



ANNO QUARTO & QUINTO

VICTORIÆ REGINÆ.

Cap. lxxvii.

An Act for paving, gravelling, lighting, cleansing, draining, and improving the Hamlet of *Kentish Town* and its Vicinity in the Parish of *Saint Pancras* in the County of *Middlesex*.

[21st June 1841.]

WHEREAS an Act was passed in the Fifty-seventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for lighting and watching Kentish Town in the Parish of Saint Pancras in the County of Middlesex*: And whereas the said Hamlet called *Kentish Town* hath, since the passing of the said recited Act, greatly increased in Size, and Number of Inhabitants, and several new Streets, Roads, Ways, Passages, and Places have been formed and made, and are still being formed and made, in the said Hamlet and its Vicinity, including that Part of the said Parish which is situate North of the Regent's Canal in the said Parish, and several new Buildings, Roads, Streets, Ways, Passages, and Places have been formed and made, and are still being formed and made, upon that Part of the Parish of *Saint Pancras* situate South of the said Canal, and known by the Name of "*The Hawley Estate*:" And whereas it is expedient that effectual Provision should be made for the paving, gravelling, stoning, repairing, and maintaining the Streets, Ways, Roads, Passages, and Places which have been formed and are forming

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as aforesaid, and for draining, cleansing, and lighting the same, and the said Hamlet and its Vicinity, as aforesaid, and for the Removal and future Prevention of Nuisances and Annoyances therein: And whereas the Powers of the said recited Act are insufficient for the above Purposes, and the Powers and Provisions necessary for the same Purposes might be more conveniently executed if the same were comprised in One Act; but the several Objects aforesaid cannot be effected without the Aid and by the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act shall, from and after the Twenty-fourth Day of *June* One thousand eight hundred and forty-one, be and the same is hereby repealed, and this Act shall from thenceforth commence and take effect in lieu and stead thereof.

Recited Act repealed.

Agreements, &c. under recited Act to subsist and continue.

II. And be it further enacted, That all Agreements, Debts, and Securities made to or by, or entered into, or incurred by or on account of, the Commissioners acting by or under the said recited Act, or by any Person to or with the said Commissioners, and also any Rate which may have been made according to the Provisions of the same Act, shall, notwithstanding such Repeal of the same Act, continue and remain in full force and be carried into effect by and with the Commissioners under this Act, and shall be and continue available in all Courts of Law and Equity, and shall be levied and collected for such Term and in such Manner as according to the Tenor thereof respectively the same would have subsisted and continued and ought to have been carried into effect by and with the said Commissioners under the said recited Act: Provided always, that all Property vested in the Commissioners of the said recited Act, or in any Person or Persons in Trust for them, shall become the Property of and be vested in the Commissioners acting under this Act; and that all Debts due and owing under and by virtue of the said recited Act at the Time of the passing of this Act shall be borne and paid by the Commissioners acting under this Act, from and out of the Rates hereby authorized to be collected and received.

First Commissioners.

III. And be it further enacted, That there shall be Forty-eight Commissioners for the Purposes of this Act; and that Sir *James Williams* Knight, *Arthur Smith*, The Reverend *Johnson Grant*, the Reverend *Edward Chaplin*, *James Hargrave Mann*, *Charles Finch*, *Joel Edwards*, *George Houghton*, *Thomas Greenwood*, *Thomas Gardiner*, *Henry Lawson*, *John Wingfield*, *William M'Master*, *William Halton*, *Cornelius Boyle*, *Simeon Thomas Bull*, *Michael Prendergast*, *Robert Fisher*, *Thomas Loftus*, *Philip Johnson*, *Thomas Charles Jackson*, *Edwin Sandys*, *Thomas Hopkins*, *Joseph Bailey*, *William Hodgson Bowes Barwis*, *James Braby*, *Charles Smith*, *Harvey Christian Brown*, *Samuel James Brown*, *Edward Dovaston*, *John Edwards*, *John Wilson*, *Robert Findon*, *Thomas Hall*, *Richard Horsepool*, *Charles Hyde*, *James Wells Taylor*, *Charles Shearman*, *Richard Archer*, *William Olliff*, *James Taylor*, *James Maynard*, *William Cooper*, *Philip Hurd*, *John Eddison*, *Edward Browell*, *Clement Dale*, and *Thomas Seddon* shall be the First Commissioners

missioners for carrying this Act into execution, and shall continue in Office until other Commissioners shall be elected in their Place, in a manner herein-after mentioned.

IV. And be it enacted, That every Commissioner under this Act shall be a resident Inhabitant within the Limits of this Act, and shall have been for One Year then last past either rated to the Rate made for the Relief of the Poor of the said Parish of *Saint Pancras* in the annual Sum of Thirty-five Pounds or upwards, or be seised or possessed in his own Right or in Right of his Wife, or in the Enjoyment of the Rents and Profits of Lands and Hereditaments within the Limits of this Act of the clear annual Value of Fifty Pounds; or, if resident out of the said Limits, possessed, either in his own Right or in the Right of his Wife, of an actual Interest, either Freehold, Copyhold, Leasehold, or by Mortgage, in Lands, Tenements, or Hereditaments within the said Limits, of the clear yearly Value of One hundred Pounds.

V. And be it enacted, That no Bankrupt or Insolvent, or Person not qualified as herein-before mentioned, shall be capable of being or continuing a Commissioner.

VI. And be it enacted, That if at any Time any Commissioner shall accept or hold any Office or Place of Trust and Profit under this Act, or be interested or concerned in any Contract, or participate in any manner in any Work to be done or Materials to be supplied under the Authority of this Act, such Person shall cease to be a Commissioner.

VII. Provided always, and be it enacted, That no Person, being a Shareholder or Member of any Joint Stock Company established by Act of Parliament, shall be prevented from acting as a Commissioner by reason of any Contract entered into between such Company and the Commissioners; but no such Commissioner, being a Member of such Company, shall vote on any Question relating to the Execution of this Act in which such Company may be interested.

VIII. And be it enacted, That a Person shall not be incapable of acting as a Justice of the Peace in any Matter relating to the Execution of this Act by reason of his being a Commissioner.

IX. And be it enacted, That no Person shall be capable of acting as a Commissioner, except in administering the Declaration herein-after mentioned, until he shall have made and signed, before one of the Commissioners, a Declaration to the Effect following:

I *A.B.* do solemnly declare, That I will faithfully and impartially, according to the best of my Skill and Judgment, execute all the Powers and Authorities reposed in me as a Commissioner by virtue of an Act of Parliament, intituled [*here insert the Title of the Act*], and also that I am a resident Inhabitant within the Limits of the said Act, and am rated to the Rates made for the Relief of the Poor of the Parish of *Saint Pancras* in the annual Sum of Thirty-five

‘ five Pounds [or that I am a resident Inhabitant within the Limits of
 ‘ the said Act, and am seised and possessed in my own Right or in
 ‘ Right of my Wife, or in the Enjoyment of the Rents and Profits of
 ‘ Lands and Hereditaments within the said Limits of the annual
 ‘ Value of Fifty Pounds, or that I am possessed in my own Right or in
 ‘ Right of my Wife of an actual Interest, either Freehold, Copyhold,
 ‘ or Leasehold, or by Mortgage in Lands, Tenements, or Heredita-
 ‘ ments within the said Limits of the clear yearly Value of One
 ‘ hundred Pounds.]’

False Decla-
 ration a Mis-
 demeanor.

X. And be it enacted, That any Person who shall falsely or cor-
 ruptly make and subscribe a Declaration under this Act, knowing the
 same to be untrue in any Particular, shall be deemed guilty of a
 Misdemeanor.

Declaration
 to be taken
 at the First
 Meeting.

