by such Occupier or Occupiers to the Landlord or Landlords, Owner or Owners, Lessee or Lessees, Proprietor or Proprietors 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, Owners, Lessees, or Proprietors 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 Occupiers, and to his, her, or their Landlord or Landlords, for so much Money as he, she, or they shall pay in the Manner directed by this Act.

LX. And in order to prevent Disputes touching the Designation of Owner or Landlord, Lessee or Proprietor of Messuages, Tenements, or Hereditaments within the Limits of this Act, be it further enacted, That the Person or Persons authorized and empowered to receive and collect, or receiving and collecting, or claiming to be entitled to receive and collect the Rents of any Messuages, Tenements, or Hereditaments from the Tenants or actual Occupiers thereof, or any of them, shall be deemed and taken, for the several Purposes of this Act and every of them, to be Owner or Owners, Landlord or Landlords, Proprietor or Proprietors of such Messuages, Tenements, or Hereditaments; and in all Cases in which either Owners or Landlords, Lessees or Proprietors, are made liable by this Act, such Person or Persons respectively so authorized and em-

Persons receiving Rents deemed as Owners.

[*Local.*]

22 O

powered

powered to receive and collect, or receiving and collecting, or claiming to be entitled to receive and collect the Rents of any such Messuages, Tenements, or Hereditaments from the Tenants or actual Occupiers thereof or any of them, shall be liable as Owner or Owners, Landlord or Landlords, Lessee or Lessees, Proprietor or Proprietors thereof, unless the real Owner or Owners, Landlord or Landlords, Lessee or Lessees, Proprietor or Proprietors, shall be declared by himself, herself, or themselves, or unless the real Owner or Owners, Landlord or Landlords, Proprietor or Proprietors shall be distinctly and certainly known to be such, to the Satisfaction of the said Commissioners.

Composi-
tions to re-
main until
altered by
Commission-
ers.

LXI. And be it enacted, That from and after any Composition at a reduced Rate shall be made with the said Commissioners as herein-before mentioned, the House or Houses, Tenement or Tenements, and Hereditaments therein comprised, shall be rated and assessed according to the same reduced Rental in every future Rate or Assessment to be made by the said Commissioners, until the said Commissioners shall think proper otherwise to rate and assess the said Premises, and without any Notice to be given to the Landlord or Owner, Lessee or Lessees, Proprietor or Proprietors of the same.

Persons re-
moving, Pro-
portion of
Rates how
to be paid.

LXII. Provided always, and be it further enacted, That in all Cases where any Person shall remove from or quit any House, Building, or Tenement which shall be rated or assessed by virtue of this Act, such Person shall be liable to such Rate or Assessment in proportion to the Time that he or she occupied the same; and in all Cases where any Person shall come into or occupy any House, Building, or Tenement rated or assessed as aforesaid, out of or from which any other Person who shall have been rated or assessed for the same shall be removed, or which, at the Time of making any Rate or Assessment, was empty or unoccupied, the Person coming into or occupying the same shall be liable to pay such Rate or Assessment in respect thereof, in proportion to the Time that he or she occupied the same, which said respective Proportions shall be settled and ascertained by the said Commissioners.

Ready-fur-
nished
Houses how
assessed.

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

levied on him or her by virtue of this Act; but no such Tenant or Occupier 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 Tenant or Occupier, to the Lessee, Landlord, or Owner of the Premises so let out ready-furnished, or in separate Apartments, Rooms, or Floors to him or her: Provided always, that nothing herein contained shall extend to prejudice or vacate any Agreement between Landlords and Tenants.

LXIV. Provided always, and be it further enacted, That the Rates or Assessments to be laid and made by virtue of this Act upon or in respect of any Hospital, School, or other Public Building, Burial Ground, Garden, Yard, Wall, or void Space of Ground within the said Parish, shall be ascertained according to the Number of square Yards of Foot and Carriageway fronting or abutting on such Hospital, School, or other Public Building, Burial Ground, Garden, Yard, Wall, or void Space of Ground, and the same shall not in any One Year exceed the Sum of One Shilling for every such square Yard; and such Rates or Assessments to be made and laid upon such Hospital, School, or other Public Building, Burial Ground, Garden, Yard, Wall, or void Space of Ground, shall be paid by the Trustees or Owners, Proprietors or Occupiers thereof respectively.

Public Buildings how assessed.

LXV. And be it further enacted, That if it shall appear to the said Commissioners, at any Time or Times after any such Rate or Assessments shall have been made by virtue of this Act, that the Name or Names of any Person or Persons who ought to be included therein, hath or have been omitted therein, or have been inserted in such Rate or Assessments instead of some other Person or Persons who ought to have been rated or assessed, or that the Persons rated are over-rated or under-rated therein, or that any other Alteration or Amendment of such Rate or Assessment may be necessary, then and in any and every such Case, it shall be lawful for the said Commissioners, from Time to Time to add or insert, or cause to be added and inserted to or in such Rate or Assessment, the Name or Names of the Person or Persons so omitted, with the Sum or Sums for which he, she, or they ought to be rated and assessed, and the Amount of such Assessment in respect thereof; and also to insert and substitute, or cause to be inserted and substituted, the Name or Names of such Person or Persons as may be the Inhabitants, Holders, or Occupiers, of any Messuages or Hereditaments, instead of the Name or Names of the Person or Persons incorrectly inserted in such Rate or Assessments, as the Inhabitants, Holders, or Occupiers of any Messuages or Hereditaments, and to lessen or raise the Rate or Rates, Assessment or Assessments of the Person or Persons so over-rated or under-rated, and otherwise from Time to Time to alter and amend the said Rates and Assessments as often as Occasion shall require; and the Monies charged to any Person or Persons in consequence thereof, shall and may be demanded, received, and recovered in the same Manner as if the Name or Names of such Person or Persons, or other Alteration or Amendment, had been inserted and made in such Rate or Assessment at the Time of or previous to the original making or signing thereof.

To rectify Mistakes.

LXVI. And

Recovery of
Rates.

LXVI. And be it further enacted, That in case at any Time or Times hereafter any Landlord or Landlords, Owner or Owners, Proprietor or Proprietors, Occupier or Occupiers of any House, Building, or Hereditament situate in the said Parish, for and in respect whereof he, she, or they shall be rated or assessed or liable to pay any Rate or Assessment made or to be made by the said Commissioners to and for the Purposes of this Act, shall refuse or neglect to pay the Money rated and assessed upon him, her, or them respectively, or which he, she, or they may be liable to pay by virtue of this Act, and all Arrears, it shall be lawful for any One of His Majesty's Justices of the Peace for the County of *Surrey*, and he is hereby authorized and directed by Writing under his Hand, on Complaint being made by the Commissioners, or any Officer or other Person appointed by them (the Collector of the said Rates or Assessments having first made Oath before such Justice that he hath duly demanded of the Person or Persons liable to pay the said Rates or Assessments, the Monies rated and assessed upon him, her, or them, and that they have refused or neglected to pay the same), to summon all and every such Person or Persons so refusing or neglecting as aforesaid, to appear at a Time and Place to be mentioned in such Summons before such Justice, or before any Justice or Justices of the Peace for the said County, who shall be then and there present; and it shall be lawful for any Person appointed to collect and receive such Rates or Assessments, or for any of the Constables or Headboroughs within the said Parish, or for any other Person, to serve all and every such Summons and Summonses upon all and every Person and Persons so refusing or neglecting to pay as aforesaid, either by delivering the same to the Person or Persons thereby intended to be summoned, or by leaving the same at his, her, or their last or usual Place or Places of Abode, or at or on the Premises for or in respect whereof the Rate or Rates, Assessment or Assessments, mentioned in such Summons shall remain due and owing; and if any Person or Persons so summoned shall refuse or neglect to attend at the Time and Place mentioned in such Summons, or if he, she, or they shall attend and shall not shew good and sufficient Cause to such Justice or Justices as may be then and there present, that he, she, or they, is or are not chargeable with such Rate or Rates, Assessment or Assessments, then and in every such Case, such Person or Persons shall pay the Rate or Rates in respect of which such Summons was issued, and also the Costs and Charges of such Summons; and in all Cases where such Rate or Rates, Assessment or Assessments, or any of them, shall not be paid upon the Return of such Summons, it shall be lawful for the Justice who shall have signed and issued such Summons or Summonses, or who shall have directed such Summons or Summonses, to be signed and issued as aforesaid, or for any other Justice of the Peace for the said County, and he is hereby authorized and required upon Oath made before him of the due Service of such Summons or Summonses, by the Person who shall have served the same, and Proof on Oath that such Rate or Rates, Assessment or Assessments, is or are actually due and owing and unpaid, to grant a Warrant under his Hand and Seal, authorizing and directing any such Person appointed to collect such Rate or Rates, Assessment or Assessments as aforesaid, or any Constable or Headborough within the Limits of this Act, or other Person, to levy such Rate or Rates, Assessment or Assessments, and all Arrears thereof, and the said Costs and Charges of the Summons (if the
same

same shall not have been paid before), and the Costs and Charges of every such Warrant, and also the Costs, Charges, and Expences of executing the same, by Distress of the Goods and Chattels of the Person or Persons so neglecting or refusing, and of which said Goods and Chattels, he or they may either continue in Possession on the said Premises where the same shall be distrained, or they may be removed therefrom, as the Person or Persons making the Distress shall think proper; and if within Five Days next after any Distress shall be made, pursuant to the Directions of this Act, the said Rate or Rates, Assessment or Assessments, with all Arrears due thereon, together with all the said Charges for the said Summons and Warrant, and the Charges and Expences of executing the same Warrant, and of making such Distress, and of keeping such Goods and Chattels shall not be paid, then the said Person appointed to collect as aforesaid, or the Constable, Headborough, or other Person authorized by the said Warrant, shall cause the said Goods and Chattels to be appraised by one or more Appraiser or Appraisers, and to be sold either on the Premises where the same shall be distrained, or elsewhere, or such Part or Parts thereof as in his or their Judgment shall be sufficient to pay the said Rate or Rates, Assessment or Assessments, together with all Arrears due thereon, and the said Costs, Charges, and Expences of the said Summons, Warrant, Distress, Removal, or keeping Possession of such Goods and Chattels so distrained, and the reasonable Costs, Charges, and Expences of appraising and selling the same, and shall return the Overplus (if any) to the Owner or Owners of such Goods and Chattels respectively, upon Demand thereof made by him, her, or them; and in case no such Goods and Chattels can be found to be distrained by virtue of any such Warrant, or in case any such Goods and Chattels shall be locked up or secured, or shall be removed, so that such Person appointed to collect the said Rates or Assessments as aforesaid, or such Constable, Headborough, or other Person cannot distrain the same, or in case after such Distress and Appraisement or Sale as herein-before directed, the Proceeds thereof shall not be sufficient to pay such Rates or Assessments, with the Arrears due thereon, and all the said Costs, Charges, and Expences as aforesaid, then and in any of such Cases, upon Information thereof given to any Justice of the Peace for the said County, it shall be lawful to and for any such Justice of the Peace, and he is hereby authorized and required to issue a Warrant under his Hand and Seal, for the Apprehension of any such Person or Persons making default in the Payment of such Rates or Assessments, and the Arrears thereof, or of any Part thereof, and of such Costs, Charges, and Expences, or any of them, and to commit such Person or Persons to the Common Gaol or House of Correction for the said County, there to remain without Bail or Mainprize for any Time not exceeding the Space of Three Calendar Months, unless such Rates or Assessments, and all Arrears thereof, and all Costs, Charges, and Expences, or so much thereof as shall remain unsatisfied by any such Distress or Distresses, or otherwise, shall be sooner paid.

LXVII. And be it further enacted, That in all Cases where a Distress is hereby authorized to be made, if any Constable or Headborough of and within the Parish where such Distress is to be made, upon being required by any Person appointed to collect any Rates or Assessments, or by any other

Constables or Headboroughs to assist in making Distresses.

[Local.]

22 P

other

other Person (who shall have obtained a Warrant for such Distress from any Justice of the Peace), shall refuse or neglect to aid or assist in making a Distress and Sale pursuant to such Warrant; every such Constable or Headborough shall, for every such Offence, forfeit and pay the Sum of Twenty Shillings, to be recovered in the same Manner in which other Penalties and Forfeitures are by the said recited Act directed to be recovered.

Commissioners may mitigate Rates on account of Poverty.

LXVIII. And be it further enacted, That it shall and may be lawful for the said Commissioners, from Time to Time, and at all Times hereafter, to remit or excuse the Payment of any Rate or Rates, Assessment or Assessments, made by virtue of this Act, for or on account of the Poverty or Indigence of any Person or Persons charged thereby.

LXIX. And be it further enacted, That every Warrant of Distress for the Non-payment of any Rates or Assessments, or Compositions, or other Monies payable under this Act, may be in the Words or to the Effect following:

Form of Warrant.

Surrey } TO the Collector or Collectors of the Rates for (*here insert*
to wit. } *the Title of the Rate to be levied,*) and to all Constables
' and other Peace Officers of the same Parish:

' WHEREAS the under or hereafter-mentioned Persons, now or late Inhabitants, Holders, Landlords, Tenants, Occupiers, or Enjoyers of Lands, Houses, Shops, Warehouses, Coach Houses, Stables, Cellars, Vaults, or other Buildings, Tenements, or Hereditaments, or Parts of Buildings or Tenements within the Parish of *Saint Mary Magdalen Bermondsey* aforesaid, were and are rated and assessed or liable to the Rate and Rates called the (*here insert the Name of the Rate*) made under the Authority of an Act passed in the Year of the Reign of King *George the Fourth*, intituled (*here insert the Title of this Act*): And whereas the said Persons have refused or neglected to pay the several Sums of Money at and against their Names hereunder or hereafter respectively set down for Money due from them in respect of such Rate, and the said several Sum and Sums are still remaining due in Arrear and unpaid, as appeareth upon Oath to

One of His Majesty's Justices of the Peace for the said County; and the said several Persons having been summoned to appear before me to answer the Premises, as also appeareth to me the said Justice upon Oath, and the said several Persons so summoned, or any of them, not having shewn any sufficient Cause why such Sum or Sums of Money should not be paid; these are therefore, in His Majesty's Name, to will and require you, or any of you, forthwith to levy the said several Sums due from the said Persons, and hereunder or hereafter joined to or set opposite to their Names respectively, by Distress and Sale of their respective Goods and Chattels, such Goods and Chattels being kept for the Space of Days before the same are sold, rendering to them respectively the Overplus, if any, the reasonable Charges of such Distress, Sale, and keeping being first deducted; and if no sufficient Distress can be had or taken, that then you certify the same, to the End that such further Proceedings may be had therein as to the Law doth appertain; and I do hereby strictly charge and command all and singular the Constables and other His Majesty's Peace Officers for

for the said County to be aiding and assisting in all things relating to the Premises. Given under my Hand and Seal this Day of _____ in the Year of our Lord _____ A. B.