XI. And be it enacted, That at the Meeting of Commissioners at
 which any Person shall first attend as one of such Commissioners
 such Person shall make and subscribe the Declaration herein required,
 and it shall be lawful for any Person attending as one of such Commis-
 sioners, whether he shall himself have made such Declaration or not,
 to administer such Declaration.

Penalty for
 acting as a
 Commis-
 sioner, not
 being qua-
 lified.

XII. And be it enacted, That if any Person shall act as a Com-
 missioner, being incapacitated to act, or not being duly qualified, or
 before he shall have made or subscribed such Declaration as aforesaid,
 or after having become disqualified, he shall for every such Offence
 forfeit the Sum of Fifty Pounds; and such Penalty may be recovered,
 with full Costs of Suit, in any of Her Majesty's Courts of Record at
Westminster, by any Person who shall sue for the same, by Action
 of Debt or on the Case; and in every Action for the Recovery of such
 Penalty the Person so sued shall prove that he was qualified, and had
 made and subscribed the Declaration aforesaid, or he shall pay the
 said Penalty and Costs, without any other Proof or Evidence on the
 Part of the Plaintiff than that such Person hath acted as a Commis-
 sioner in the Execution of this Act; nevertheless all Acts and Pro-
 ceedings of any Person acting as a Commissioner, being incapacitated,
 not duly qualified, or being disqualified, done previous to the Recovery
 of the Penalty, shall be as valid as if such Person had been duly
 qualified.

Commis-
 sioners neg-
 lecting to act.

XIII. And be it enacted, That if any Commissioner fail to act in
 the Execution of this Act for One Year such Commissioner shall
 be deemed to have refused to act, and thereupon shall cease to be a
 Commissioner until he shall be re-elected as herein-after mentioned.

Annual Elec-
 tion of Com-
 missioners to
 fill up
 Vacancies.

XIV. And be it further enacted, That the annual Election of Com-
 missioners shall take place on the Second *Tuesday* in the Month of
April in every Year, the first Election to be held in the Year One
 thousand eight hundred and forty-three; and the Number of Commis-
 sioners to be elected at every such Election shall be Sixteen, or such
 greater Number as shall be necessary to supply the Places of those
 who shall then go out of Office, or who shall have neglected to qualify,
 or who shall have died, resigned, or refused to act, or become dis-
 qualified

qualified or incapable of acting since the then last preceding Election; and the Clerk shall from Time to Time give Twenty-one clear Days Notice in Writing of the Time and Place of every such Election, by affixing such Notice on the principal outer Door of the Parish Church, and the several Chapels of Ease, and all other Places of Public Worship in the Districts comprised in this Act (stating in such Notice the Number of Commissioners to be elected at such Meeting).

XV. And be it enacted, That every Commissioner going out of Office may be re-elected, and after such Re-election he shall, with reference to going out by Rotation, be considered as a new Commissioner.

XVI. And in order to determine the Rotation by which the Commissioners are required to go out of Office, be it enacted, That within Twelve Months after the passing of this Act the Commissioners shall meet at their Board Room, or some other convenient Place within the Limits of this Act, for the Purpose of forming a Rotation List of the Commissioners; and at such Meeting the Clerk to the Commissioners, or some other Person to be previously appointed by the Commissioners for that Purpose, shall write the Names of all the then Commissioners on separate Slips of Paper, all as nearly as may be of equal Size, Colour, and Quality, and having folded them up in the same Manner, he shall put them in a Box, and shall draw out such Slips in Succession, and the Names upon the Slips so drawn shall be inserted by such Clerk in a List in the Order in which they shall be so drawn, and such List shall be kept by such Clerk for the Purposes of the Act, and the Names in such List shall be numbered consecutively, and the Sixteen Commissioners whose Names shall stand first upon the said Rotation List shall go out of Office on the first Election to be held in the Month of *April* One thousand eight hundred and forty-three, and in like Manner the Sixteen Commissioners whose Names for the Time being shall stand first on the said List shall go out of Office annually, and their Places shall from Time to Time be filled up by Election in the Manner herein directed.

XVII. And be it further enacted, That on the Second *Tuesday* in the Month of *April* in each Year all Persons rated in respect of any Land, Houses, or Buildings within the Limits of this Act, who shall have been so rated for the Relief of the Poor of the said Parish for One whole Year immediately preceding the Day of Election, and who shall have paid the Rates to be made by virtue of this Act, which shall have been made Six Months prior to the said Day of Election, and also any Owner of any Lands, Houses, or Buildings liable to be charged to the Payment of Five Sixths on the whole of the Expences of paving as herein-after mentioned, may meet at the Board Room of the Commissioners appointed by this Act, and proceed to nominate Commissioners; and such Electors, having the Qualification aforesaid, shall be entitled to vote in the Election of Commissioners.

XVIII. And be it enacted, That for the Purpose of such Election a Meeting of the Persons entitled to vote thereat shall be held at the
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Commissioners re-eligible.

Rotation of Commissioners.

Qualification of Electors.

Manner of Election for supplying

periodical
Vacancies.

said Board Room on the Second *Tuesday* in the Month of *April* in each Year, between the Hours of Nine of the Clock in the Morning and Five of the Clock in the Afternoon, and between the Hours aforesaid the Persons by whom such Election is to be made shall respectively deliver to the Clerk of the said Commissioners, or, in his unavoidable Absence, to some Person authorized for that Purpose by the Commissioners, a Paper containing the Names of the Persons for whom they respectively vote to fill the Office of Commissioners, and the Persons, not exceeding the Number of Commissioners proper to be elected at such Meeting, having the Majority of Votes at such Election, shall be Commissioners for the Purpose of carrying this Act into execution; and if at any such Election there be an Equality for Two or more Persons, the Clerk to the said Commissioners, or such Person as aforesaid, shall, if necessary, to prevent an Excess in the Number of Commissioners, decide by Lot upon the Person to be elected.

First and
other Meet-
ings.

XIX. And be it further enacted, That the Commissioners for executing this Act shall hold their First General Meeting at their Board Room, or some other convenient Place within the Limits of this Act, as soon as conveniently may be after the passing of this Act, between the Hours of Nine of the Clock in the Forenoon and Two of the Clock in the Afternoon, and proceed to put this Act into execution; and a General Meeting of the said Commissioners shall be held on the Thirty-first Day of *July* next after the passing of this Act, at the Place and between the Hours aforesaid, unless some other Place and Hour shall be appointed by the said Commissioners; and it shall be lawful for the Commissioners present at such First or any subsequent Meeting, from Time to Time to adjourn such Meeting to the same or any other Place within or near the said Limits; and if at any such Meeting there shall not be Five Commissioners present within One Hour after the Time appointed for such Meeting, then it shall be lawful for the Commissioners present, or the major Part of them, or any One Commissioner, if only One be present, to adjourn such Meeting to another Day; and if the Meeting shall not be adjourned, then it shall be lawful for any Two of the Commissioners, or the Clerk, to appoint a Meeting to be held at any convenient Place within the Limits of this Act; and not less than Seven Days Notice shall be given of such intended Meeting.

Special
Meetings.

XX. And be it enacted, That it shall be lawful for the said Commissioners to hold Special Meetings, and any Two or more of the Commissioners may require a Special Meeting to be held, but no such Meeting shall be held unless Seven Days Notice thereof shall be given.

Quorum of
Commis-
sioners.

XXI. And be it enacted, That the Number of Commissioners present at any Meeting holden in pursuance of this Act shall not be less than Nine, for the Purposes of borrowing Money, making Contracts, and for appointing or dismissing Officers; and no other Business shall be transacted at any Meeting of the Commissioners unless Five or more Commissioners shall be present at such Meeting.

XXII. And

XXII. And be it enacted, That all Notices of any Meeting to be held under the Authority of this Act shall be in Writing, and shall be delivered or sent by the Post to the usual Place of Abode of each of the Commissioners, Seven Days at least previous to such Meeting; and every Notice shall specify the Time and Place of Meeting, and in case of a Special Meeting shall specify the Object thereof; and no Business shall be transacted at any Special Meeting except such as is stated in the Notice thereof.

How Notices of Meetings are to be given.

XXIII. And be it enacted, That at all Meetings of the Commissioners they shall defray their own Expences, except for the Use of the Room in which the Meeting is held, and lighting and warming the same.

Expences at Meetings.

XXIV. And be it enacted, That at every Meeting of the Commissioners One of the Commissioners present shall be elected Chairman by the Majority of the Votes of the Commissioners present at such Meeting; and all Questions considered at any such Meeting shall be decided by the Votes of the Majority present; and if there be an equal Division of Votes, the Chairman, in addition to his own Vote as a Commissioner, shall have a casting Vote: Provided always, that if at any such Meeting there shall be an Equality of Votes in the Election of the Chairman, that One of the Commissioners having equal Numbers of Votes whose Name would stand first if the Names of the Commissioners present were alphabetically arranged shall be Chairman of such Meeting.

Order of Business at Meetings of Commissioners and Committees.

XXV. And be it enacted, That no Resolution or other Act of any Meeting of the Commissioners shall be revoked or altered at any subsequent Meeting, unless such subsequent Meeting be called expressly for such Alteration or Revocation by Notice given Four Days at least previous to the holding thereof nor unless such Revocation or Alteration be determined upon by a Majority consisting of Two Thirds of the Commissioners present at such subsequent Meeting, if the Number of the Commissioners present at such subsequent Meeting be not greater than the Number present when such Resolution was made or such Act was done, or if the Number of Commissioners present at such subsequent Meeting be greater than the Number present at such former Meeting, then by a simple Majority.

No Resolution of Commissioners to be revoked at a subsequent Meeting, unless under certain Circumstances.

XXVI. And be it enacted, That it shall be lawful for the Commissioners to enter into Contracts with any Persons for the Execution of any Works directed or authorized by this Act to be done by the said Commissioners, and for furnishing any Materials for the same, or which may be required by the Commissioners; and every such Contract shall be in Writing, and shall specify the Works to be done and the Materials to be furnished, and a Copy thereof shall be entered into a Book to be kept by the Clerk of the Commissioners for that Purpose: Provided always, that no Contract above the Value of Forty Pounds shall be entered into unless previous to the making of any such Contract Ten Days Notice at least shall be inserted

For what Contracts may be made.

Twice

Twice in some One or more *London* Newspaper, expressing the Intention of the Commissioners of entering into such Contract.

How Contracts to be signed.

XXVII. And be it enacted, That every such Contract shall be signed by any Nine or more of the Commissioners and the other Parties thereto; and such Contracts shall be binding on the Commissioners, and Actions and Suits may be maintained thereon, and Damages and Costs recovered, by or against the Commissioners, or the other Parties failing in the Execution thereof.

Materials for Works contracted for to be considered the Property of the Commissioners.

XXVIII. And be it enacted, That during the Execution of any such Contract the Works in course of being done under such Contracts, and all the Materials of every Description brought upon or near such Works, for the Purpose of being used in the Execution of such Contracts, shall, for the Purpose of protecting the same from Injury, by Indictment, as herein-after mentioned, be held to be the Property of such Commissioners.

Indictments how to be preferred.

XXIX. And be it enacted, That it shall be lawful for the Commissioners, by their Clerk, to prefer any Bill of Indictment against any Person who shall steal, take, or carry away, deface or injure, any Property, Article, or Thing belonging to the said Commissioners; and in any such Bill of Indictment it shall be sufficient to state generally the Property, Article, or Thing in respect of which such Bill of Indictment shall be preferred to be the Property of the Commissioners for executing this Act, without naming the Members thereof.

Commissioners not to be personally liable.

Liability of their Funds.

XXX. And be it enacted, That nothing in any Deed or Contract by this or the said recited Act authorized to be made, by or on the Behalf of the Commissioners, for any of the Purposes of this or the said recited Act, shall extend to charge or affect the Persons of any of the Commissioners, or their Heirs, Executors, or Administrators, or their or any of their own proper Lands or Goods, with or for the Performance of any thing contained in any such Instrument; but the Amount of all Damages, Costs, and Charges recovered in any Action or Suit, in consequence of any such Instrument, or which any such Commissioner shall otherwise be put to, by virtue of this or the said recited Act, shall respectively be discharged out of the Monies to arise by virtue of this or of the said recited Act, or other the Goods and Chattels vested in the Commissioners by virtue of their Office, unless such Action or Suit, or any such Damages or Charges, have arisen in consequence of wilful Neglect or Default on the Part of the Commissioner incurring the same, or unless such Action or Suit have been defended without the Order or Direction of Five or more of the Commissioners assembled at a Meeting under this Act.

Actions or Suits to be brought in the Name of any Two

XXXI. And be it enacted, That in all Actions and Suits in respect of any Matter or Thing relating to the Execution of this Act, to be brought by or against the Commissioners, it shall be sufficient to state the Names of any Two of the Commissioners, or the Name of their Clerk,

Clerk, as the Party, Plaintiff or Defendant, representing the Commissioners in any such Action or Suit; and no such Action shall abate or be discontinued by the Death of any such Commissioner, or by the Death, Suspension, or Removal of such Clerk.

Commissioners or the Clerk.

XXXII. And be it enacted, That Executions upon every Judgment or Decree against the Commissioners in any such Action or Suit shall be executed against the Goods and Chattels belonging to the Commissioners by virtue of their Office only.

Executions against Goods of Commissioners.

XXXIII. And be it enacted, That every such Commissioner or Clerk in whose Name any such legal Proceeding shall be carried on, either as Plaintiff or Defendant, on behalf of the Commissioners, shall be reimbursed, out of the Monies which shall come into the Hands of the Treasurer of the Commissioners by virtue of his Office, all Damages, Costs, Charges and Expences to which any such Commissioner or Clerk may be put, or with which he may become chargeable by reason of being so made Plaintiff or Defendant; and no such Commissioner or Clerk shall be personally liable for the Payment of the same, unless such Action or Suit have arisen in consequence of his own wilful Neglect or Default, or unless, if such Action have been brought by the Clerk or Two Commissioners or more as aforesaid, it have been so brought without the Order or Direction of the Commissioners as aforesaid.

Indemnity to Commissioners and Clerk.

XXXIV. And be it enacted, That the said Commissioners shall from Time to Time appoint a Treasurer and Clerk, Collector and Assessor, and such other Officers as they shall think fit, with such Salaries and Allowances as they think reasonable, and may remove such Clerk, Treasurer, Collector, Assessor, and Officers, and appoint others in their Stead.

Commissioners to appoint Treasurer and other Officers.

XXXV. And be it enacted, That neither the Person who shall hold the Office of Clerk, nor the Partner of such Clerk, nor any Person in the Service or Employ of such Clerk or of his Partner, shall be eligible to be Treasurer, and that neither the Person who shall be the Treasurer, nor any Person in the Service or Employ of such Treasurer or of his Partner shall be eligible to be the Clerk; and if any Person offend in any of the following Cases he shall forfeit One hundred Pounds; (that is to say,)

Offices of Clerk and Treasurer to be separate.

If any Person accept both the Office of Clerk and Treasurer:

If any Person, being the Partner of such Clerk, or in the Service or Employ of such Clerk or of his Partner, accept the Office of Treasurer, or act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer:

If any Person, being the Treasurer or the Partner of such Treasurer, or in the Service or Employ of such Treasurer or of his Partner, accept the Office of Clerk, or act as Deputy of such Clerk, or in any Manner officiate for such Clerk:

If any such Clerk or Treasurer hold any Place of Profit or Trust under the Commissioners other than that of Clerk or Treasurer, as the Case may be:

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And

And any Person may sue for such Penalty, either by Action of Debt or on the Case, in any of Her Majesty's Superior Courts of Record at *Westminster*, and shall, on Recovery thereof, be entitled to full Costs of Suit.