	Sums Due.		
	£	s.	d.
A. B.			
C. D.			
E. F. the Landlord for divided Premises.			
G. H. the Landlord for Houses in _____ Street, compounded for _____			
E. I. Landlord or Receiver, &c. (as the Case may be)			
K. L. Tenant			

LXX. And for the better enforcing the Payment of the Rates or Assessments to be made by virtue of this Act, be it further enacted, That if any Person or Persons liable to pay any of the said Rates or Assessments shall at any Time begin to remove his, her, or their Goods or Furniture from the House or Premises in his, her, or their Occupation within the Limits of this Act, or to sell or dispose of or carry away his, her, or their Goods or Furniture as aforesaid, without paying all Arrears then due or rated in respect of such House, then and in any of the said Cases, it shall be lawful for the Collector for the Time being to the said Commissioners, to collect and levy such Rates or Assessments, and all Arrears due thereon, by Distress and Sale of the Goods and Chattels of the Party so beginning to remove, sell, or take away any such Goods or Furniture as aforesaid; and if within Five Days next after such Distress shall be made, the said Rates or Assessments, and all Arrears due thereon, together with the reasonable Charges of taking and keeping the said Distress, shall not be paid, the said Collector shall cause the said Goods and Chattels to be appraised and sold, or such Part thereof as shall be sufficient to pay such Rates or Assessments, together with all Arrears due thereon, and the reasonable Charges of making such Distress, and of keeping and selling the same, returning the Overplus, if any, on Demand, to the Owner or Owners of such Goods and Chattels respectively.

Persons removing Goods, how Rates to be recovered.

LXXI. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners, if they shall think it more expedient, to bring or cause to be brought, in the Name of their Treasurer or Clerk, or of any one or more of them, the said Commissioners, any Action or Actions of Debt, or Special Action on the Case, in any of His Majesty's Courts of Record at *Westminster*, for all or any of the Rates or Assessments to be made by virtue of this Act, or for Monies to become due to the said Commissioners by virtue of this Act, or for the Costs and Charges of paving, repairing, maintaining, and improving any new Streets or other Places within the Limits of this Act, in which Action or Actions it shall be sufficient for the Plaintiff or Plaintiffs to declare that the Defendant is indebted to the Plaintiff or Plaintiffs in such Sums of Money as the Plaintiff or Plaintiffs shall suppose to be due; and if the Plaintiff or Plaintiffs shall recover such Sum so declared for, or any Part thereof, he

Actions may be brought for Rates, and for Costs of Paving.

he or they shall have full Costs, to be levied and recovered as other Monies upon Judgments are now by Law levied and recovered, in which Action or Actions, no Essoign, Protection, or Wager of Law, or more than one Impar lance shall be allowed; and that no Action to be brought by or against the said Commissioners, or any of them, by virtue of this Act, shall abate or be discontinued by the Death or Removal of their Treasurer or Clerk, or of the Commissioner or Commissioners in whose Name or Names such Action shall have been brought; but that the Treasurer or Clerk for the Time being to the said Commissioners, shall always be deemed the Plaintiff or Defendant in such Action, as the Case may be.

Rate Books
to be received
as Evidence.

LXXII. And be it further enacted and declared, That the Books of Rates to be delivered to the Collector or Collectors, or other Officers of the said Commissioners, and all Entries afterwards made therein in Manner by this Act directed, shall be received as Evidence of the Rates imposed by virtue of this Act.

Commissioners
may raise
Money.

LXXIII. And for the more speedy raising Money for the several Purposes of this Act, be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered from Time to Time, to borrow and take up at Interest any Sum or Sums of Money upon the Credit of the respective Rates or Assessments herein-before granted, and by Writing under their Hands and Seals to mortgage or assign over the said respective Rates or Assessments, or any Part thereof, to the Person or Persons who shall advance and lend such Money, or his or their Trustee or Trustees, as a Security for the Money so to be borrowed, together with Interest for the same; and every such Mortgage or Assignment may be according to the Form following; (*videlicet*),

' BY virtue of an Act passed in the Year of the Reign of King
' *George the Fourth, intituled (here insert the Title of this Act),*
' we being of the
' Commissioners appointed by virtue of the said Act, in consideration of
' the Sum of advanced and lent by *A.B.*,
' and paid to *C.D.*, the Treasurer appointed under the Authority of the
' said Act, for and on account of the said Commissioners, do grant and
' assign unto the said *A. B.*, his (*or her*) Executors, Administrators,
' and Assigns, such Proportion of the Rates or Assessments authorized by
' the said Act to be raised, levied, and collected, under the Name and by
' the Description of (*here insert the Rate intended to be assigned*) as the
' said Sum of doth or shall bear to the
' whole Sum which is or shall be borrowed upon the Credit of the said
' Rate, to be had and holden from this Day, until the said Sum of
' with Interest at *per*
' *Centum per Annum* for the same, to be paid Half-yearly, shall be repaid
' and satisfied. In witness whereof we have hereunto set our Hands
' and Seals the Day of

And every such Assignment shall be good, valid, and effectual in Law.

Power to
raise Money
by Annuities.

LXXIV. Provided always, and be it further enacted, That in case the said Commissioners shall think it advisable to raise all or any Part of the Money

Money necessary for any of the Purposes of this Act, by granting of Annuities for the Life or Lives of any Person or Persons, it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, by any Writing or Writings under the Hands and Seals of any Three or more of them, to grant any Annuity or Annuities to any Person or Persons who shall contribute, advance, and pay into the Hands of the Treasurer or Treasurers to the said Commissioners, any Sum or Sums of Money for the absolute Purchase of any Annuity or Annuities, to be paid and payable for such One or more Life or Lives as shall be nominated by or on the Behalf of such Contributor, at the Time of the Payment of his or their Contribution or Purchase Money, (in which Nomination each Contributor may nominate himself or herself); and the Expences of every such Grant or Annuity shall be defrayed by the said Commissioners out of the Money so advanced, and the Grant of every such Annuity shall be in the Words or to the Effect following:

WE being of the Commissioners appointed in pursuance of an Act passed in the Year of the Reign of King *George* the Fourth, intituled (*here insert the Title of this Act*), in consideration of the Sum of paid by to the Treasurer appointed in pursuance of the said Act for and on account of the said Commissioners, do hereby grant unto the said and his or her Assigns, an Annuity or Yearly Sum of to be paid out of the Rates or Assessments authorized to be raised and collected by virtue of the said Act, under the Name and by Description of (*here insert the Rate out of which the Annuity is to be paid*), which Annuity or Yearly Sum of shall be paid to the said or his (*or her*) Assigns, during the Term of his (*or her*) natural Life, or to his Executors, Administrators, or Assigns, during the natural Life or Lives of (*as the Case may be*), on the Days and Times, and subject to the Conditions and Provisions herein-after mentioned (*here set forth the Directions and Stipulations on which the Annuity may be agreed for*). In witness whereof we have hereunto set our Hands and Seals, the Day of in the Year of our Lord

LXXV. And for preventing any improvident Grants of Annuities under this Act, be it further enacted, That no Annuity shall be granted by virtue of this Act for any single Life at any higher Rate than the following; (that is to say), when the Age of the Annuitant or Person for whose Life the Annuity shall be granted, shall not exceed Thirty-five Years, the Annuity to be granted shall not exceed the Rate of Eight Pounds Three Shillings for each Hundred Pounds of the Consideration Money paid for the Purchase thereof; when the Age of such Person shall not exceed Forty Years, the Annuity to be granted shall not exceed the Rate of Eight Pounds Ten Shillings for each Hundred Pounds of such Consideration Money; when the Age of such Person shall not exceed Forty-five Years, the Annuity shall not exceed the Rate of Nine Pounds for each Hundred Pounds of the Consideration Money; when the Age of such Person shall not exceed Fifty Years, the Annuity shall not exceed the Rate of Nine Pounds Twelve Shillings for each Hundred Pounds of the Consideration Money; when the Age of such

Restrictions
as to Grants
of Annuities.

[Local.]

22 Q

Person

Person shall not exceed Fifty-five Years, the Annuity shall not exceed the Rate of Ten Pounds Eight Shillings for each Hundred Pounds of the Consideration Money; when the Age of such Person shall not exceed Sixty Years, the Annuity shall not exceed the Rate of Eleven Pounds Eight Shillings for each Hundred Pounds of the Consideration Money; when the Age of such Person shall not exceed Sixty-five Years, the Annuity shall not exceed the Rate of Twelve Pounds Seventeen Shillings for each Hundred Pounds of the Consideration Money; when the Age of such Person shall not exceed Seventy Years, the Annuity shall not exceed the Rate of Fifteen Pounds One Shilling for each Hundred Pounds of the Consideration Money; and when the Age of such Person shall not exceed Seventy-five Years, the Annuity shall not exceed the Rate of Eighteen Pounds Ten Shillings for each Hundred Pounds of the Consideration Money.

Power of transferring Mortgages and Grants of Annuities in a prescribed Form.

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

Form of Transfer.

‘ I being entitled to the Sum of
 ‘ (or an Annuity of) secured to me, my Execu-
 ‘ tors, Administrators, and Assigns, by virtue of an Assignment (or Grant
 ‘ of an Annuity or Assignment of the original Grant, &c. as the Case may
 ‘ be) bearing Date the Day of under the Hands and
 ‘ Seals of of the Commissioners acting in Execution of an
 ‘ Act passed in the Year of the Reign of King George the Fourth,
 ‘ intituled (*here set forth the Title of this Act*) upon the Credit of certain
 ‘ Rates or Assessments authorized to be raised and collected by virtue of the
 ‘ said Act, under the Name and by the Description of the
 ‘ do hereby transfer all my Right and Title in and to the
 ‘ same Sum (or Annuity) and all Interest and other Money now due, and
 ‘ arising thereon, unto his Executors, Administrators, and As-
 ‘ signs. Dated the Day of in the Year of our Lord .’

No Preference in the Payment of Mortgages or Annuities.

LXXVII. And be it further enacted, That the several Persons to whom any such Mortgages, or any such Grants of Annuities, shall have been made, shall be severally entitled to their respective Quota of the said Rates and Assessments respectively, in proportion to the Annual Amount of the Interest of the Monies borrowed on Mortgage, and the Annual Amount of the said Annuities, without any Preference by reason of the Priority in Date of any such Mortgage or Grant, or on any other Account whatsoever.

Register-Book to be kept.

LXXVIII. And be it further enacted, That a Book shall be provided by the said Commissioners, and kept by their Clerk or Clerks, in which Book shall be entered and registered Copies of all Mortgages and Grants of Annuities made in pursuance of this Act, and of every Transfer thereof, which Book shall be open to the Inspection of the several Holders of Mortgages and Grants of Annuities made by virtue of this Act, and the Transfer thereof, and their respective Executors, Administrators, and Assigns,

Assigns, at all reasonable Times, upon Payment of the Sum of One Shilling for each Inspection; and for the Entry of every such Transfer the Clerk or Clerks shall be paid by the Person or Persons to whom such Transfer shall be made, the Sum of Two Shillings and Sixpence and no more; and every such Transfer, after such Entry as aforesaid, but not before, 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.

LXXIX. And in order that no undue Preference may be given in paying off the said Mortgages, be it further enacted, That when and so often as the said Commissioners shall think it expedient to pay off One or more of the said Mortgages, they shall cause the several Numbers of all the Mortgages granted, and then in force, to be written upon distinct Pieces of Paper of an equal Size, and all such Papers shall be rolled or doubled up in the same Form, and be put into a Box, and the Clerk or Clerks of the said Commissioners shall in the Presence of the said Commissioners, draw separately out of the said Box One of the said Numbers for each Mortgage then intended to be paid off by the said Commissioners; and after every such Ballot, the said Commissioners shall cause Notice, signed by their Clerk or Clerks, to be given to the Person or Persons who shall be entitled to the Money to be paid off pursuant to such Ballot, which Notice shall express the Principal Sum to be paid off, and that the same will be paid, together with Interest due thereon, at a Place to be specified in such Notice at the Expiration of Three Months from the Date of giving such Notice, and the Interest of the Principal Money to be paid off shall, from and after the End of the said Three Calendar Months cease, and be no longer paid or payable, unless the 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 End of the said Three Calendar Months, shall nevertheless be payable on Demand.

Provision for
Payment of
Mortgages
by Ballot.

LXXX. And whereas by an Act passed in the Thirty-first Year of the Reign of His late Majesty King *George* the Third, Provision was made "that no Building should be erected by any Proprietor or Occupier of the Land adjacent to the Roads thereby directed to be made and repaired, or other Person or Persons, within Ten Feet on either Side of the said Roads, where the same are of the Width of Forty Feet or upwards, and within Thirty Feet from the Centre of the said Roads, where the same are of less Width than Forty Feet; and if any such Building should be thereafter erected contrary to the true Intent and Meaning of the said Act, the same should be deemed a common Nuisance:" And whereas by the herein-before recited Act, passed in the Forty-third Year of the Reign of His said late Majesty, all the Powers and Provisions contained in the said Act of the Thirty-first Year of his said Reign were directed to extend and apply to the Roads and Streets authorized to be maintained and repaired by the said Act of the Forty-third Year of His said Majesty's Reign; be it therefore further enacted, That no Erection or Building shall be erected, built or rebuilt by any such Proprietor or Occupier of Lands adjacent to the said Lane called *Long Lane*, hereby directed or authorized to be repaired, or any of them, or any other Person or Persons within the Distance of Thirty Feet from the Centre of the Carriage Pavement

No Building
to be erected
within cer-
tain Distances
of Long
Lane.

ment of the said Lane, where the same is of less Width than Forty Feet; and that if any such Erection or Building shall be hereafter erected, built, or rebuilt, contrary to the true Intent and Meaning of this Act, the same shall be deemed a common Nuisance.

For the more speedy Conviction of Persons erecting such Buildings.