Officer taking Fees to lose his Office.

XXXVI. And be it enacted, That if any such Treasurer, Clerk, Collector, or other Officer employed by the Commissioners exact, take, or accept on account of any thing done by virtue of his Office, or in relation to the Functions of the Commissioners, any Fee or Reward whatsoever other than the Salaries, Rewards, or Allowances allowed by the Commissioners, or be in anywise concerned or interested in any Bargain or Contract made by the Commissioners, he shall be incapable of being afterwards employed by the Commissioners, and he shall forfeit Fifty Pounds to any Person who shall sue for the same as aforesaid.

Commissioners to take Security from all Officers intrusted with Money.

XXXVII. And be it enacted, That the Commissioners shall take from their Treasurer, and also from all other Officers in their Employ, intrusted with the Receipt or Disbursement of Money, sufficient Security for the due Execution of their respective Offices, and for answering and paying as the Commissioners shall from Time to Time require, all Sums of Money which shall be by them respectively received; and also for their giving and making respectively true Accounts in Writing, from Time to Time, when required by the Commissioners so to do, of all Monies by them respectively received or collected for the Purposes of this Act, and when, of whom, and for what the same were so received or collected.

Officers to account.

XXXVIII. And be it enacted, That every Officer appointed or employed by the Commissioners by virtue of this Act shall from Time to Time, when required by the Commissioners, make out and deliver to them, or to any Person appointed by them for that Purpose, a true and perfect Account in Writing under his Hand of all Monies received by him on behalf of the Commissioners; and such Account shall state how, and to whom, and for what Purpose such Monies have been disposed of; and together with such Account such Officers shall deliver the Vouchers and Receipts for such Payments, and every such Officer shall pay to the Commissioners, or to any Person appointed by them to receive the same, all Monies which shall appear to be owing from him upon the Balance of such Accounts.

Remedy against Officers failing to account.

XXXIX. And be it enacted, That if any such Officer shall fail to render such Accounts, or to produce and deliver up all the Vouchers and the Receipts relating to the same in his Possession or Power, or to pay the Balance thereof when thereunto required, or if for Three Days after being thereunto required he shall fail to deliver up to the Commissioners, or to any Person appointed by them to receive the same, all Books, Papers, and Writings, Property, Effects, Matters, and Things, in his Possession or Power, relating to the Execution of this Act, or belonging to the Commissioners, then, on Complaint thereof being made to any Justice acting within the Jurisdiction where such Officer may be found, such Justice shall, by Warrant under his Hand and Seal, cause such Officer to be brought before him,

him, or if such Officer cannot be found, then, in his Absence, such Justice may hear and determine the Matter in a summary Way, and may adjust and declare the Balance owing by such Officer; and if it appear, either upon Confession of such Officer or upon Evidence, or upon Inspection of the Account, that any Monies of the Commissioners are in the Hands of such Officer, or owing by him to the Commissioners, such Justice may order such Officer to pay the same forthwith, and if he shall fail to pay the Amount it shall be lawful for such Justice to grant a Warrant to levy the same by Distress, or in default thereof to commit the Offender to Gaol, there to remain, without Bail, for any Time not exceeding Three Calendar Months; and in any of the following Cases; (that is to say,)

If such Officer do not appear before such Justice at the Time appointed; or

If such Officer appear, but fail to make out such Account in Writing; or

If such Officer refuse to produce and deliver to the Justice the several Vouchers and Receipts relating to such Account in his Possession or Power; or

If such Officer refuse to deliver up any Books, Papers, or Writings, Property, Effects, Matters, or Things, relating to the Execution of the Act, or belonging to the Commissioners, in his Possession or Power;

Such Justice may lawfully commit such Offender to Gaol; and in every such Case of Commitment the Prisoner shall remain in Custody, without Bail, until he have made out and delivered such Accounts, and delivered up the Vouchers and Receipts, if any, relating thereto, in his Possession or Power, and have delivered up such Books, Papers, Writings, Property, Effects, Matters, and Things, if any, in his Possession or Power.

XL. And be it enacted, That no such Proceeding against or dealing with any such Officer as aforesaid shall deprive the Commissioners of any Remedy which they might otherwise have against any Surety of such Officer. Commitment not to discharge Sureties.

XLI. Provided always, and be it further enacted, That if any Collector as aforesaid shall at any Time or Times hold or keep in his own Hands for the Space of Seven Days together any greater Sum of Money to be received by him under this Act than the Sum of Fifty Pounds, he shall for every such Offence forfeit and pay to the Commissioners for the Purposes of this Act any Sum not exceeding Five Pounds. Penalty on Collector keeping more than 50l. in hand for Seven Days.

XLII. And be it enacted, That the Commissioners shall cause a Book to be kept by their Clerk, in which such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received and expended for the Purposes of this Act, and of the several Matters for which such Sums of Money shall have been received or expended; and such Book shall at all seasonable Times be open to the Inspection of the Commissioners, and of every Creditor on the Rate and Assessment by this Act authorized to be Books of Account to be kept, and to be open to Inspection.

be made, and of every Person paying such Rate or Assessment, or otherwise entitled to vote in the Election of Commissioners, without any Fee being demanded for such Inspection; and it shall be lawful for any of the Commissioners, Creditors, and other Persons aforesaid, at seasonable Times, to be named by the Commissioners, to take Copies of or Extracts from the said Book, without paying any thing for the same; and if on Request for that Purpose the Clerk shall fail to permit any of the Commissioners, Creditors, or Persons aforesaid to inspect such Book, or to take Copies or Extracts as aforesaid, such Clerk shall for each such Default forfeit a Sum not exceeding Five Pounds.

Accounts to be settled and examined at the Annual Meeting.

To be final unless appealed from.

XLIII. And be it enacted, That the Accounts of the Monies received and expended by the Commissioners shall be produced at an ordinary Meeting of the Commissioners, to be held in the Month of *December* in every Year, or at some Adjournment thereof, at which Meeting it shall be lawful for all Persons interested to be present; and such Accounts shall be examined and settled by the Commissioners, and if the same shall be found just and true they shall be allowed by the Commissioners, and certified accordingly under the Hand of the Chairman of such Meeting; and after such Account shall have been so allowed and signed the same shall be final in regard to all Persons whomsoever, unless an Appeal be prosecuted against such Accounts at One of the Two then next General Quarter Sessions of the Peace for the County of *Middlesex*, which Appeal it shall be lawful for any Person interested in such Account to institute and prosecute, Notice in Writing of such Appeal having been given to the Clerk of the Commissioners Fourteen Days at least before the Hearing of any such Appeal.

Statement of Accounts to be prepared and to be open for Inspection.

XLIV. Provided always, and be it enacted, That Ten Days at the least previously to such Examination and Settlement as aforesaid the Commissioners shall cause a full and true Statement and Account to be drawn out of all Rates or Assessments made, and of all Contracts entered into, and of all Monies received and expended by virtue of this Act during the preceding Year, and also of all Debts then owing by the Commissioners, and they shall allow such Statement and Account to remain for Inspection at the Office of the Commissioners; and every Creditor on the Rates and Assessments by this Act authorized to be made, and every Person paying any such Rate or Assessment, or otherwise entitled to vote as aforesaid, or any Person acting on behalf of any such Creditor or Rate-payer or other Voter, may at all reasonable Times, to be appointed by the Commissioners, inspect such Statement and Account; and the said Statement and Account shall be printed, and the Clerk shall, on Demand, furnish a printed Copy thereof to every such Creditor and Rate-payer or other Voter without Fee; and Fourteen Days at the least previously to the Meeting for examining and settling such Accounts, the Commissioners shall give public Notice of such intended Meeting, stating in such Notice that the said Statement and Account are at the Office of the Commissioners, ready for the Inspection of the Creditors or Rate-payers or other Parties interested.