LXXXI. And for the more speedy Conviction of any such Proprietor, Occupier, or other Person, who shall erect or build any such Erection or Building, and the Removal thereof, be it further enacted, That it shall and may be lawful to and for any Justice of the Peace, acting for the said County of *Surrey*, upon the Information of one credible Witness, and such Justice is hereby empowered and required to summon before him such Proprietor or Occupier, and in case such Proprietor, Occupier or other Person shall appear upon such Summons, or shall not appear, then upon an Oath of some credible Witness being made, that such Proprietor, Occupier, or other Person was served with such Summons, or that such Summons was left at his or her last or usual Place of Abode, the said Justice, upon Proof by the Oath of Two credible Witnesses, or by Confession of the Party, of any such Erection or Building having been erected, built or continued, contrary to the true Intent and Meaning of this Act, shall and may convict the Person or Persons offending, and make such Order for the taking down and removing such Erection or Building, as to such Justice shall seem proper.

LXXXII. And be it further enacted, That every Justice of the Peace, by and before whom such Person or Persons shall be convicted of the Offence aforesaid, shall and may cause the Conviction and Order to be drawn up in the following Form, or to the like Effect; (that is to say),

Form of Conviction of Offenders.

‘ *Surrey,* } **BE** it remembered, That on the Day of
 ‘ to wit. } in the Year of the Reign of our Sovereign
 ‘ Lord the by the Grace of God, of the United
 ‘ Kingdom of *Great Britain and Ireland*, King, Defender of the Faith,
 ‘ *A. B.* late of the Parish of is convicted before me, *C. D.*
 ‘ One of His Majesty’s Justices of the Peace for the said County of
 ‘ *Surrey*, under an Act passed in the Year of His Majesty
 ‘ King *George* the Fourth (*here insert the Title of this Act*), for that the
 ‘ said *A. B.* after the passing of the said Act (to wit), on the
 ‘ Day of in the Year of our said Sovereign Lord
 ‘ the , did unlawfully and injuriously erect and build,
 ‘ and cause to be erected and built, a certain Erection or Building, to
 ‘ wit, a certain Erection or Building called a , within
 ‘ Feet of the Side of a certain Lane called *Long Lane*, in the
 ‘ said Parish of *Saint Mary Magdalen Bermondsey* in the County of
 ‘ *Surrey*, in and upon a certain Piece or Parcel of Land, whereof the said
 ‘ *A. B.* was then and there the Proprietor (*or Occupier*), and the same
 ‘ Erection or Building so erected and built, continually from thence until
 ‘ the Day of the Date of this Conviction, did wrongfully, injuriously, and
 ‘ unlawfully keep and continue contrary to the Form and Effect of the
 ‘ said Statute; and I the said Justice do order and direct that the said
 ‘ *A. B.* shall, within Days after the Date hereof, take down
 ‘ and remove the said Erection or Building, and the Materials thereof.
 ‘ Given under my Hand and Seal, the Day and Year aforesaid.’

Which Conviction so drawn, or in Words to the like Effect, shall be and be held good in and by all Courts whatsoever, to all Intents and Purposes.

LXXXIII. Pro.

LXXXIII. Provided always, and be it further enacted, That in case any such Proprietor, Occupier, or other Person so convicted as aforesaid, shall not take down and remove such Erection or Building, and the Materials thereof, according to the Order and Direction of the said Justice, within Twenty-one Days after the making of such Order, then and in every such Case it shall and may be lawful to and for the said Commissioners or their Surveyor, and they and he are and is hereby empowered to take down such Erection or Building, and remove the same, or the Materials thereof, to such Place or Places as the said Commissioners shall direct; and in case such Proprietor, Occupier, or other Person shall neglect or refuse to pay to and reimburse the said Commissioners the Costs, Charges, and Expences of taking down, removing, and keeping such Erection, Building, or Materials, for the Space of Five Days after Demand thereof, the said Commissioners shall and they are hereby empowered and required to sell and dispose of the said Erection, Building, or Materials, or a sufficient Part thereof, and out of the Money to arise thereby to pay and reimburse themselves such Costs, Charges, and Expences, and the Costs, Charges, and Expences of such Sale, and the Overplus (if any) of such Money, and so much of the said Erection, Building, or Materials, as shall not be so sold, shall be returned to such Owner or Proprietor on Demand.

Commiss-
sioners may
remove such
Buildings in
case Offend-
ers do not,
after Con-
viction.

LXXXIV. And whereas by an Act passed in the last Session of Parliament, intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*, the Surveyor and Surveyors of the Highways of the several Parishes therein, are directed and required to make out and deliver Lists of Persons liable to perform Statute Duty and execute other Duties therein mentioned, be it therefore enacted, That from and after the passing of this Act, the Surveyor or Surveyors appointed or to be appointed by the Commissioners for executing this Act, shall be deemed and taken to be the Surveyor or Surveyors of the Highways within the said Parish of *Saint Mary Magdalen Bermondsey*, for the several Purposes in the said last-mentioned Act of Parliament mentioned, and that the said Surveyor or Surveyors shall be subject and liable, and they are hereby required on such Notice or Notices as by the said Act required to be given, to make out and deliver, or cause to be made out and delivered, all such Lists and Accounts as are inserted in the said last-recited Act; and that the Commissioners for executing this Act shall and may and are hereby enabled to compound and agree with the Trustees of the Turnpike Roads for the Composition Money to be paid by the Inhabitants and Landholders in the said Parish in lieu of Statute Labour on the said Roads; and that the said Commissioners, or their Surveyor or Surveyors, may do and perform all other Acts, Matters, and Things which Surveyors of Highways are by the said Act for the regulating Turnpike Roads in that Part of *Great Britain* called *England*, or by any other Act of Parliament for the Repairs of the Highways, or by Law required to do or perform, or which might have been done by any Surveyor of the Highways for the said Parish, if such Office had been continued; and that the Surveyor or Surveyors appointed or to be appointed by the said Commissioners shall be subject and liable to the like Penalties and Forfeitures for the Non-performance of the said Duties, or any of them, as any Surveyor or Surveyors of the Highways is or are by the said Act or Acts made subject or liable.

Commiss-
sioners under
this Act to
execute the
Office of Sur-
veyors of the
Highways.

Power to agree with the Owners of private Ways for the opening thereof, for public Use.

LXXXV. And whereas several private Roads, Streets, Lanes, and Places within the said Parish of *Saint Mary Magdalen Bermondsey*, are now repaired and kept in repair by and at the Costs and Expences of the Proprietors thereof, who are at Liberty to prevent the Public from passing and repassing over the same without their Licence and Consent: And whereas the opening of such Roads, Streets, Lanes, or Places, would be of public Benefit; be it therefore enacted, That it shall and may be lawful to and for the said Commissioners for putting into Execution this Act, to contract and agree with the Owner or Owners, or other Person or Persons interested in any private Road, Street, Lane, Way, Passage, or Place, which now is or are or may at any Time hereafter be made and formed within the said Parish of *Saint Mary Magdalen Bermondsey*, for the laying open such private Streets, Lanes, Passages, or Places, and the permitting the same to be used by all His Majesty's Subjects as Public Highways, and by and out of any Money to be raised by the Rates or Assessments hereby authorized to be made and levied, under the Name and Description of the Highway Rate, to pay all and every such Sum and Sums of Money as shall be contracted and agreed to be paid or given for the same; and that from and after any such private Road, Street, Lane, Passage, or Place, shall be so relinquished, the same shall be deemed a Public Highway to all Intents and Purposes; and the same shall be repaired and maintained by the Commissioners for executing this Act in like Manner as other Highways within the said Parish.

Commissioners not obliged to pave Highways now gravelled.

LXXXVI. And be it further enacted, That nothing in this Act contained shall oblige the said Commissioners to pave the Highways within the said Parish, which are now repaired with Gravel; but that they shall and may continue to repair such Highways with Gravel, unless they shall judge that all or any Part thereof ought to be paved.

Commissioners to appoint Stands for Hackney Coaches, &c.

LXXXVII. And be it further enacted, That the said Commissioners shall from Time to Time order and direct the Place and Places for the standing and plying of all Hackney Coaches, Hackney Chariots, and Cabriolets, on the several Streets and public Places hereby authorized to be paved or repaired, and shall and may from Time to Time, and as often as to them shall seem meet, alter, vary, or extend such Place and Places, or any of them, and may direct such other Place or Places as to them shall seem fit to be used in lieu thereof or in addition thereto; and no Hackney Coach, Hackney Chariot, or Cabriolet, shall stand or ply in any other Place or Places on the said Streets and public Places for Hire, than shall be directed by the said Commissioners; and if any Driver of any Hackney Coach, Hackney Chariot, or Cabriolet, shall put or place his Coach, Chariot, or Cabriolet, or shall ply therewith for Hire in or upon any other Place or Places on the said Streets and public Places than shall be ordered by the said Commissioners for that Purpose, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings.

Footways to be swept.

LXXXVIII. And be it further enacted, That the Tenant or Occupier of every House and Tenement erected and to be erected within the Jurisdiction of the said Commissioners, shall once in every Day before the Hour of Ten of the Clock in the Forenoon of each Day, scrape, sweep, and cleanse, or cause to be scraped, swept, and cleansed, the Footway all along

along and opposite to the whole front and flank Wall (if any) of his, her, or their respective Houses or Tenements, or in default thereof every such Occupier shall forfeit and pay any Sum not exceeding Ten Shillings, and if any such House or Building be let furnished or in separate Tenements to Inmates, then, and in every such Case the Person or Persons so letting the same shall for the Purpose aforesaid be deemed and taken to be the Occupier thereof.

LXXXIX. And be it further enacted, That in case any Person or Persons shall sweep, rake, or place, or cause to be swept, raked, or placed any of the Mud, Dirt, Dust, Rubbish, Filth, or Soil to be found in the said Roads, Streets, Highways, Lanes, and Places within the Jurisdiction of the said Commissioners, or brought thereinto in and upon the Channels on the Sides of the said Roads, Streets, Highways, Lanes, and public Places, or in case any Person shall permit or suffer any Iron or other Plate, commonly called a Coal Plate, over the Vaults or otherwise belonging to any of the Houses and Premises within the Limits of this Act, to remain loose and unfastened, or shall leave the Opening to any such Vault or underground Place without any Plate or other sufficient Covering, or shall not inclose the Openings or Entrances to the Steps leading from the public Streets, Lanes, or Places through Passages or Courts to Cottages or Buildings, with proper Iron or other Gates, or shall not lock up and fasten after Day-light and in the Night-time the Iron or other Gates inclosing the Areas belonging to the said Houses and Premises, or Openings and Entrances aforesaid, every Person so offending in any or either of the said Cases shall forfeit and pay any Sum not exceeding Five Pounds.

XC. And be it further enacted, That it shall and may be lawful for the said Commissioners to purchase Carts, Horses, and all other necessary Vehicles and Implements for cleansing the Pavements of the said Roads, Streets, Highways, and Places, within the Jurisdiction of the said Commissioners, and for the Removal of the Ashes, Dust, Dirt, Soil, and Filth therefrom, or from the Houses, Tenements, and Premises within such Roads, Streets, and Places, or to agree, by private Contract or by public Auction, or by Tender or Proposal, if they shall think fit, for any Time not exceeding Three Years, with any Person or Persons to be the Scavenger or Scavengers, Raker or Rakers, Cleanser or Cleansers of the said Roads, Streets, Highways, and Places within the Jurisdiction aforesaid; and such Person or Persons on a certain Day in every Week, and oftener when thereunto required by the said Commissioners, or any Inspector or other Officer or Person by them appointed, shall bring or cause to be brought, one or more convenient Cart or Carts, with proper Horses and a sufficient Number of Labourers, into the Roads, Streets, Highways, Lanes, and open Places comprized within or authorized to be cleansed by or under this Act, in which such Carts or Carriages can pass; and also a sufficient Number of Wheelbarrows, Baskets, and other sufficient Vehicles and Labourers, into all the Courts, Alleys, and other open Places within the Jurisdiction aforesaid, into which no such Carts can conveniently pass and repass; and at or before the Approach of such Cart, Carriage, or Vehicle, into or near the said Roads, Streets, Highways, and Places, give Notice (by Bell, Horn, Clapper, or otherwise by a loud Noise or Cry) to the Inhabitants thereof, of such their Approach; and such Scavengers, Rakers, or Cleansers shall take and carry away, or

Dirt not to be swept in Channels.

To employ Persons to cleanse, and to purchase Carts and other Vehicles for that Purpose.

Duty of Scavengers.

cause

cause to be taken and carried away, from the respective Houses and Premises of the Inhabitants and Occupiers, their Soil, Ashes, Cinders, Rubbish, Dust, Dirt, and Filth, at the Costs and Charges of such Scavengers, Rakers, and Cleansers, upon pain of forfeiting a Sum not exceeding Forty Shillings for every Neglect or Default (except nevertheless all such Rubbish, Earth, Dust, and Filth as shall be occasioned by building, repairing, amending, or altering any House or Houses, or any other Building or Buildings, or by cleansing or repairing any Drain or Sewer); and if any Person or Persons shall refuse to permit such other Soil, Ashes, Cinders, Rubbish, Dust, Dirt, or Filth, to be taken away by the Scavengers, Rakers, or Cleansers, or other Persons appointed by and agreeing with the said Commissioners or other Persons as aforesaid, then every such Person or Persons so offending shall in like Manner forfeit and shall pay a Sum not exceeding Forty Shillings: Provided always, that it shall and may be lawful to and for the said Commissioners, either to contract and agree with, and to appoint the same Person or Persons, or a different Person or other Persons, to be the Scavenger, Raker, or Cleanser of the said Roads, Streets, Highways, and public Places, and to be the Person or Persons to collect and carry away, and possess and retain the Soil, Ashes, Cinders, Rubbish, Dust, Dirt, and Filth, from the Houses and Premises within the said Roads, Streets, Highways, and Places comprized within this Act, as they shall deem most expedient.

Rubbish and Soil occasioned by repairing Houses or Sewers, to be removed by the Owners.

XCI. And be it further enacted, That all Rubbish, Earth, Dust, or Soil, occasioned by erecting, repairing, amending, or altering any House or Houses, or other Building or Buildings within the District comprized within this Act, shall be carried away by or at the Charge of the Owner or Owners, Occupier or Occupiers, of such House or Houses, Building or Buildings, within the Space of Twelve Hours after the same shall be placed or laid in any of the said Places; and that all Rubbish, Soil, or Filth, occasioned by repairing, casting, or cleansing any Drain or Sewer within the District aforesaid, shall be carried away by the Person or Persons by whose Order or Direction such Sewer or Drain shall be cast or cleansed, if the same shall not be cast or cleansed by or under the Direction of the Commissioners of Sewers, or if the said Sewers or Drains shall be public Drains or Sewers, or cleansed by or under the Direction of the said Commissioners of Sewers, then by or at the Charge of the said Commissioners of Sewers, within the Space of Twenty-four Hours next after the same shall be placed or laid in any of the said Places; and on Neglect thereof, the Person or Persons by whose Order or Direction such Drain or Sewer shall be cast or cleansed, or the Surveyor to the said Commissioners of Sewers for the Time being (as the Case may be), shall forfeit and pay any Sum not exceeding Five Shillings for every Hour the same shall remain after the Expiration of the said Twelve Hours or Twenty-four Hours, as the Case may be.

Penalty for laying Ashes, &c. in the Streets.

XCII. And be it further enacted, That no Person shall throw, cast, or lay, or cause, permit, or suffer to be thrown, cast, or laid, any Ashes, Dust, Dirt, Soil, Rubbish, or other Filth whatsoever, before any Dwelling House, Shop, Stable, Building, or Wall, in either of the said Roads, Streets, Highways, Courts, Yards, Alleys, Passages, or Places comprized within this Act, but shall keep, or cause the same to be kept, in their respective Houses or Yards, until such Time as the Person or Persons

sons by the said Commissioners contracted with or employed to carry away such Ashes, Dirt, Soil, Rubbish, or Filth, do come before or near their respective Houses, Doors, or Places where they dwell, with a Cart or Carts, or other Conveniences for carrying away the same, upon Pain of forfeiting and paying for every such Offence any Sum not exceeding Forty Shillings.

XCIII. And be it further enacted, That if any Person other than the Scavenger, Raker, Cleanser, or other the Person or Persons employed or appointed by or contracting with the said Commissioners, or such other Person as shall be appointed by the said Commissioners to collect and retain the said Dust, Cinders, or Ashes, or those employed by and under such Person or Persons, shall, on any Pretence whatsoever, go about to collect or gather, or shall ask for, take, receive, or carry away any Dust, Cinders, or Ashes, from the Houses or other Premises of any of the Inhabitants of the said Roads, Streets, Highways, Passages, and Places comprized within this Act, except such Person or Persons as shall or may be employed by any Inhabitant of the Roads, Streets, and Places comprized in this Act, for the Purpose of removing such Dust, Cinders, or Ashes from the House or Premises therein occupied by such Inhabitant, to any other Place occupied by such Inhabitant, it shall and may be lawful for any Justice of the Peace for the said County, upon Complaint to him made, to grant a Warrant to bring before him such Offender, and also for any Person who shall see any such Offence committed to seize, and also for any other Person to assist in seizing the Offender, 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 some Justice of the Peace for the said County, and every such Justice shall, and he is hereby authorized and required to examine upon Oath the Person or Persons apprehending such Offender or Offenders, or any Witness or Witnesses who shall appear to give Information or Evidence touching such Offence; and if the Party or Parties so accused shall be convicted of going about, contrary to the Intent and Meaning of this Act, to collect or gather, or of asking for, receiving, or carrying away any Dust, Cinders, or Ashes, from any House or other Premises within any of the said Roads, Streets, Highways, or Places under the Jurisdiction of the said Commissioners, not being the Person or Persons employed or appointed by or contracting with the said Commissioners, to collect and possess the Dust, Cinders, and Ashes from such Houses and Premises, or not acting with or under his or their Authority, he, she, or they so offending shall respectively forfeit and pay for every such Offence any Sum not exceeding Five Pounds; One Moiety of which Penalty 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 paid and shall belong to the Person or Persons so employed or appointed by or contracting with the said Commissioners; and if such Offender or Offenders shall not, on Conviction, pay the said Penalty or Penalties, such Justice is hereby required to direct such Horses, Asses, Cattle, Carts, Trucks, Wheelbarrows, or other Carriages and 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

No Person to collect Ashes but the Scavengers employed by the Commissioners.

[Local.]

22 S.

such

such Warrant, and of such Distress, Appraisement, and Sale, the *Overplus* thereof shall be returned, upon Demand, to the Party or Parties whose Horses and other Things shall have been appraised and sold; and in case there shall have been no such Seizure as aforesaid, or if the Horses, Asses, Cattle, Carts, or other Things, which shall be appraised and sold, shall not produce a sufficient Sum of Money to pay the said Penalty or Penalties, Charges, and Expences; and if such Offender or Offenders shall not, upon the Conviction, pay the said Penalty or Penalties, Charges, and Expences, 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, or other Things so seized and sold, then such Justice is hereby required to commit such Offender or Offenders 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 Penalty or Penalties, Charges, and Expences, and every Part thereof, shall be sooner paid and satisfied.

Liberty for Inhabitants to remove their Ashes for their own private Use.

XCIV. Provided always, and be it further enacted, That nothing in this Act contained shall extend to prevent any of the Inhabitants of the said Roads, Streets, Highways, or Places comprized within this Act, from preserving or keeping any Dung, Ashes, Dust, Dirt, Filth, or Rubbish, within their Houses, Yards, or Gardens, for their own Use, or removing the same to any other Place or Places by them occupied, so as such Dung, Ashes, Dust, Dirt, Filth, or Rubbish be not laid down or placed in the said Roads, Streets, Highways, Passages, or Places, for any longer Time than shall be necessary for loading and carrying away the same, or be of any Annoyance to the Inhabitants residing therein; but in case the Person or Persons so preserving such Dung, Ashes, Dust, Dirt, Filth, or Rubbish, shall permit or suffer the same to become a Nuisance or Annoyance to any of such Inhabitants, and shall not remove the same for the Space of Twelve Hours after Notice in Writing given to him or them under the Hands of the said Commissioners, or any Three or more of them, or left at the Dwelling House of such Person or Persons to remove the same, such Person or Persons shall forfeit and pay any Sum not exceeding Ten Shillings for every Day such Annoyance shall be permitted to remain after such Notice given as aforesaid.

On Neglect of Scavengers to remove Dust, same to be removed by other Persons.

XCV. And be it further enacted, That in case the Person or Persons so employed or appointed by or contracting with the said Commissioners for the Purposes aforesaid, shall neglect for the Space of Twenty-four Hours, except on *Sundays*, to bring or cause to be brought Carts or proper Carriages into all the Roads, Streets, Highways, or public Places aforesaid, where such Carts or Carriages can pass, or into such Places in which such Carts cannot pass and repass, such Wheelbarrows, Baskets, or other sufficient Vehicle for the removing and taking away the said Soil, Ashes, Cinders, Rubbish, Mud, Slop, Dust, Dirt, and Filth, except as hereinbefore mentioned, and to give Notice in Manner aforesaid, to the Inhabitants of their coming, for the Purpose of taking away the same, and to give the like Notice in every Place into which the said Carts and Carriages cannot pass, or to take away and remove all such Dust, Dirt, Soil, Rubbish, Filth, Cinders, or Ashes, from the Houses and Premises of all and every the Inhabitants of the said Roads, Streets, Highways, or public Places comprized in this Act, or from such Part or Parts of such

Houses or Premises where such Dust, Dirt, Soil, Rubbish, Filth, Cinders, or Ashes shall be deposited, that then (after Twelve Hours Notice given to the Person or Persons so employed or appointed by or contracting with the said Commissioners for the Purposes aforesaid, or left for him or them at his or their usual House or Houses, Yard, or other Premises, requiring him or them to bring or cause to be brought Carts or Carriages, Wheelbarrows, Baskets, and other sufficient Vehicles, to take away such Dust, Dirt, Filth, Cinders, or Ashes, and to take away and remove the same from their respective Houses and Premises), it shall and may be lawful for such of the Inhabitants of the said Roads, Streets, or Places, who shall have given such Notice as aforesaid, to give away or to sell their Dust, Dirt, Filth, Cinders, or Ashes, to any Person whomsoever; and that such Person or Persons who shall take and carry away the said Dust, Dirt, Filth, Cinders, or Ashes, shall not be subject or liable to any Penalty or Penalties for so doing, upon every such Neglect, any thing in this Act to the contrary notwithstanding.

XCVI. And be it further enacted, That the several and respective Occupiers of the Houses and other Buildings situate in the said Roads, Streets, Highways, Lanes, and Places within the Jurisdiction of the said Commissioners, are hereby authorized and required, at their own respective Costs and Charges, within Ten Days next after their respectively receiving Notice in Writing from the said Commissioners in that Behalf, signed by any Three or more of the said Commissioners, to cause all Signs, Sign Irons, Sign Posts, Barbers Poles, Dyers Poles, Stalls, Blocks, Bulks, Shew Boards, Butchers Hooks, Spouts, and Water Pipes, which now are or hereafter shall be anywise affixed or set up against or in Front of their respective Houses or other Buildings, and which, in the Judgment of the said Commissioners, shall be considered public Annoyances or Nuisances, by reason of their projecting into or encroaching upon, or otherwise annoying or endangering the public Passage along the said Roads, Streets, Highways, Lanes, and Places within the Jurisdiction of the said Commissioners, to be taken down, removed, and carried away, or otherwise altered or reformed, and to cause the Water from the Roofs, Cornices, and Penthouses of their respective Houses or other Buildings, to be carried down by proper and sufficient Pipes to be fixed to and down the Sides of the said Houses or Buildings, in such Manner as shall be directed by the said Commissioners; and in case the Occupier of any such House, or other Building as aforesaid, shall neglect or refuse to cause any such Sign, Sign Iron, Sign Post, Barber's Pole, Dyer's Pole, Stall, Block, Bulk, Shew Board, Butcher's Hook, Spout, or Water Pipe, which shall be so considered an Annoyance as aforesaid, to be taken down, removed, and carried away, or otherwise altered or removed, or cause the Water to be carried down from the Roof, Cornice, or Penthouse of any such House or other Building as aforesaid, within such Time and in such Manner as in such Notice shall be directed, then and in every such Case it shall be lawful for the said Commissioners to cause the same to be forthwith done by their Surveyor, or any other Person or Persons acting under their Authority, and the Costs and Charges attending the same, having been ascertained by some Justice or Justices of the Peace of the County or Place, shall and may be recovered from the Occupier of such House or Building, in like Manner as any Penalties or Forfeitures are by this Act authorized to be recovered; and when so recovered, the same shall be paid to the Treasurer of the said Commissioners, to be applied to

Directions
for removing
Signs, &c.

the

the general Purposes of this Act ; and it shall be lawful for the Occupier of any such House or other Building, being a Tenant at Rack Rent, or a Lessee for any Term not exceeding Seven Years, and having either paid such Costs and Charges in the first Instance, or having repaid the same to the said Commissioners, to deduct and retain the Amount thereof out of his or her Rent ; and the Proprietor or Landlord of every such House or other Building so held at Rack Rent, or on Lease for any Term not exceeding Seven Years, is hereby required to allow the same accordingly, except only in case where the Encroachment, Obstruction, or Annoyance shall have been originally occasioned by such Occupier or Lessee, in which Case he or she shall bear the Expence of altering or removing the same.

Nuisances
and Annoy-
ances from
beating Car-
pets, break-
ing Horses,
and throw-
ing Filth, &c.
prohibited.

XCVII. And be it further enacted, That if any Person shall in any of the Roads, Streets, Highways, Lanes, Courts, Yards, and other Places within the Jurisdiction of the said Commissioners, at any Time hereafter beat or dust any Carpet or Carpets, Hearth Rug, or Mat, or shall drive any Carriage for the Purpose of breaking, exercising, or trying Horses, or shall ride any Horse for the Purpose of exercising, airing, trying, shewing, or exposing such Horse for Sale (otherwise than by passing through such Roads, Streets, Highways, Lanes, or other public Places) ; or shall throw, cast, or lay, or shall cause, permit, or suffer to be thrown, cast, or laid, or to remain, any Ashes, Dust, Dirt, Rubbish, Offal, or Vegetables, or any Dung, Soil, Blood, or other Filth or Annoyance, or any Matter or Thing in or upon the Carriageway or Footway of any such Roads, Streets, Highways, Lanes, or other Places within the Jurisdiction of the said Commissioners ; or shall sift, screen, or slack any Lime (except within such Hoards or Inclosure as herein-after mentioned), in any such Road, Street, Lane, or other public Places, or cause the same so to be 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 to him made, upon Oath or Affirmation of One or more credible Witness or Witnesses, to issue a Summons, requiring such Offender or Offenders to appear before him at such Time and Place as shall be in such Summons specified ; or it shall and may be lawful to and for any Person whomsoever, who shall see any of such Offences committed, if he or they shall think proper, to seize, and also for any other Person to assist in seizing such Offender or Offenders by the Authority of this Act, and by such Authority, and without any other Warrant whatsoever, to convey such Offender or Offenders before some Justice of the Peace for the said County ; and upon the Party or Parties appearing in pursuance of such Summons, or not appearing after having been so summoned or being brought before such Justice, when so seized or otherwise, he the said Justice shall proceed to examine upon Oath or Affirmation 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 any or either of the Offences aforesaid, upon his or their own Confession, or upon the Oath or Affirmation of One or more credible Witnesses as aforesaid, then and in every such Case, the Person or Persons so convicted shall forfeit and pay a Sum not exceeding Five Pounds for each and every Offence ; and One Moiety of every such Penalty shall be paid to the Informer or Informers, or to the Person or Persons who shall apprehend such Offender or Offenders, and the other Moiety thereof shall be paid to the said Commissioners.