XLV. And

XLV. And be it enacted, That at the Meeting so to be held for examining and passing the Accounts of the Commissioners it shall be lawful for the Rate-payers or other Persons by this Act authorized to appoint the Commissioners, to nominate, if they think fit so to do, Two or more Persons, not being Commissioners, to be Auditors of the Accounts of the Commissioners; and the Persons so to be nominated Auditors shall have the like Qualification, and shall be subject to the like Disqualification or Disability, as the Commissioners, and before entering on their Office they shall make and sign before one of the said Commissioners a solemn Declaration of the like Purport and Effect to that hereby required to be signed by the Commissioners.

Auditors may be appointed.

XLVI. And be it enacted, That the Auditors so nominated shall meet forthwith, or as soon after their Appointment as conveniently may be, at the Board Room of the Commissioners, or at some other convenient Place to be appointed by the Commissioners, and from Time to Time shall, in the Presence of the Clerk to the Commissioners, in case he should desire to be present, proceed to audit the Accounts of the Commissioners for the Year preceding the Appointment of such Auditors, and the Commissioners shall, by their Clerk, produce and lay before such Auditors at every such Meeting the Statement and Account herein-before mentioned, accompanied with proper Vouchers in support of the same, and all Books, Papers, and Writings in their Custody or Power relating thereto; and if such Auditors think there is just Cause to disapprove of any Part of the said Accounts, it shall be lawful for such Auditors or any other Person interested in the said Accounts to appeal against any such Parts of the said Accounts as shall be so disapproved of to One of the Two next General Quarter Sessions of the Peace for the County of *Middlesex*, Notice in Writing of such Appeal being given to the Clerk of the Commissioners Fourteen Days at the least prior to the Hearing of such Appeal.

Auditors to inspect Accounts, and to appeal if they think fit.

XLVII. And be it enacted, That the Commissioners shall every Year cause an annual Account in Abstract to be prepared, showing the total Receipt and Expenditure of all Funds levied by virtue of this Act for the Year ending on the First Day of *December*, or some other convenient Day in each Year, under the several distinct Heads of Receipt and Expenditure, with a Statement of the Balance of such Account duly audited and certified by the Clerk for the Time being of the said Commissioners, and shall transmit a Copy of the said Account, free of Charge, to the Clerk of the Peace for the County of *Middlesex*, on or before the First Day of *January* then next; which Account shall be open to the Inspection of the Public at all seasonable Hours on Payment of the Sum of One Shilling for every such Inspection: Provided always, that if the said Commissioners shall omit to prepare and transmit such Account as aforesaid they shall forfeit for every such Omission the Sum of Twenty Pounds.

An Annual Account to be prepared, and a Copy thereof transmitted to the Clerk of the Peace.

XLVIII. And be it enacted, That it shall be lawful for the said Commissioners from Time to Time to borrow at Interest, on the Credit of the several Rates or Assessments by this Act granted and other Property vested in such Commissioners, any Sum of Money

Power to borrow on Mortgage.

[Local.]

16 D

which,

which, together with any Sum previously borrowed, shall not exceed the Sum of Five thousand Pounds; and in the event of any Part of such Sum of Money being repaid by the Commissioners to re-borrow the same, and so *toties quoties*, but so nevertheless that there shall not be owing on the Security aforesaid any more than the Sum of Five thousand Pounds in the whole at any One Time; and for securing the Repayment of the Monies so borrowed, with Interest, the Commissioners, or any Nine of them, may assign over the said Rates, Assessments, and Property, or any Part thereof, to the Person who shall advance or lend such Money, or his Trustee, as a Security for the Payment of the Money so to be borrowed, together with Interest for the same.

Form of
Mortgages.

XLIX. And be it enacted, That every such Assignment or Mortgage shall be by Deed duly stamped, in which the Consideration shall be truly stated; and every such Deed shall be under the Hands and Seals of Nine of the Commissioners, and may be according to the Form in Schedule (A.) to this Act annexed, or to the like Effect.

Mortgages to
be without
Preference.

L. And be it enacted, That all Persons to whom such Mortgages or Assignments shall be made, or who shall be entitled to the Monies thereby secured, shall, in proportion to the Sums therein respectively mentioned, be Creditors on the said Rates, Assessments, and other Property equally one with another, without any Preference in respect of the Priority of advancing such Monies, or of the Dates of any such Assignments respectively.

Expences of
Mortgages.

LI. And be it enacted, That the Expences of every such Assignment or Mortgage may from Time to Time be defrayed by the Commissioners out of the Money raised by the same.

Register of
Mortgages to
be kept, and
to be open
to Inspection.

LII. And be it enacted, That a Register of such Mortgages or Assignments shall be kept by the Clerk to the Commissioners, and within Fourteen Days after the Date of any such Mortgage or Assignment an Entry or Memorial of the Number and Date thereof, and of the Names of the Parties thereto, with their proper Additions, shall be made in such Register; and such Register may be perused at all reasonable Times by any Person interested therein, without Fee or Reward.

Assignment
of Mortgages.

LIII. And be it enacted, That from Time to Time any Party entitled to any such Mortgage or Assignment may transfer his Right and Interest therein to any other Person by Deed duly stamped, wherein the Consideration shall be truly stated; and any such Transfer may be according to the Form in the Schedule (B.) to this Act annexed, or to the like Effect.

Register of
Transfers to
be kept.

LIV. And be it enacted, That within Thirty Days after the Date of every such Transfer it shall be produced to the Clerk to the Commissioners, and thereupon such Clerk shall cause an Entry or Memorial thereof to be made in the same Manner as in the Case of the original Mortgage or Assignment, and for such Entry the Clerk may demand
a Sum

a Sum not exceeding Five Shillings; and after such Entry every such Transfer shall entitle the Transferee, his Executors, Administrators, or Assigns, to the full Benefit of the original Mortgage or Assignment in all respects; and no Party, having made such Transfer, shall have Power to make void, release, or discharge the Mortgage or Assignment so transferred, or any Money thereby secured.

LV. And be it enacted, That, unless otherwise provided by any Mortgage or Assignment, the Interest of the Money borrowed upon every such Mortgage or Assignment shall be paid half-yearly to the several Parties entitled thereto.

Interest on
Mortgages
to be paid
half-yearly.

LVI. And be it enacted, That if the Commissioners can at any Time borrow or take up any Sums of Money for any of the Purposes of this Act at a lower Rate of Interest than any Securities given by them, and which shall then be in force, shall bear, then from Time to Time it shall be lawful for them to borrow such Sums of Money as they shall think proper at such lower Rate as aforesaid, in order to pay off and discharge the Securities bearing such higher Rate of Interest, and to charge the Rates and Duties or other Funds or Property payable under this Act, or any Part thereof, with Payment of such Sum and such lower Rate of Interest, in such Manner and subject to such Regulations as are herein contained with respect to other Monies borrowed on Mortgage.

Power to
take up
Money at a
less Rate of
Interest.

LVII. And in order that no undue Preference may be given in paying off any such Mortgages or Assignments, be it enacted, That when and so often as the Commissioners shall, under the Provisions of this Act, be enabled and think it expedient to pay off One or more out of the Number of such Mortgages upon which the same Rate of Interest shall be payable, or a Part of the Money secured on any such Mortgage, they shall cause the several Numbers of such Mortgages to be written upon distinct Slips of Paper of an equal Size, and all such Slips shall be rolled or folded up in similar Form, and put into a Box, and the Clerk to the Commissioners shall in the Presence of Five or more of the Commissioners draw separately out of the said Box One of the said Slips, and thereupon the Mortgage corresponding with the Number so drawn, or the Part of the Money due thereon so proposed to be paid off, shall accordingly be paid off by the Commissioners; and after every such Ballot the Commissioners shall cause a Notice, signed by their Clerk, to be given to the Person entitled to the Money to be paid off pursuant to such Ballot; and such Notice shall express the Principal Sum proposed to be paid off, and that the same will be paid, together with the Interest due thereon, at a Place to be specified in such Notice, at the Expiration of Six Months from the Date of giving such Notice; and at the Expiration of such Period the Interest of the Principal Money to be paid off shall cease, unless such Principal Money and Interest be not paid on Demand, pursuant to such Notice, but such Principal Money, and the Interest thereof to the End of the said Six Months, shall nevertheless be payable on Demand.