XCVIII. And

XCVIII. And be it further enacted, That from and after the passing of this Act, if any Person shall upon any of the Footways or Foot Pavements, within the Jurisdiction of the Commissioners, run, draw, drive, or carry thereon, any Truck, Wheel, Sledge, Wheelbarrow, Handbarrow, Bier, or Carriage whatsoever, or roll any Cask or Tub, other than for the necessary loading or unloading thereof, unto, upon, from, or out of any Carriage or Cart, or wilfully ride, lead, or drive any Horse or other Beast or Cattle whatsoever, on any of the said Footways or Foot Pavements, or wilfully permit or suffer any Horse or other Beast or Cattle which such Person may be riding, driving, or leading, to go thereon, or shall tie or fasten any Horse or other Cattle to any House, Wall, Fence, Post, Tree, or other Thing whatsoever, across any of the said Footways or Foot Pavements, or erect, set up, put or place any Blind, Shade, Coverlid, or Awning, or any other Matter or Thing, so as in any Way to cause any Obstruction or Impediment in the Footway, or on the Foot Pavement; or shall in the said Roads, Lanes, Streets, and other Highways and public Places within the said Jurisdiction, hoop, fire, cleanse, wash, or scald any Cask or Tub, or hew, saw, or cut any Stone, Wood, or Timber; or make or repair, or wash or clean any Coach, Chaise, Waggon, Sledge, or other Carriage, or the Wheel, Body, Springs, or other Part of any Coach, Chaise, Waggon, Sledge, or other Carriage, except such as may want immediate Repair from any sudden Accident on the Spot, and which cannot conveniently be removed for that Purpose, and also except for the necessary Time of any Stage Coach, Hackney Coach or other Carriage let for Hire, taking up and setting down any Fare, or waiting for Passengers when actually hired; or shoe, bleed, or farry any Horse or other Beast (unless in case of sudden Accident); or clean, dress, drive, or turn loose any Horse or other Beast or Cattle; or show or expose any Stallion or Stone-horse, (except only in such Place as the said Commissioners shall direct), or show or expose, or exercise or expose to Sale any Horse or other Beast; or kill or slaughter, or scald, singe, dress, or cut up any Animal, either wholly or in part, or cause or permit any Blood to run from any Slaughter House, Butcher's Shop, or Shamble, into the Streets, Roads, and Places, or any of them; or shall sell, or assist in selling, by Auction or public Sale, any Cattle, Goods, Wares, Merchandize, or Thing or Things whatsoever, in the said Roads, Streets, Highways, Lanes, or other Places; or hang up, place, or expose to Sale, or cause or permit to be hanged up, placed, or exposed to Sale any Goods, Wares, or Merchandizes whatsoever, or any Fruit, Vegetables, or Garden Stuff, Butcher's Meat, Offal, or other Matter or Thing, in or upon, or so as to project over or upon the Footway or Carriageway of the said Roads, Streets, Highways, Lanes, and public Places within the Jurisdiction of the Commissioners, or beyond the Line, or on the Outside of the Window or Windows, or in the Area or Areas of the House, Shop, or Place at which the same shall be so hanged up, placed, or exposed to Sale, or so as to obstruct or incommode the Passage of any Person or Carriage; or leave open, after Sun-set and before Sun-rise, the Door or Window of any Area, Cellar, or other underground Room or Apartment, or Openings leading to any Building or Premises, without having placed or left a sufficient Light therein, to warn and prevent Persons passing in the said Roads, Streets, Highways, Lanes, or other Places within the Jurisdiction of the said Commissioners,

For preventing various Nuisances and Obstructions.

[Local.]

22 T

missioners,

missioners, from falling into such Cellars or other underground Rooms, Apartments, or Openings; or throw at any Cock or Fowl in the Manner called Cock-throwing, or set up any Cock or Fowl to be thrown at in such Manner; or play at Foot Ball, or at any other Game, to the Annoyance of any Inhabitant or Inhabitants, Passenger or Passengers; or shall wilfully break, aid or abet, or assist in wilfully breaking any Glass or Window-panes, or Windows, in or belonging to any Dwelling House or Building; or cause, make, or assist in making any Bonfire, or wantonly discharge or fire off any Gun, Pistol, or Blunderbuss, or other Fire-arms, or let off, set fire to, or throw any Cracker, Squib, Rocket, or other Firework, or shall occasion any Kind of Obstruction or Annoyance in or upon the said Roads, Streets, Highways, Lanes, and other Places within such Jurisdiction; or shall obstruct or incommode, hinder or prevent the free Passage of any Footway or Causeway; or prejudice or annoy in any Manner whatsoever, any Person or Persons, travelling, passing, or going thereon within the said Limits; then and in every such Case, every Person so offending shall, for every Offence, forfeit and pay any Sum not exceeding Five Pounds; and it shall and may be lawful to and for any Constable or other Peace Officer, or any One of the said Commissioners, or any Officer or other Person acting by or under their Authority, by virtue of this Act, and without any Warrant whatsoever, to seize and apprehend any such Offender or Offenders as aforesaid, and forthwith to convey him, her, or them, before some Justice or Justices of the Peace for the said County of *Surrey*, in order to his, her, or their Conviction of such Offence.

Articles occasioning Nuisances, may be seized without any Warrant, &c.

XCIX. And be it further enacted, That not only shall the said Penalties lastly enacted become payable, and to be recovered in Manner aforesaid, but it shall and may be lawful to and for any Person or Persons appointed or to be appointed by the said Commissioners as aforesaid, without any Warrant or other Authority than this Act, to seize any such Truck, Wheel, Sledge, Wheelbarrow, Bier, or Carriage, Horse, Beast, or Cattle, Cask, Tub, Pail, Bucket, Stool, Bench, Shew Board, Chopping Block, Stall, Basket, Blind, Shade, Coverlid, or Awning, or other Things, Stone, Wood, or Timber, Coach, Chaise, Waggon, or other Carriage, together with the Horse or Horses, Ass or Asses, Mule or Mules, if any shall be thereunto yoked or harnessed, with the Harness, Gear, and Accoutrements thereof, or any such Goods, Wares, Merchandizes, Fruit, Vegetables, or Garden Stuff, Butchers Meat, or other Things, or any of them, and forthwith, or with all convenient Speed, carry or cause the same to be carried before some Justice of the Peace acting for the County where such Offence shall be committed; and if it shall appear to such Justice, upon the Oath or Affirmation of any One or more credible Witness or Witnesses, that such Goods, Carriage, Horse, Ass or Mule, Materials, Vegetables, Garden Stuff, Meat, or Things, occasioned any Kind of Obstruction or Annoyance, or was or were in any Situation contrary to the Provisions of this Act, then and in such Case it shall be lawful for the said Justice, in case any of the Goods, Wares, or Merchandizes so seized shall be perishable, or shall be articles of Food, to order and direct the Person or Persons who shall seize the same to deliver, or cause the same to be delivered to the Churchwardens or Directors of the Poor, or some of them,

or to the Master of the Workhouse of the Parish of Saint *Mary Magdalen Bermondsey*, and the same shall and may be given and distributed by them or him, unto and among the poor Inhabitants of the said Workhouse, to and for his, her, and their Benefit; but if the Goods, Wares, or Merchandizes, Materials or Things, so seized shall not be perishable, or shall not be Articles of Food, or if any Carriage, Horse, Mule, or Ass shall be so seized, then the said Justice shall order and direct the Person or Persons who shall have seized such last-mentioned Goods, Wares, Merchandizes, Materials, or Things, Carriage, Horse, Ass, or Mule, to remove the same to any Place appointed by the Commissioners for the Reception thereof, if any such there be, or otherwise to such Place or Places as the said Justice shall judge convenient; and the Person or Persons so seizing any such Goods, Wares, or Merchandizes, or any such Horse, Mule, Ass, Materials, or Things, shall give parol or written Notice of such Place or Places whereunto the same shall be removed, unto the Owner, Driver, or other Person having any Interest in the Goods, Carriages, Horse or Horses, Ass or Asses, Mule or Mules, Materials, or other Things so seized or removed; and the same shall be kept and detained until such Owner, Driver, or other Person interested therein as aforesaid, shall cause to be paid the said Penalty, together with the Charges for taking or removing the same, and of keeping such Horse or Horses, Ass or Asses, Mule or Mules, if any; and in case the Goods, Carriages, Horse or Horses, Ass or Asses, Mule or Mules, Materials, or other Things so removed (not being perishable or Articles of Food) shall not be claimed, and the said Penalty and Charges be paid within Five Days next after such Removal thereof, then and in every such Case it shall and may be lawful to and for the said Commissioners, or their Surveyor or Inspector, or other Person as aforesaid, to order the same to be appraised and sold, and the Overplus of the Money arising by such Sale shall be returned to the Owner or Owners thereof, after deducting the said Penalty, and such Costs, Charges, and Expences attending such seizing, removing, keeping, appraising, and selling the same, as the said Commissioners shall ascertain and allow: Provided always, that it shall be lawful to and for the said Justice of the Peace, if he shall think fit, to order and direct that any of such Goods, Wares, Merchandizes, Carriage, Horse, Ass, Mule, Materials, or other Things, Fruit, Vegetables, or other Articles of Food so seized, to be restored to the Owner or Owners thereof upon Payment of such reasonable Sum to the Person or Persons who shall seize the same, for his or their Pain and Trouble therein, as such Justice shall think fit.

C. And be it further enacted, That if any Sheep, Horse, Cow, or Beast, shall at any Time be found wandering in the said Roads, Streets, Highways, and other Places within the Limits of this Act, it shall and may be lawful to and for any Person appointed by the said Commissioners to seize and impound such Sheep, Horse, Cow, or Beast in such Place as the said Commissioners shall appoint, and the same there to detain until the Owner or Owners thereof shall for every such Sheep, Horse, Cow, and Beast so impounded pay the Sum of Five Shillings to the Person impounding the same, together with the reasonable Charges and Expences of impounding and keeping the same; and in case the said Sum,

Cattle wandering to be seized.

Sum, Charges, and Expences shall not be so paid within Five Days after such impounding, it shall and may be lawful to and for the said Commissioners to sell or cause to be sold the same, and the Money arising from such Sale, after deducting the said Sum or Sums of Money, and the Charges and Expences of impounding, keeping, and selling such Sheep, Horse, Cow, or Beast, shall be paid on Demand to the Owner or Owners of the said Sheep, Horse, Cow, or Beast.

Punishment
of Persons
guilty of
Pound
Breach.

CI. And be it further enacted, That in case any Person shall release or attempt to release any Cow, Horse, Ass, Swine, or other live Stock or Cattle, which shall be seized for the Purpose of being impounded under the Authority of this Act from the Place where the same shall be so impounded, or shall pull down, damage, or destroy such Place or any Part thereof, or any Lock or Bolt belonging thereto, or with which the same shall be fastened, or shall rescue or release, or attempt to rescue or release any Distress or Levy which shall be made under the Authority of this Act, until or before such Cow, Horse, Ass, Swine, or other live Stock or Cattle seized or so impounded, or such Distress or Levy so made shall be discharged by due course of Law, every Person so offending shall upon Conviction thereof before any One of His Majesty's Justices of the Peace for the County or Place where the Offence shall have been committed, either upon the Confession of the Party or Parties offending, or upon the Oath of One credible Witness, and which Oath the said Justice is hereby authorized and empowered to administer, be committed by such Justice, by Warrant under his Hand and Seal, to the Common Gaol or House of Correction of the County wherein the said Offence shall have been committed, there to remain, without Bail or Mainprize, for any Time not exceeding Three Calendar Months.

Swine to be
seized and
sold for the
Benefit of
the Poor.

CII. And be it further enacted, That no Person or Persons whomsoever shall breed, feed, or keep any Sort or Manner of Swine in any Yard or Garden belonging or adjoining to any House, Building, or other Tenement situated, standing, and being in the said Roads, Streets, Highways, Lanes, and Places within the Limits of this Act, upon pain of forfeiting the same to the Churchwardens of the said Parish of *Bermondsey*, for the Use of the Poor thereof; and it shall be lawful for any of the said Commissioners, their Surveyor or Inspector, or other Person or Persons appointed by them, at all Times hereafter, in the Day-time, by Warrant under the Hand and Seal of any One of His Majesty's Justices of the Peace for the County of *Surrey*, to search in all such Places as aforesaid, for the finding all such Swine; and all such Swine that shall be so found, to seize, take, drive, and carry away the same, and sell for the best Price that can be had, and the Money thereby produced forthwith to deliver to the said Churchwardens, to be applied to the Use of the Poor of the said Parish of *Bermondsey*.

Slaughter
Houses, Hog-
sties, and
other Erec-
tions to be
removed, if
deemed a
Nuisance.

CIII. And be it further enacted, That in case any Slaughter House, Hogstye, Horse-boiling or Bone-boiling Establishment, Necessary House, or other noisome or offensive Building or Place whatsoever in the said Parish of *Bermondsey*, or any other Matter, shall in the Judgment of the said Commissioners be a Nuisance to any of the Inhabitants thereof, it shall

shall and may be lawful to and for the said Commissioners, upon Complaint thereof to them made by any such Inhabitant, and after due Investigation of such Complaint, by Notice in Writing under the Hands of any Three or more of the said Commissioners, or under the Hand of their Clerk or Clerks for the Time being, to order that every or any such Slaughter House, Hogstye, Horse-boiling or Bone-boiling Establishment, Necessary House, or other Nuisance or Offence be remedied or removed; and in case 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 Annoyance shall be situate or arise, or for the Person or Persons as for or on whose behalf the same is carried on, or left at his, her, or their last or usual Place of Abode, or on the said Premises, then every such Owner or Occupier, or other Person so neglecting to remedy or remove such Nuisance or Annoyance, pursuant to such Notice, and to the Satisfaction of the said Commissioners, shall forfeit and pay any Sum not exceeding Twenty Shillings for every Day the same shall continue unremedied or unremoved after the Expiration of the Time mentioned in such Notice.

CIV. And be it further enacted, That no Person shall empty or begin to empty any Privy, or to take and carry away any Night Soil, or bring or place any Carts for removing the same from any House, Building, or Place already erected, now erecting, or hereafter to be erected, built, or made, within the Jurisdiction of the Commissioners for executing this Act, before the Hour of Twelve in the Night, or shall continue to take away the same after the Hour of Five in the Morning between *Michaelmas* and *Lady-day*, and after the Hour of Four in the Morning between *Lady-day* and *Michaelmas*; and that no Person shall unload, or cast, or spill, or cause or suffer to be unloaded, cast, or spilt, any such Night Soil out of any Cart, Tub, or otherwise within the District comprized in this Act; and if any Person shall offend herein, he shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, One Moiety whereof shall go to the Informer and the other Moiety shall be paid to the Treasurer of the said Commissioners, to be applied to the general Purposes of this Act.

Regulation
as to Night
Soil.

CV. And be it further enacted, That if any Person at any Time hereafter shall drive or cause to be driven any Cart or other Carriage with any Soap Lees, Night Soil, Ammoniacal Liquor, Slop, Filth, or Channel Mire or Dirt therein, through, in, or over any of the Roads, Streets, Lanes, Highways, or other Places within the Jurisdiction of this Act, without such Cart or other Carriage having a proper Covering, or Boards called Flush Boards, so as to prevent the same from slopping or spilling in any of the said Roads, Streets, Highways, Lanes, or other Places, or shall at any Time or Times hereafter fill or cause to be filled any Cart or other Carriage with any Soap Lees, Night Soil, or Ammoniacal Liquor, in any of the said Roads, Streets, Highways, Lanes, or Places, between the Hours of Six of the Clock in the Morning and Eight of the Clock in the Evening of any Day, or shall drive, or cause to be driven, any Cart or Carriage, so filled as last mentioned, through, in, or over any of the said Roads, Streets, Highways, Lanes, and Places, between the Hours

Slops to be
carried only
in covered
Carts.