Mode of
paying off
Mortgages.

LVIII. And

Application
of Monies to
be borrowed.

LVIII. And be it enacted, That all the Money which shall be raised on the Credit of the Rates hereby authorized to be levied shall be applied, in the first place, in paying the Expences of obtaining and passing this Act, or incident thereto, and afterwards in making such permanent Improvements within the Limits of this Act as are hereby authorized, and as the Commissioners shall direct to be made.

Commis-
sioners may
make Bye
Laws for go-
verning them-
selves and
their Ser-
vants.

LIX. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to make such Bye Laws for regulating the carrying on of their Business and the Business of their Committees, and for the Government of the Officers, Servants, or other Persons in their Employ, as they shall think fit, and to repeal or alter any such Bye Laws as they shall think fit, so as no such Bye Law be contrary to the Laws of *England* or the Provisions of this Act, and so as the same be reduced into Writing, and signed by Nine or more of the Commissioners.

Fines for
Breach of
such Bye
Laws.

LX. And be it enacted, That it shall be lawful for the Commissioners by such Bye Laws to impose such reasonable Forfeitures and Fines upon their Officers and Servants, or other Persons in their Employ, offending against the same, as they shall think fit, not exceeding Five Pounds for each Offence: Provided always, that such Bye Laws shall be so framed as to allow the Justices before whom any Penalty imposed thereby may be sought to be recovered to order the Whole or a Part only of such Penalty to be paid.

Service of
Notice on
Commis-
sioners.

LXI. And be it enacted, That any Summons, Notice, or Writ, or other Proceeding at Law or in Equity, requiring to be served upon the Commissioners, may lawfully be served by delivering the same personally to the Clerk of the Commissioners or to some Inmate at his usual Place of Abode, or by leaving the same at the Office of the Commissioners; or in case there be no Clerk, or his Place of Abode shall be unknown, then by delivering the same to any One Commissioner, or to some Inmate of the Place of Abode of any such Commissioner.

Authenti-
cation of
Notices.

LXII. And be it enacted, That every Summons, Demand, or Notice, or other such Document under this Act, may be in Writing or Print, or partly in Writing or Print; and if the same require Authentication by the Commissioners, the Signature thereof by One Commissioner, or by the Clerk of the Commissioners, shall be a sufficient Authentication.

Releases to
Witnesses.

LXIII. And be it enacted, That in all legal Proceedings under this Act it shall be lawful for any Three or more of the Commissioners, by Order of the Commissioners, to grant general or other Releases for the Purpose of qualifying any Person in the Service of the Commissioners to give Evidence as a Witness; and every such Release or Discharge shall be under the Hands and Seals of the Parties giving the same.

Tender of
Amends.

LXIV. And with respect to Actions brought in respect of any Proceeding under the Provisions of this Act, be it enacted, That if
before

before an Action be brought any Party having committed any Irregularity, Trespass, or other wrongful Proceeding in the Execution of this Act, or by virtue of any Power or Authority thereby given, make sufficient Tender of Satisfaction, the Plaintiff shall not recover in any Action brought on account of such Irregularity, Trespass, or other wrongful Proceeding; and if no such Tender shall have been made it shall be lawful for the Party offending, by Leave of the Court where such Action shall be pending, at any Time before Issue joined, to pay into Court such Sum of Money as he shall think fit, and thereupon such Proceedings shall be had as in other Cases where Defendants are allowed to pay Money into Court.

LXV. And whereas those Parts of the said Hamlet and its Vicinity, including the said *Hawley Estate* and other Parts of the said Parish, where such new Streets, Roads, Ways, Passages, and Places have been and are forming, are more particularly delineated and described in a Plan thereof deposited with the Clerk of the Peace for the County of *Middlesex*; be it therefore enacted, That such Plan shall remain and be preserved by the said Clerk of the Peace, and that Copies thereof, certified by the said Clerk of the Peace for the Time being of the said County, shall be received as Evidence in all Courts and Proceedings whatsoever; and that this Act shall be put in force for all the Purposes of this Act within the following Limits; (that is to say,) within all such Parts of the said Hamlet and its Vicinity as are delineated or described on the said Map or Plan, and as lie Southward of the Third Milestone from *Saint Giles's Pond* and coloured Blue (excepting such Parts of the same as are at present included in any Act of Parliament), for all or any of the above Purposes; and this Act shall be put in force for gravelling and lighting only within all such Parts thereof as are delineated on the said Map or Plan and coloured Pink, and for lighting only in all other Parts thereof coloured Yellow: Provided always, that nothing herein-before contained shall exempt the Owners or Occupiers of any Houses or Lands within the said Parts of the said Limits coloured Pink from being rated to any Paving Rates to be made under the Powers of this Act.

Plan of the Streets, &c., deposited with the Clerk of the Peace to remain there, and certified Copies thereof to be Evidence.

Limits of this Act.

LXVI. And whereas it is expedient to make Provision for the paving, gravelling, and lighting certain Districts or Parts of the said Parish situated within the Limits of this Act already included in an Act or Acts of Parliament now existing for that or other Purposes, namely, *Gloucester Place* and the *Holmes Estate*, and also for paving and gravelling such Parts of the said Limits North of the said Corner of *Swain's Lane*, and which are coloured Yellow upon the said Plan; be it therefore enacted, That this Act shall apply to and may be adopted under and subject to the Regulations herein contained by the said Districts called *Gloucester Place* and the *Holmes Estate*, and the said Parts North of *Swain's Lane* as aforesaid.

This Act may apply to certain other Parts of the Parish;

LXVII. And be it enacted, That from and after the passing of this Act, if the Commissioners acting by virtue and under any Act or Acts of Parliament now existing for the said Districts for Parts of the said Parish called *Gloucester Place* and the *Holmes Estate*, or either

and may be adopted in certain Parts of the Parish instead of

any Act now
in force.

of them, within the Limits of this Act, shall, in pursuance of any Resolution or Resolutions previously determined upon by a Majority of Two Thirds of the Rate-payers within the Limits of the said Districts, or either of them, as aforesaid, attending a public Meeting of the said last-mentioned Rate-payers respectively called for that Purpose; or if Two Thirds of the Owners and Occupiers of the Lands situate within the said Parts North of *Swain's Lane* as aforesaid, attending a public Meeting to be called as aforesaid, shall apply to the Commissioners for the Time being under this Act, that the Provisions of this Act shall be adopted within such District, Part or Parts, or either of them, then and in such Case, if the Commissioners for this Act shall so think fit, such Provision shall from thenceforth take effect and come into operation in each such District, Part or Parts respectively; and each such District, Part or Parts, shall from thenceforth be lighted and paved and rated by and be under the Management, Order, and Direction of the Commissioners of this Act, in the same Manner in all respects as if the said District, Part and Parts, had been originally named and specified in this Act; and the several Rate-payers within each such District, Part and Parts, adopting the Provisions of this Act as aforesaid, shall be subject and liable to all the Rates, Regulations, Pains, Penalties, and Liabilities, and have and exercise and be entitled to have and claim the same Powers, Privileges, and Authorities in all respects whatsoever as the Rate-payers residing within the Limits of this Act can or may have and exercise under this Act.

Footways of
Streets vested
in the Com-
missioners.