[Local.]

aforesaid, or shall fill any such covered Cart or other Carriage so as to turn over or cast any Soap Lees, Night Soil, Ammoniacal Liquor, Slop, Mire, or Channel Dirt or Filth, in or upon any of the said Roads, Streets, Highways, Lanes, or other Places, it shall and may be lawful for any Person 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 or Authority, to convey him or her before some Justice of the Peace for the County of *Surrey*, and which Justice is hereby authorized and required to hear Evidence and determine on such Offence; and every Person so offending shall for every such Offence forfeit and pay the Sum of Five Pounds: Provided always, that in case the Person or Persons so offending cannot be apprehended, then the Owner or Owners of such Cart or Carriage in which such Soap Lees, Night Soil, Ammoniacal Liquor, Slop, Filth, Mire, or Channel Dirt, shall be put or placed, and also the Employer or Employers of the Person or Persons so offending, shall be liable to and shall forfeit and pay such Penalty as aforesaid.

Power to regulate the Form and Position of Watering Places.

CVI. And whereas the Form and Construction of certain Places erected at or near the Doors of Public Houses, and other Houses within the said Parish, for the Reception of Urine, or as Places for the Accommodation of Persons frequenting such Houses, and requiring the easing of Nature by making Water, are often such as to occasion many indecent and improper Exposures, be it therefore enacted, That it shall and may be lawful for the said Commissioners, and they are hereby authorized and empowered to order and direct any Alteration they shall think fit to be made by the Owners or Occupiers of such Houses, in the Form and Situation of Boxes, Screens, Shades, and other Conveniences used or to be used as Depositaries of Urine, or as Places for Persons requiring the easing of Nature by making Water, now or at any Time hereafter to be placed against or in the Front or on the Side of any or either of the Public Houses abutting upon any or either of the Roads, Streets, Highways, Lanes, and Places within the Jurisdiction of the said Commissioners; and it shall and may be lawful for the said Commissioners to order and direct the Owners or Occupiers of any Public House, Ale House, or other Place licensed for the Sale of Beer or Spirituous Liquors, as have no such Box, Shade, Screen, or Convenience aforesaid, to erect, at the Expence of such Owner or Occupier, a Box, Shade, Screen, or Convenience for the Purposes aforesaid, according to a Plan to be laid down by the said Commissioners, and in such Situation as they the said Commissioners shall direct; and no such Convenience shall be hereafter constructed, erected, and made without the Consent in Writing of the said Commissioners, or their Clerk, for that Purpose first had and obtained; and the said Commissioners are hereby empowered to direct the Owners or Occupiers of any such Public or other House as aforesaid, at or near which any such Box, Shade, Screen, or other Convenience for the Purposes aforesaid shall be placed, to alter or pull down and rebuild such Box, Shade, Screen, or other Convenience, and place them where the said Commissioners shall direct; and in case such Owner or Occupier shall not within Twenty-one Days after having received Notice in Writing, signed by the Clerk of the said Commissioners, and
left

left at the Dwelling House of the said Owner or Occupier, alter or pull down and rebuild such Box, Shade, Screen, or Convenience as aforesaid, or erect such Box, Shade, Screen, or other Convenience where there shall be none, agreeably to a Plan to be furnished by the said Commissioners, the Owner or Occupier so offending shall for every such Offence forfeit and pay the Sum of Five Pounds, and the Sum of Five Shillings for each Day so long as the Nuisance shall be continued or such Convenience shall not be erected; and the Commissioners are hereby authorized and empowered to cause such Alteration to be forthwith made under the Direction of a Surveyor or other Person to be appointed by them for that Purpose.

CVII. And be it further enacted, That if any Person shall dig or cause to be dug any Earth, or leave or cause or permit to be left any Hole in the said Roads, Streets, Highways, Lanes, and public Places within the Jurisdiction of the said Commissioners, before any House or Tenement now or hereafter to be built or in building within the Limits of this Act, for the Purpose of making any Area or Vault, or any other Purpose whatsoever, and shall not inclose the same in a good and sufficient Manner, to be approved of by the Surveyor or Inspector to the said Commissioners; or if any such Person, having inclosed the same, shall keep up the said Inclosure longer than the said Commissioners shall think absolutely necessary, or if any Person shall not well and sufficiently fence or rail before the Area or Areas, or shall not sufficiently fence or rail in any vacant or void Space of Ground next to the said Roads, Streets, Highways, Lanes, and Places fronting the said Roads, Streets, Highways, Lanes, and Places, every Person guilty of any of the Offences aforesaid, shall forfeit and pay any Sum not exceeding Five Pounds, and forfeit and pay any Sum not exceeding Two Pounds for every Day that such Offence shall be continued.

Penalty on digging Holes for Areas or other Purposes, and leaving the same open.

CVIII. And be it further enacted, That nothing herein contained shall hinder or prevent any Person from erecting or building any Hoard or other Thing by way of Inclosure, either within or without the Area of his House, Wall, or Building, for the Purpose of making Mortar, or making Bricks or Stone, or making or working up any Lime, Sand, or other Materials for, or making, building, altering, or repairing any House, Wall, or other Building within the Limits of this Act, or to subject him to any Penalty on account thereof, provided that such Person shall previously have and obtain a Licence for that Purpose, under the Hand of the Clerk, Surveyor, or Inspector to the said Commissioners, which Licence such Clerk, Surveyor, or Inspector is hereby required forthwith to grant to any Person applying for the same, and for which he shall receive the Sum of One Shilling, and no more; and such Licence shall specify the Length and Breadth of every such Hoard, and the Time it is to continue for such Purposes aforesaid; and if any Person shall erect any Hoard or Inclosure of greater Dimensions than shall be specified in, or shall suffer such Hoard or Inclosure to remain for any longer Time than shall be allowed by such Licence, every Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Two Pounds for every Day of Twenty-four Hours that such Hoard or Inclosure, or any Part thereof, shall be

Hoards may be erected.

continued,

continued, after Notice shall have been given by the Clerk, Surveyor, or Inspector, to take down and remove the same: Provided always nevertheless, that in case such Licence shall at any Time be renewed, no Fee or Reward shall be received or taken for such Renewal.

Commissioners may indict for stopping up Rights of Way and Nuisances.

CIX. And whereas there are several ancient Landing Places on the Banks of the River *Thames*, and other Rights of Way within the said Parish of *Bermondsey*, which are and have been of great Benefit and Convenience to the Inhabitants of the said Parish, and it is expedient that the same should at all Times be kept open for the Use of the said Inhabitants; be it therefore enacted, That it shall and may be lawful to and for the said Commissioners to indict, or cause to be indicted, at any General or Quarter Sessions of the Peace in and for the County of *Surrey*, or at any Adjournment thereof, all and every Person or Persons who have stopped, or shall hereafter stop, or continue stopped up, any such Landing Places or Rights of Way, and to take such other Proceedings for the opening thereof, as shall appear to the said Commissioners expedient; and it shall and may be lawful to and for the said Commissioners to indict, or cause to be indicted, all and every Person and Persons who shall neglect or disobey any Notice given by or by the Order of the said Commissioners, as hereinbefore provided, to remedy and remove any Nuisance arising or occasioned by any Slaughter-house, Hog-sty, Horse-boiling Establishment, Necessary House, or other Building, or who shall be guilty of any other Nuisance contrary to the Provisions of this Act, within the said Parish of *Bermondsey*; and such Person or Persons being found guilty of such Nuisance or Nuisances, such Nuisance or Nuisances shall be removed, taken down, and abated according to Law with regard to Public or Common Nuisances, or the Person or Persons found guilty thereof shall be subject to such Punishment for a Misdemeanor as the Justices assembled at a General or Quarter or Adjourned Sessions for the said County of *Surrey* may direct.

Courts may be stopped up with Approbation of Two or more Justices, and with the Consent of the Owners of contiguous Property.

CX. And whereas there are certain Courts, Alleys, and Places within the Jurisdiction of this Act, which, without Inconvenience to the Public, might be discontinued and stopped up, and which, from their private and confined Situation, and by being Harbours and Receptacles for Filth and Rubbish, are noisome and offensive; be it therefore further enacted, That if upon the View of any Two or more of His Majesty's Justices of the Peace for the County wherein such Court, Alley, or Place may be situate, it shall to them appear that any such Court, Alley, or Place is become unnecessary, and may, without Inconvenience to the Public or to the Owners of Houses or Tenements adjoining thereto, be discontinued and stopped up, then, and in such Case, it shall and may be lawful to and for such Justices, by and with the Consent of the said Commissioners, testified by Writing under their Hands, and by and with the Consent of the Owner or Owners of the Houses, Lands, or Tenements adjoining to Four Parts in Five in the Length of any such Court, Alley, or Place, testified by Writing under his, her, or their Hand or Hands, at any Special or Petty Sessions to be holden for that Purpose, by Order under the Hands and Seals of such Justices, to discontinue and stop up any and every such Court, Alley, or Place, and all such Courts, Alleys, and Places, or such Proportion thereof,

as may adjoin to the Houses or Tenements of such Persons who shall have so consented, shall be discontinued and stopped up accordingly, subject to appeal as herein-after mentioned: Provided always, that nothing herein contained shall extend, or be construed to extend, so as to authorize the discontinuing or stopping up any Court, Alley, or Place, or any Part or Parts thereof, whereby or in consequence whereof any House, Tenement, or Land shall be so inclosed (unless with such Consent as aforesaid), then that the Owner or Owners thereof shall be prevented from passing freely to and repassing freely from such House, Tenement, or Land.

CXI. And be it further enacted, That the several Occupiers of Houses, Buildings, Yards, Gardens, and Lands within the Roads, Streets, Highways, Lanes, and other Places within the Jurisdiction of the said Commissioners, and every of them, are hereby respectively authorized and required, at their own Costs and Charges, from Time to Time, within Seven Days next after their respectively receiving Notice in Writing from the said Commissioners in that Behalf, signed by any Three or more of the said Commissioners, to cause all the Doors and Gates leading into the several Houses, Buildings, Yards, Gardens, and Lands in their several Occupations, (and not being Cellar Doors or Trap Doors), which now do or shall hereafter open outwards and into, and which shall, when open, project over or upon any of the Footpaths of any of the said Roads, Streets, Highways, Passages, and Places within the Jurisdiction of the said Commissioners, to be altered so as that the same Doors or Gates shall thenceforward open inwards, and into their respective Premises, or so that the same shall not project over or upon any of the said Footpaths; and if any such Occupier of any of the aforesaid Premises shall neglect or refuse to make the Alteration required by the said Commissioners in any such Door or Gate within the Period specified in such Notice, such Occupier making Default therein shall forfeit and pay the Sum of Ten Shillings a Day for every Day during which any such Gate or Door shall be suffered to remain opening outwards in manner aforesaid, after the Expiration of the Time specified in such Notice: Provided nevertheless, that when the Occupier of any such House, Building, Yard, Garden, or Land, being a Tenant at Rack Rent, shall cause any such Door or Gate to be duly altered in pursuance of such Notice as aforesaid, it shall be lawful for him or her to deduct and retain out of his or her Rent the reasonable Charges of altering the same; and the Proprietor or Landlord of every such House, Building, Yard, Garden, or Land, so held at Rack Rent is hereby required to allow the same accordingly, except only in Cases where such Door or Gate opening outwards, and so altered, shall have been originally put up by or under the Authority of such Occupier, who in that Case shall bear the Expence of altering the same; provided also, that it shall be lawful for the said Commissioners to allow to such Occupier or to such Proprietor all or any Part of the Expence of making any such Alteration, if the said Commissioners shall think it reasonable so to do.

CXII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to order and direct to be affixed, engraved, painted, or otherwise described, on a conspicuous Part of some House or other Streets to be named, and the Houses numbered.

[Local.]

22 X

other

other Building, at or near the End or Corner of each Road, Street, Highway, Lane, Alley, Passage, or Place, within the Jurisdiction of the aforesaid Commissioners, and which shall not be under the Jurisdiction of any other Commissioners for this Purpose, the Name by which such respective Road, Street, Highway, Lane, Court, Yard, Alley, Passage, or Place is usually or properly called or known, or which the said Commissioners may hereafter determine any such Road, Street, Highway, Lane, Court, Yard, Alley, Passage, or Place shall in future be designated or called; and also shall and may order and direct the several Houses, Shops, Warehouses, and Buildings, within the said Roads, Streets, Highways, Lanes, public Passages and Places, or any of them, to be numbered with Figures, painted 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.

Penalty on Owners not restoring Numbers.

CXIII. And be it further enacted, That when any such Number or Numbers, Figure or Figures, affixed, engraved, painted, or put on any House, Shop, Warehouse, or other Building within any of the said Roads, Streets, Highways, Lanes, or Places aforesaid, 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 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 affixed, engraved, painted, or put on such House, Shop, Warehouse, or other Building, within Twenty-four Hours 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.

Mains of Water and Gas Pipes, &c. to be made of Iron, and not to be laid down between Michaelmas and Lady Day.

CXIV. And be it further enacted, That all new or principal Mains of Pipes (not being Service Pipes fitted to any House or Building) for the Conveyance of Water or Inflammable Air or Gas, which, after the passing of this Act, shall be laid down beneath the Surface of any of the Roads, Streets, Highways, Lanes, and Places within the Jurisdiction of the said Commissioners, by or on account of any Body or Bodies Politic or Corporate, or any Person or Persons whomsoever, and whether such new or principal Main or Pipes shall or shall not be substituted for or added to any other principal Main or Pipes for the Conveyance of Water or Inflammable Air or Gas, theretofore laid down for the Conveyance of Water or Inflammable Air or Gas, shall consist and be made of Iron alone, of no other Material; and the Ground, Soil, or Pavement of or in any of the Roads, Streets, Highways, Lanes, and Places, or of any Part thereof, shall not be broken or taken up for the Purpose of laying down any Main of Pipes for the Conveyance of Water or Inflammable Air or Gas, at any Time between the Twenty-ninth Day of *September* in every Year,

and the Twenty-fifth Day of *March* in the following Year, without the Consent in Writing of the said Commissioners; and if any such Body Politic or Corporate, or any other Person, shall break or take up, or cause to be broken or taken up any such Ground, Soil, or Pavement, for the Purposes aforesaid during the Time aforesaid or shall lay or cause to be laid down any Pipe or Pipes consisting or made of any Materials in Violation of this Act, then and in every such Case the Bodies Politic or Corporate, or other Person so offending shall forfeit and pay the Sum of Forty Shillings for every Square Foot of Ground, Soil, or Pavement, which shall be so broken or taken up by them, or on their Authority; and the like Sum for every Foot in Length of Pipe which shall be so laid down, not consisting or made of Iron as aforesaid.