LXVIII. And be it enacted, That the Management of all the present and future Roads and Footways of the Streets within the Limits of this Act, and the Pavement and other Materials of such Streets, and all Lamps, Lamp Irons, Lamp Posts, Cesspools, Grates, Drains, Sewers, Tunnels, Gutters, Erections, or Buildings, Materials, Implements, and other Things provided by the Commissioners for the Purposes of this Act, and also the Dust, Ashes, and Filth to be collected from the said Streets, shall be the Property of and are hereby vested in the Commissioners, and the Commissioners shall have full Power to sell and dispose of, for the Purposes of this Act, any of the said Articles and Things as they shall think proper.

Penalty on
Persons
altering
Pavements.

LXIX. And be it enacted, That if any Person shall take up or make any Alteration in the Pavement or Footway in any Street within the Limits of this Act, without the Consent in Writing of the Commissioners, except when it may be necessary for repairing any Sewer, Vault, or Drain under such Street, or other such Purpose, every Person so offending shall for every such Offence forfeit a Sum not exceeding Five Pounds; and in case the Person so taking up or altering such Pavement or Footway shall not, within Ten Days after Notice in Writing by the Surveyor to the Commissioners, cause the same to be reinstated as nearly as may be, the Commissioners shall cause the same to be done, and the Charges thereof shall be paid by the Person who shall have taken up or altered such Pavement or Footway.

Commis-
sioners em-
powered to

LXX. And whereas there are several Owners of Houses in the several Roads, Streets, and other public Passages and Places already
formed

formed within the Limits of this Act, who have paved or partly paved or formed the Footways before their respective Houses; some of which are out of repair, and others have not paved or formed any Footway before their respective Premises at all; and it would be the means of forwarding the good Purposes of this Act if the said Footways in the Streets so already formed were paved or formed or put into a proper State of Repair the said Footways before the permanent Repair thereof is undertaken by the said Commissioners; be it therefore enacted, That it shall be lawful for the said Commissioners to view and inspect the said Footways already paved, or partly paved or formed, and also the Streets or Places where no Footways are paved or formed; and if upon such View they are of opinion that the said Footways, or any Part thereof, are out of repair, or not properly formed or paved, or, where no Footways are formed, that it would be fit that proper Footways should be formed, the said Commissioners may cause the said Footways, or such of them as are out of repair, to be well and sufficiently paved, gravelled, repaired, and made good, with such Materials as they shall think proper, and to lay out and make good and sufficient Footpaths where none such are at present formed.

pave and
repair, certain
Footways.

LXXI. And be further it enacted, That it shall be lawful for the said Commissioners to pave or gravel, with such Materials as they shall think proper, any Footpaths or Footways, as far as the Carriage Road next adjoining to any Street now formed or made within the Limits of this Act, in such Manner as they shall think proper; and the said Commissioners may cause the Ground of such Footpaths to be raised, lowered, or rounded on each Side of the said Streets, and to lay out and make good and sufficient Footpaths in any such Streets.

Commis-
sioners to
pave or
gravel, and
raise or lower
Footways,
&c.

LXXII. And be it enacted, That Five Sixths of the Costs and Charges of such paving, flagging, and gravelling, and making and laying out such Footpaths or Footways, shall be reimbursed to the said Commissioners, and be paid by the respective Owners of the Houses, Buildings, and Land against or next to or adjoining which such paving, flagging, gravelling, making, or laying out shall be respectively made, for the whole Length of the Frontage of the House, Building, or Land of each such Owner; and if any Owner of any such Houses, Buildings, Lands, or Premises shall neglect or refuse to pay such Charges within Sixty Days after Demand made thereof personally, or by Notice in Writing under the Hand of the Clerk or other Person appointed by the said Commissioners, to be delivered to or left at the Dwelling House or usual Place of Abode, or affixed on some conspicuous Part of the House, Building, or Land of such Owner, the same may be levied on every such Owner by Distress and Sale of his Goods and Chattels, by Warrant under the Hand and Seal of any Justice of the Peace for the County of *Middlesex*, upon Information on Oath or Affirmation (which Oath and Affirmation he is hereby authorized and required to administer) of such Demand or Refusal, by Warrant under his Hand and Seal (which Warrant he is hereby authorized and required to grant), returning the Overplus (if any) of the Monies raised by such Distress and Sale,

Owners of
Houses to
pay for
paving, &c.
Footways.

after

after deducting all Costs and Expences attending the same, to the Owner of such Goods or Chattels so distrained or sold, on Demand; and the Houses, Buildings, or Lands of every such Owner so making default as last aforesaid, opposite and against which such Pavement shall have been so made or completed by the said Commissioners, shall be and the same are hereby made a Security for and chargeable with such Costs, Charges, and Expences.

Owners to be at liberty to pay Five Sixths of Expences of paving by Instalments.

LXXIII. And be it further enacted, That the respective Owners of the Buildings, Lands, and Premises against, next to, or adjoining which such paving, flagging, gravelling, making, or laying out shall be made, may pay and discharge such Five Sixths of the Expences incurred in such paving, flagging, gravelling, making, or laying out as aforesaid, together with Interest for the same after the Rate of Five Pounds *per Centum per Annum*, by Five equal Instalments; the first Instalment to be payable within Sixty Days after Demand made by the said Commissioners in manner aforesaid, for the Payment of the said Five Sixths, and each succeeding Instalment to be payable after Sixty Days upon like Demand, at an Interest not exceeding Five Pounds *per Centum per Annum* from the Time of Payment of the preceding Instalment.

Commissioners to form the Road and pave Footways in any new Street, and charge Owner with Amount.

LXXIV. And be it enacted, That it shall be lawful for the said Commissioners to form and make the Road, Channels, and Footways of such Materials and in such Manner as they shall think proper of any new Streets to be hereafter formed or made within the Limits of this Act; and that the whole Expence of forming and making such Roads, Channels, and Footways shall be reimbursed to the said Commissioners, and be paid by the respective Owners or Occupiers of the Houses, Buildings, and Land forming such new Streets, the same to be recovered in the same Manner as herein-after provided with regard to the Recovery of Five Sixths of the Paving of Footways.

Commissioners not to interfere with private Roads without Consent.

LXXV. Provided always, and be it further enacted, That nothing in this Act contained shall authorize the said Commissioners to interfere with any private Approach Road or Occupation Road belonging or leading to any House or Land, or laid out or to be laid out for the sole Use of the Owners or Occupiers of such Houses or Lands, unless and until the Owners or Persons entitled to the Use of such private or occupation Roads shall signify in Writing their Desire for the said Commissioners to take charge of the same.

Power of Commissioners over public Footpaths defined.

LXXVI. Provided also, and be it further enacted, That the said Commissioners shall have no greater Power over any public Footpath or Footway now existing over or through any private or inclosed Lands than any Person entitled to the Use of such Footpath or Footway would have been entitled to had this Act not been passed; but the said Commissioners may nevertheless adopt such Proceedings to enforce the Repair of such Footpath or Footway, by the Persons liable to repair the same, or to prevent or remove Obstructions therefrom, as any Person entitled to the Use of such Footpath or Footway might have taken had this Act not been passed.

LXXVII. Pro-

LXXVII. Provided always, and be it further enacted, That where the Lessee of any House, Building, or Land liable to the Payment of Five Sixths of the Expences incurred in paving, flagging, gravelling, or laying out as aforesaid, has a less Leasehold Interest than Twenty Years in such House, Building, or Land, the said Five Sixths of the Expences so incurred as aforesaid shall be borne and paid in such Proportions between such Lessee and the Owner of the Houses, Buildings, or Lands so leased as aforesaid as the said Commissioners may in their Discretion appoint.

If the Lessee has less than Twenty Years Interest, the Five Sixths of the Expences of paving, &c. to be paid between him and the Owner.