CXV. And be it further enacted, That it shall not be lawful to or for any Body or Bodies Politic or Corporate, or Person or Persons whomsoever, supplying Water or Gas Light, or any Person or Persons acting by or under the Authority of them or any of them, or on their Account, to break or take up or disturb, or cause to be broken or taken up or disturbed, the Ground, Soil, or Pavement in any of the said Roads, Streets, Highways, Lanes, and Places, for the Purpose of laying down any Mains or Pipes (except Service Pipes of a Diameter not exceeding One Inch in the Bore), without the Consent in Writing of the said Commissioners, signified under the Hand or Hands of their Clerk or Clerks, or other proper Officer or Officers, first obtained.

Restriction
as to break-
ing up Roads
by Water or
Gas Com-
pany, &c.

CXVI. And be it further enacted, That after such Consent as aforesaid, it shall not be lawful to or for any Body or Bodies Politic or Corporate, or Person or Persons whomsoever supplying Water or Gas Light, or any Person or Persons acting by or under their or any of their Authority, to break or take up or disturb, or cause to be broken or taken up or disturbed, the Ground, Soil, or Pavement in the said Roads, Streets, Highways, Lanes, and Places, or any Part thereof, for the Purpose of laying down or repairing any Main Pipe or Pipes (except Service Pipes as aforesaid), or of altering the Position of any such Main Pipe or Pipes (except as aforesaid), unless Notice in Writing of their Intention to break or take up such Ground, Soil, or Pavement, signed by the Clerk or Inspector or Surveyor to the said Body or Bodies Politic or Corporate, or other Person or Persons supplying Water or Gas Light, specifying the Road, Street, Highway, Lane or Place, and particular Part of such Road, Street, Highway, Lane, or Place, in which such Ground, Soil, or Pavement is intended to be broken or taken up, shall have been given to the Clerk to the said Commissioners, or shall have been left for him at his Dwelling House or Office, for the Space of Twelve Hours at the least before such Ground, Soil, or Pavement, or any Part thereof, shall be so broken or taken up (except in all Cases of sudden Emergency, in which such Notice as aforesaid shall be given to such Clerk to the said Commissioners immediately after such Ground, Soil, or Pavement, or any Part thereof, shall be broken or taken up); and if the said Body or Bodies Politic or Corporate, or other Person or Persons supplying Water or Gas Light, or any Person or Persons acting by or under their or any of their Authority, shall break or take up or disturb, or cause to be broken, taken up, or disturbed,

Notice to be
given of
breaking up
Roads.

turbed, any such Ground, Soil, or Pavement, without Consent being obtained as aforesaid, and such Notice being given or left as aforesaid (except as aforesaid), or shall break or take up or disturb, or cause to be broken, taken up, or disturbed any such Ground, Soil, or Pavement, for the Purpose of laying down any Main or Mains, without such Consent as aforesaid, then and in every such Case the said Body or Bodies Politic or Corporate, or other Person or Persons supplying Water or Gas Light, or the Person or Persons acting by or under their or any of their Authority, shall forfeit and pay to the said Commissioners the Sum of Forty Shillings for every Square Yard of Ground, Soil, or Pavement, to be measured upon the Surface thereof, which shall be so broken or taken up without such Consent and Notice as aforesaid (except as aforesaid).

Pavements
to be made
good when
Pipes are
laid.

CXVII. Provided always, and be it further enacted That every such Body or Bodies Politic or Corporate, or Person or Persons supplying Water or Gas Light, or other Persons in laying or repairing any such Mains, Pipes, Plugs, Cocks, Stopcocks, Syphons, Branches, or other Apparatus, shall do as little Damage as may be to the Roads, Streets, Highways, Lanes and Places, or the Ground, Soil, or Pavements thereof, or otherwise, and shall forthwith fill in the Trenches, and reinstate and make good the said Roads, Streets, Highways, Lanes and Places, in as good sound State or Condition as the same was or were in at the Time of being so broken up; and every such Body or Bodies Politic or Corporate, or Person or Persons supplying Water or Gas Light, or other Persons, shall carry away the old Pipes and Materials, and the surplus Earth or Rubbish occasioned by such Works, without any Delay, and shall, during the Performance of such Works, fence, guard, and light the Place or Places where any Ground shall be opened, in such Manner as to prevent Accidents to Passengers, Cattle and Carriages, the same several and respective Works and Repairs to be done under the Superintendance, and to the Satisfaction of the Surveyor or Surveyors of the Commissioners executing this Act: Provided always, that if the said Body or Bodies Politic or Corporate, or Person or Persons supplying Water or Gas Light, or any of their Agents or Servants, or other Person or Persons, shall not within Twenty-four Hours next after Notice given to or left for the said Body or Bodies Politic or Corporate, or Person or Persons supplying Water or Gas Light in their respective Houses or Offices, fill in such Ground, or remove the old Pipes and surplus Earth or Rubbish, or make good any such Roads as aforesaid, or shall not fence, guard, and light the Place where any such Ground shall be opened as aforesaid, from Sun-set to Sunrise, then and in every such Case it shall and may be lawful to and for the said Commissioners, or their Surveyor or Surveyors, to fill in such Ground, and remove such old Pipes, Materials, surplus Earth, and Rubbish, and repair and make good any Road so broken up, and to fence, guard, and light such Places so opened as aforesaid, and the reasonable Costs and Charges thereof shall be paid by the said Body or Bodies Politic or Corporate, or Person or Persons supplying Water or Gas Light, or their Treasurer, or by such Person or Persons, as the Case may be, to the said Commissioners, or their Treasurer or Surveyor; and in default of Payment thereof for Ten Days next after Demand shall be made by the
Treasurer,

Treasurer, Clerk, or Surveyor, or other Person acting by or under the Authority of the said Commissioners, Proof of such Demand being made by the Oath of One credible Witness, before One or more Justice or Justices of the Peace for the said County of *Surrey*, all such reasonable Costs and Charges, together with any Sum not exceeding Five Pounds by way of Penalty, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Body or Bodies Politic or Corporate, or Person or Persons supplying Water or Gas Light, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal, or Hands and Seals of any such Justice or Justices, which Warrant such Justice or Justices is and are hereby empowered to grant, and such Costs Charges, and Penalty shall be paid to the said Commissioners or their Treasurer.

CXVIII. And be it further enacted, That in case any Body or Bodies Politic or Corporate, or Person or Persons supplying Water or Gas Light, at any Time or Times shall neglect to take up the Ground, Soil, or Pavement in the said Roads, Streets, Highways, Lanes, and Places, or any of them, or any Part thereof, or to substantially repair, alter, amend, or renew any Main Pipe, Plug, Stopcock, or other Thing, as the Case may be, according to the Directions of this Act, or to give the Notices required by this Act, or to remove or take away any Pipes or other Materials or Things from the said Roads, Streets, Highways, Lanes, and Places, or to collect and carry away or remove the Old Pipes and Materials, and all Dirt, Gravel, Filth, Rubbish, and other Things from the said Roads, Streets, Highways, Lanes, and Places, and place and continue all necessary Posts, Rails, Bars, or Ropes, Lanthorns, or Watchmen, or to do and execute all and every such Works and Things, and all or any such other Works and Things directed and required by this Act to be done and executed by any such Body or Bodies Politic or Corporate, or Person or Persons supplying Water or Gas Light, in the Manner and within the Times and Periods directed by this Act, then and in every or any of such Cases, and at all Times afterwards, it shall and may be lawful to and for the said Commissioners and their Surveyor, and they and he are and is hereby empowered and required forthwith to cause all and every such several Works, Matters, and Things which shall not be executed and performed by every such Body or Bodies Politic or Corporate, or Person or Persons supplying Water or Gas Light, or which shall not be well, substantially, and effectually executed and performed to the Satisfaction of the said Commissioners, to be well and effectually performed to the Satisfaction of the said Commissioners, at the Costs and Charges of such Body or Bodies Politic or Corporate, or Person or Persons supplying Water or Gas Light, who shall have so neglected, well, substantially, and effectually to perform and execute the same, and every of them, and every Part thereof; and that such Costs and Charges, and every of them, shall be reimbursed and paid by any and every such Body or Bodies Politic or Corporate, or Person or Persons supplying Water or Gas Light to the said Commissioners or their Treasurer, or to such Person or Persons as they shall appoint to receive the same; and that the Amount of such Costs and Charges, and of the Monies so to be paid, shall be recovered and levied (over and above all and every the Penalties

Works neglected by Companies, &c. may be executed by Trustees.

[*Local.*]

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and

and Forfeitures which may be incurred for any such Neglect, by virtue of this Act), in the same Manner as Penalties and Forfeitures by this Act imposed are directed to be recovered, levied, and applied.

Commissioners may Require repair of Pipes, &c.

CXIX. And be it further enacted, That when and so often as it shall appear to the said Commissioners that any Main or Mains, Pipe or Pipes, Stopcock, Plug, or other Thing belonging to any Body or Bodies Politic or Corporate, or Person or Persons supplying Water or Gas Light, be broken or damaged, or in want of Repair or Alteration, it shall be lawful for the said Commissioners to cause Notice to be given in Writing, signed by their Clerk, to the Body or Bodies Politic or Corporate, or Person or Persons to whom such Main, Pipe, Stopcock, Plug, or other Thing doth or may belong, by either giving such Notice to a Clerk or Secretary, or to a Turncock of such Body or Bodies Politic or Corporate, or Person or Persons, or to some or one of them, or by leaving the same at the Place or Places of Abode of some or one of them, or at the Office or Counting-house of such Body or Bodies Politic or Corporate, or Person or Persons supplying Water or Gas Light, requiring that such Mains, Pipe, Stopcock, Plug, or other Thing be forthwith repaired, altered, amended, or renewed by such Body or Bodies Politic or Corporate, or Person or Persons supplying Water or Gas Light; and that within Twenty-four Hours after such Notice shall be so given or left as aforesaid, the said Body or Bodies Politic or Corporate, or Person or Persons to or for whom, or to or for whose Officer or Servant such Notice shall have been given or left as aforesaid, shall cause to be taken up the Ground, Soil, or Pavement beneath which the Main, Pipe, Stopcock, Plug, or other defective Thing shall be, and shall cause the Ground to be opened, and also cause the said Main, Pipe, Stopcock, Plug, or other Thing to be substantially repaired, altered, amended, or renewed, and the Ground, Soil, or Pavement, properly filled in with hard Rubbish or other good Materials, and rammed down and reinstated within Forty-eight Hours next after such Notice shall be given or left as aforesaid, or with all convenient Expedition, in the Judgment of the said Commissioners, and to their Satisfaction; and also, within Twelve Hours after such Main, Pipe, Stopcock, Plug, or other Thing shall be so substantially repaired, altered, amended, or renewed, and the Ground, Soil, or Pavement above the same shall be so filled in and rammed down and reinstated, the said Body or Bodies Politic or Corporate, or Person or Persons supplying Water or Gas Light, shall cause Notice thereof to be given to the said Commissioners, that such Reparation, Alteration, Amendment, or Renewal hath been made; and that the Ground, Soil, or Pavement, hath been re-filled, rammed down, and reinstated in the Manner directed by this Act; and in case the said Body or Bodies Politic or Corporate, or Person or Persons supplying Water or Gas Light, to or for whom such Notice shall have been given or left as aforesaid, and to whom such Main, Pipe, Stopcock, Plug, or other Thing referred to in such Notice shall belong, shall neglect to cause the same to be repaired, altered, or amended or renewed, as the Case may be, and the Ground, Soil, or Pavement to be filled in and rammed down, and reinstated to the Satisfaction of the said Commissioners, in Manner and within the Time aforesaid, or shall neglect to give, or cause to be given, Notice thereof as aforesaid,

aforesaid, then the said Body or Bodies Politic or Corporate, or Person or Persons supplying Water or Gas Light shall, for every such Offence, forfeit and pay any Sum not exceeding Ten Pounds.

CXX. And be it further enacted, That all Mains or Pipes shall be laid Twelve Inches at the least below the Surface of the Ground, to be measured from the upper Side of such Mains or Pipes, and such Mains or Pipes shall be laid on the Sides of the said Roads, Streets, Highways, Lanes, and Places, and as near to the Footpaths as conveniently may be, (or in the Footpaths, if the said Commissioners shall think proper), unless in such Cases where the Intervention of a Common Sewer, or other unavoidable Hindrance or Obstruction shall make a Deviation absolutely necessary, or where it shall be necessary for the Purpose of carrying any Main or Pipes across the said Roads, Streets, Highways, Lanes, and Places, for the Purpose of Communication from one Main Pipe to another, and that no Pipe or Pipes shall be laid down under the said Roads, Streets, Highways, and Places, which shall in any Manner prevent the Draining of Water off the said Roads, Streets, Highways, and Places:

Pipes to be laid on Sides of Roads, and no Pipes to be laid which shall prevent the draining the Water off the Roads, &c.

CXXI. And be it further enacted, That no Body or Bodies Politic or Corporate, or Person or Persons supplying Water, whose Mains or Pipes shall be laid beneath the Surface of the said Roads, Streets, Highways, Lanes, and Places, or any Part thereof, shall place or set up, or cause or suffer to be placed or set up, any Stand Cock or Pump, or other Instrument, Machine, or Thing, for the Supply of Water in Times of Frost or otherwise, in the said Roads, Streets, Highways, Lanes, and Places, or any of them or any Part thereof, which shall be furnished with any other than a Metal Cock and Spout, to the Satisfaction of the said Commissioners or their Surveyor, and that any Body or Bodies Politic or Corporate, or other Person or Persons who shall set up, or cause or suffer to be set up any Stand Cock, Pump, or other Instrument, Machine, or Thing, furnished with any other than a Metal Cock and Spout, which shall not be to the Satisfaction of the said Commissioners or their Surveyor, shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings.

For regulating Stand Cocks during Frosts.

CXXII. And whereas Persons, without any sufficient leave for that Purpose, inclose or otherwise occupy Part of the said Roads, Streets, Highways, and Places, for the making of Mortar and depositing of Bricks, Lime, Timber, and other Materials, Matters, and Things, to the great Annoyance, Obstruction, and Danger of Passengers and Carriages, and to the Detriment of the said Roads, Streets, Highways, and Places; be it therefore further enacted, That if any Person shall erect, build, or set up, or cause or procure to be erected, built, or set up any Inclosure, Post, Bar, or Rail, or lay or deposit any Bricks, Lime, Timber, or other Materials, Matter, or Thing, in or upon any Part of the said Roads, Streets, Lanes, and Places, or the Footpaths thereof, without the Consent of the said Commissioners or their Clerk or Surveyor in Writing first had and obtained, or beyond such Bounds or Limits as shall be expressed in such Consent, or without such Inclosure, or continue the same beyond the Time directed or allowed by the said Commissioners, it shall

No Inclosures to be made, or Materials for Building to be laid on Roads without Consent of Commissioners.

shall be lawful for the said Commissioners or their Surveyor or Surveyors, in any or either of the said Cases, to cause the same to be removed, taken, and carried away, and deposited in such Place or Places as the said Commissioners shall direct and appoint, there to remain and be kept until the Owner or Owners, or the Person or Persons offending in any of the said Premises, shall have paid and discharged all Costs, Charges, and Expences attending the removing and taking away, depositing and keeping the same as aforesaid, such Costs, Charges, and Expences being first settled and ascertained by some Justice of the Peace for the County in which the Offence shall be committed; and in case the said Owner or Owners, or other Person or Persons as aforesaid, shall neglect or omit to pay such Costs, Charges, and Expences, within Five Days after the same shall have been so settled and ascertained, it shall be lawful for the said Commissioners or their Surveyor to sell all such Materials, Matters, and Things, and reimburse themselves and himself such Costs, Charges, and Expences as aforesaid, and of such Sale or Sales, rendering the Overplus, if any, to such Owner or Owners, or other Person or Persons as aforesaid, on Demand.

Recovery and
Application
of Penalties.

CXXIII. And be it further enacted, That all Offences whatsoever, which by virtue or under the Authority of this Act, or by or under any Bye-law, Rule, Order, or Regulation, to be made in pursuance or by the Authority of this Act, are or shall be subject to or punishable with any pecuniary Penalties, Fines, or Forfeitures, for the Recovery of which no express Provision is herein-before made, shall and may in every Case be heard, adjudged, and determined by or before any Justice or Justices of the Peace for the said County, in a summary Way (upon Information and Complaint to be made and exhibited within Three Calendar Months at farthest next after the committing of such Offences respectively, and not afterwards); and upon any such Information or Complaint as aforesaid, the said Justice or Justices shall examine into the Matter thereof; and if upon the Confession of the Party or Parties accused, or on the Oath of One or more credible Witness or Witnesses, (which Oath such Justice or Justices is or are in every Case fully authorized to administer), the Party or Parties accused shall be convicted of having committed such Offence or Offences, then and in every such Case the Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures hereby made payable in respect of such Offence or Offences, together with the Costs of Conviction, to be ascertained by such Justice or Justices, shall be forthwith paid by the Party or Parties so convicted as aforesaid; and in case such Party or Parties so convicted shall refuse or neglect to pay the same forthwith, then the same shall and may, by Warrant or Warrants under the Hand and Seal, or Hands and Seals of any such Justice or Justices (which he and they is and are hereby empowered and required to grant), be levied and recovered, together with the Costs of Conviction and Recovery thereof, to be ascertained by such Justice or Justices, by Distress and Sale of the Goods and Chattels of such Offender or Offenders, wherever such Goods and Chattels can be found, rendering the Overplus of the Money arising by such Sale (if any) on Demand, to the Party or Parties whose Goods or Chattels shall be so distrained; One Moiety of which Penalties, not herein directed to be otherwise applied, shall be paid to the Informer,
and

and the other Moiety shall be paid to the Treasurer or Treasurers of the said Commissioners for the Time being, to be applied for the general Purposes of this Act; and it shall and may be lawful for the said Justice or Justices to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice or Justices, for his or their Appearance before the said Justice or Justices on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Justice or Justices is and are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant or Warrants it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, and such Costs as aforesaid, and the same shall not be forthwith paid, then it shall be lawful for such Justice or Justices, and he and they is and are hereby required and empowered, by Warrant or Warrants under his Hand and Seal, or their Hands and Seals, to commit such Offender or Offenders to any Common Gaol or House of Correction for the said County, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, or until such Offender or Offenders shall have fully paid such Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, and all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justice or Justices, or shall otherwise be discharged by due course of Law.

CXXIV. And be it further enacted, That it shall and may be lawful for any of the said Commissioners or their Collectors, Surveyors, or other Officers respectively, and such Person or Persons as they or any of them shall call to their Assistance, without any Warrant or other Authority than this Act, to seize and detain any Person or Persons (being unknown to such Commissioners, Collectors, Surveyors, or Officers), who shall commit any Offence or Offences against this Act, and deliver him, her, or them into the Custody of any Peace Officer, in order to be secured and conveyed before any Justice or Justices of the Peace for the said County, near to the Place where the Offence or Offences shall be committed, and such Justice and Justices shall, and is and are hereby required to proceed and act with respect to such Offender or Offenders according to the Provisions of this Act.

For securing transient Offenders.

CXXV. And be it further enacted, That for the more easy Conviction of Offenders against this Act, or against any Bye-law, Rule, Order, or Regulation to be made in pursuance or by the Authority of this Act, that a Conviction in the Form or to the Effect following shall be good, without alleging more than the Substance of the Offence:

County of Surrey }
 to wit. }
 ' **B**E it remembered, That on the _____
 Day of _____ in the Year of our Lord
 is (or are, as the Case may be)
 ' convicted before me (or us, as the Case may be)
 [Local.] 22 Z ' of

Form of Conviction.

of His Majesty's Justices of the Peace for the said County, of having (*here state the Offence, and the Time and Place when and where the same was committed*), contrary to an Act of Parliament (*or contrary to a Bye-law duly made in pursuance of an Act of Parliament*) passed in the Year of the Reign of His Majesty King George the Fourth, intituled (*here set forth the Title of this Act*), for which Offence I (*or we, as the Case may be*) do adjudge the said to have forfeited the Sum of (*here state the Amount of the Penalty, Fine, or Forfeiture, for the Offence, according to the said Act of Parliament*); and in any Case where the Justice or Justices may see Cause to mitigate the Penalty, (*here insert, and I, or we*), the said Justice or Justices, seeing Cause to mitigate and lessen the said Penalty, do, according to the Provisions of the said Act of Parliament, mitigate and lessen the same to the Sum of ; which said Sum of (*here insert the Amount of the Penalty, or mitigated Penalty, as the Case may be*), is to be distributed and applied in Manner following; that is to say, thereof to the Use of the Commissioners for putting the said Act into Execution, and the other thereof to the Use of *A. B.* (*here name the Informer*), according to the Provisions of the Act of Parliament. Given under my Hand and Seal (*or under our Hands and Seals, as the Case may be*) the Day and Year first above written.

Witnesses
may be sum-
moned.

CXXVI. And be it further enacted, That if any Person shall be summoned as a Witness to give Evidence before any Justice or Justices of the Peace, touching any Matter contained in any Information or Complaint for any Offence against this Act, or against any such Bye-law, Rule, Order, or Regulation as aforesaid, either on Behalf of the Prosecutor or on Behalf of the Person or Persons accused, and shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, after having been paid or tendered a reasonable Sum of Money for his or her Costs and Expences, without a satisfactory Excuse being given for such Non-appearance, or appearing shall refuse to be examined upon Oath or Affirmation, or to give Evidence touching the Matter in question, before such Justice or Justices, then and in every such Case, every such Person so offending shall forfeit and pay for every such Offence any Sum not exceeding the Sum of Five Pounds, to be recovered as herein-before mentioned.

Justices may
administer
Oaths, &c.

CXXVII. And be it further enacted, That in all Cases where the Provisions of this Act direct or require the Oath or Affirmation of any Witness or Witnesses, to be had or taken in any Proceeding or Proceedings before any Justice or Justices of the Peace, it shall be lawful for any Justice or Justices of the Peace, and he and they is and are hereby respectively authorized and required to administer such Oath or Affirmation.

Persons pay-
ing Rates,
&c., may be
Witnesses.

CXXVIII. And be it further enacted, That no Person shall be disqualified from being a competent Witness, and being admitted to give Evidence in any Information, Prosecution, Appeal, Cause, or Proceeding whatsoever relating to the Execution of this Act, or any Bye-law, Order, or Determination made in pursuance thereof, by reason of being charged with or liable to pay any of the Rates or Assessments hereby authorized to be made,

made, or any other Rate or Assessment within the said Parish, or being one of the Commissioners for putting this Act into Execution, or holding any Office under the said Commissioners.

CXXIX. And be it further enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity.

Distress not
unlawful for
Want of
Form.

CXXX. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate or Assessment made and assessed under or by virtue of this Act, or by any Determination or Judgment made or given by any Justice or Justices of the Peace in pursuance of this Act, or by any Order, Regulation, Bye-law, or Rule made by virtue of this Act, or by any other Matter or Thing made or done by the said Commissioners or otherwise, in pursuance of this Act, he, she, or they may, within Three Calendar Months next after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace at some General or Quarter Sessions of the Peace, or some Adjournment thereof, to be holden for the said County, or other the County or Place where the Cause or Matter of Appeal shall arise, the said Party or Parties, Appellant or Appellants, having given at least Fourteen clear Days Notice in Writing of his, her, or their Intention of making such Appeal, and of the Matter and Cause thereof, to the Party or Parties against whom such Appeal shall happen to be made, or whose Interest may be affected by such Appeal, except where the Appeal shall be made against any such Rate or Assessment as aforesaid, or against any other Act, Matter, or Thing made or done by the said Commissioners, or by any Justice or Justices of the Peace, and then to the Clerk or Clerks of the said Commissioners, and within Four Days next after such Notice causing a Recognizance to be entered into before some Justice of the Peace of the said County, by Two sufficient Persons, in the Sum of Twenty Pounds each, conditioned for the Party or Parties, Appellant or Appellants, to try such Appeal, and abide the Order and Award of the Justices of such Sessions thereon, and to pay such Costs as shall be awarded at such Session, and thereupon the Justices present at any such Session, upon due Proof, upon Oath, of such Notice and Recognizance having been given and entered into as aforesaid, shall hear and finally determine the Cause and Matter of such Appeal in a summary Way; and the said Justices shall have Power to award such Restriction, Damages, and Costs to the Party or Parties appealing or prosecuting such Appeal, or such Costs to the Respondent or Respondents, or Party or Parties defending such Appeal, as the said Justices shall think proper; and all such Orders and Determinations of the said Justices at such Sessions shall be final, binding, and conclusive upon all Parties, to all Intents and Purposes whatsoever.

Appeal to
Quarter Ses-
sions.

CXXXI. And be it further enacted, That no Proceeding to be had touching the Conviction of any Offender or Offenders against this Act, or

Proceedings
not to be
any quashed for

Want of
Form.

any Order of Distress made, nor any other Matter or Thing done or transacted in or about the Execution of this Act, or in pursuance of or by virtue thereof, shall be vacated or quashed for Want of Form; nor shall any Appeal, Proceeding, Conviction, Order, Matter, or Thing be removed or removable by Certiorari, or by any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere, any Law, Statute, or Usage to the contrary notwithstanding.

Punishment
for giving
false Evi-
dence.

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

Limitation
of Actions.

CXXXIII. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in Execution of or in pursuance of or under this Act, until after Fourteen Days Notice in Writing, signed by the Person or Persons intending to bring such Action or Suit, specifying his, her, or their real Residence, and his, her, or their Trade or Profession, and the Cause or Causes of such Action or Suit, shall be thereof given to the Clerk of the said Commissioners or other the Defendant or Defendants, nor after sufficient Satisfaction made or tendered, nor after Three Calendar Months from the Time of the Fact being committed; and that all such Actions and Suits shall be laid and tried in the County or Place in which such Cause of Action shall have arisen, and not elsewhere; and that the Defendant and Defendants in such Action or Actions (in case no sufficient Tender or Amends shall have been previously made) shall or may after such Action shall have been brought, and before Issue joined therein, pay into the Court in which such Action shall be depending, such Sum or Sums of Money as he, she, or they shall think fit, whereupon such Order, Proceedings, and Judgment shall be made and given in and by such Court as in other Actions wherein a Defendant is allowed to pay Money into Court; or such

General Issue.

Defendant and Defendants may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial or Trials which shall be had thereupon, and that the Matter or Thing for which such Action or Suit shall be 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 that such Action or Suit shall have been brought before Fourteen Days Notice thereof was given as before directed, or that sufficient Satisfaction was made or tendered or paid into Court 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 than as aforesaid, then the Jury shall find for the Defendant or Defendants, and thereupon, or in case the Plaintiff or Plaintiffs in any such Action or Suit shall be nonsuited, or suffer

suffer a Discontinuance of such Action or Suit after the Defendant or Defendants shall have appeared; or if upon a Demurrer or Demurrers in any such Action or Suit, or upon a Verdict or otherwise for the Defendant or Defendants therein, Judgment shall be given for the Defendant or Defendants therein, then and in any or either of the Cases aforesaid, such Defendant or Defendants shall have and be entitled to Treble Costs, and shall have such Remedies for recovering the same as any Defendant may have for the Recovery of Costs in other Cases by Law.

Treble Costs.

CXXXIV. And be it further enacted, That when and as often as any Sum of Money shall be directed or ordered by any Justice or Justices of the Peace to be paid in pursuance of the Directions of this Act, as or by way of Compensation or Satisfaction for any Materials, Costs, Damages, Spoil, or Injury of any Nature or Kind whatsoever, done or committed by the said Commissioners, or by any Person acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Commissioners to the Party or Parties entitled to receive the same, within Five Days after Demand in Writing shall have been made, stating the Order of such Justice or Justices from the Clerk to the said Commissioners or their Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Commissioners by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices of the Peace, which Warrant any such Justice or Justices is and are hereby authorized and required to grant under his Hand and Seal or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned on Demand to the said Commissioners, or their Treasurer for the Time being, as the Case may be.

In case of Non-payment of Compensation for Materials, &c. the same to be levied on the Goods of the Commissioners, or their Treasurer.

CXXXV. And be it further enacted, That all Notices, Summonses, and Demands which by this Act are directed and required, or which shall or may be necessary to be given for carrying into Execution any of the Powers thereof, of which the Manner of serving the same is not particularly directed, shall be printed or written, or partly printed and partly written, and shall and may be served either by delivering the same personally to the Person or Persons to whom such Notices, Summonses, and Demands are to be given, or by giving the same to any of his or her Partners, Clerks, or Servants, at his, her, or their usual or last known Place of Abode.

Direction as to the Service of Notices.

CXXXVI. And be it further enacted, That the Expences and Charges in and about the procuring and passing this Act, shall be raised and paid

Expences of Act to be paid out of Rates.

[Local.]

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out of the Rates and Assessments made under or by virtue of the said recited Act of the Forty-third Year of His late Majesty, or out of the first Monies which shall arise under or by virtue of this Act.

Public Act.

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

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