LXXVIII. And be it enacted, That all such Roads and Footways within the Limits of this Act, whether made by the Commissioners or otherwise, which the Commissioners shall deem necessary to be kept up, shall, after they shall have been paved, gravelled, or repaired, be kept in repair by the Commissioners.

Footways to be kept in repair by the Commissioners.

LXXIX. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to place such Fences and Posts on the Side of any Footways or Carriageways within the Limits of this Act, as may protect such Footways from any Carriage or Animals going on the same, and also to place any Posts in any Carriageways, so as to make the Crossings thereof less dangerous for Foot Passengers, and also from Time to Time to repair any such Fences or Posts, or to remove the same, or any other Obstructions to any Carriageway or Footway within the Limits of this Act, as they shall think fit.

Commissioners may place Fences to Footways.

LXXX. And whereas the Lessees, Assignees, Proprietors, or Owners of Corner Houses will be charged with Double Frontage for paving or gravelling the Footways, and it is but reasonable that some Allowances should be made to them in respect of the Returns of such Houses; be it therefore enacted, That the said Commissioners may at any General or Special Meeting convened for that Purpose reduce the Charge of the forming or repairing the said Footways for the Returns of all Corner Houses, and give such Relief, and make such Abatement in respect thereof, as the said Commissioners shall think just, fair, and reasonable.

Double Frontage how to be regulated.

LXXXI. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to cause such Sewers, Drains, Vaults, Culverts, Watercourses, Wells, and Pumps as they may think necessary to be constructed in or under any Street within the Limits of this Act, and also to cause any of the Drains, Vaults, Culverts, and Watercourses, public Wells or Pumps, which now are or hereafter shall be within the same, to be altered, repaired, cleansed, and completed, as to them shall seem necessary, and to carry and continue the same into and through any Lands within the Limits of this Act to the River *Fleet*, subject nevertheless to the Regulations and Directions of any Commissioners of Sewers entitled to Jurisdiction over such Sewers and Drains.

Power to construct Drains.

LXXXII. And be it enacted, That if any Person interested in any such Lands shall be injured by any such Drain, Vault, Culvert, Watercourse, Well, or Pump being carried into or through his Lands,

Compensation to be made for

[Local.]

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the

Injury in making Drains. the Commissioners shall pay to such Person a reasonable Compensation for the Damage or Injury sustained by him.

Communi-
cation of pri-
vate Drains
with public
Drains. LXXXIII. And be it enacted, That it shall be lawful for the Commissioners, subject to the Regulations and Directions of any Commissioners of Sewers entitled to Jurisdiction over such Sewers and Drains, from Time to Time to empower any Person to carry any private Sewer or Drain into any Sewer, Drain, Vault, Culvert, or Watercourse already made or which shall be made by virtue of this Act, according to such Plan as the Commissioners shall direct; but if any Person shall carry any such private Sewer or Drain into any Sewer, Drain, Vault, Culvert, or Watercourse without the previous Consent of or in any other Manner than shall be directed by the Commissioners, he shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Occupiers to
repair private
Drains. LXXXIV. And be it enacted, That, subject to the Regulations and Directions last aforesaid, the Occupier of any House or Land to which any private Sewer or Drain which now does or hereafter shall issue into any of the said public Sewers, Drains, Vaults, Culverts, or Watercourses, shall repair and cleanse the same when required by and according to the Directions of the Commissioners.

Water-
spouts to be
affixed. LXXXV. And be it enacted, That the Owner or Occupier of every House or Building in or adjoining any Street within the Limits of this Act shall, within Fourteen Days next after Service of any Order of the Commissioners for that Purpose, put up, and for ever afterwards keep in good Condition, a Shute or Trough of the whole Length of such House or Building, with a Pipe or Trunk to be fixed to the Front or Side of such Building from the Roof to the Ground, to carry off the Water from the Roof thereof, in such Manner that the Water from such House shall not fall upon the Persons passing near the same.

Under-
ground
Drains to be
formed. LXXXVI. And be it enacted, That the Owner or Occupier of any House or Building in any Street within the Limits of this Act shall cause the Water to be conveyed from such House or Building, either by Drains or Tunnels below the Surface of the Pavement or Flagging of the Footpath, or by means of Iron Drain Gutters to be fixed in the Flagging or Pavement, and for that Purpose it shall be lawful for any such Owner or Occupier to take up so much of the Pavement or Flagging of any Street as may be requisite, and to lay down the said Drains or Tunnels, or fix the said Iron Drain Gutters, under the Direction of the Commissioners or their Surveyor; and all Damage which may thereby be occasioned to the Pavement or Flagging of the Footpath shall be made good at the Expence of such Owner or Occupier.

Vaults and
Drains to be
substantially
made. LXXXVII. And be it enacted, That all Vaults and Drains hereafter to be made under any Street within the Limits of this Act shall be substantially made, and so as not to interfere with any Drains under the Control of the Commissioners, without their Consent; and if any Arch, Vault, or Drain shall be made contrary to the Provisions of this

Act, it shall be lawful for the Commissioners to fill up the same, and to recover the Expences incurred thereby from the Person making such Vault or Drain.

LXXXVIII. And be it enacted, That all Vaults or Drains under any Street within the Limits of this Act shall be kept in substantial Repair to the Satisfaction of the Commissioners; and in case any such Vault or Drain shall at any Time not be in such substantial Repair, it shall be lawful for the Commissioners to put the same into substantial Repair, and to recover the Expences incurred thereby from the Occupier thereof; and such Occupier shall forfeit a Sum not exceeding Twenty Shillings for every Day such Vault or Drain shall continue out of substantial Repair after Notice shall have been given him by the Commissioners to repair the same, and a reasonable Time for completing such Repair shall have elapsed since the Service of such Notice.

LXXXIX. And be it enacted, That it shall be lawful for the Commissioners, during such Time as any Street within the Limits of this Act is making or repairing, or during the making of any Sewer or Drain by the Commissioners, or under their Authority, to close such Street, or any Part of the same, by such Ways or Means as they shall think fit.

XC. And whereas many Works, Acts, and Things are required by this Act to be done by the Owners and Occupiers of Houses, Buildings, or Land, and other Persons, for the Improvement of the Streets and Drains within the Limits of this Act, and for other Purposes herein-before mentioned, and it is necessary to provide for the Execution of all such Works, Acts, or Things, in case the same shall not be done by the Persons required to do the same; be it enacted, That wherever any such Work, Act, or Thing shall not be done by the Owner or Occupier, or other Person required to do the same by the Provisions of this Act, in the Manner or at the Time prescribed by this Act, or by any Notice given by the Commissioners for that Purpose in pursuance of this Act, or, if no Time shall be prescribed, within a reasonable Time, it shall be lawful for the Commissioners to cause such Work, Act, or Thing to be done; and the Expences which shall be incurred by the Commissioners in respect of such Work, Act, or Thing shall be repaid to them by the Owner, Occupier, or other Person by whom the same ought to have been done.

XCI. And be it enacted, That in all Cases, except as herein-before mentioned, where any Work, Act, or Thing is required by this Act to be done by the Owner or Occupier of any House, Building, or Land (without designating as aforesaid), the Expences which shall be incurred by or be recovered from any such Owner or Occupier in respect of such Work, Act, or Thing shall be divided between the Owner and Occupier in the Proportion of the Value of their respective Interests in such House, Building, or Land; and in estimating the Value of such Interests the Owner shall be deemed to be entitled to such House, Building, or Land in Fee Simple, subject only to the Term or Interest of the Occupier therein; and if any such Owner

or

or Occupier shall voluntarily or by Compulsion pay more than his Share of the Expences estimated as aforesaid of any such Work, Act, or Thing, the Excess shall be repaid to him by the Occupier or Owner, as the Case may be; and if the same be not so paid, on Demand, or if the Amount of the same shall be disputed, such Excess shall be ascertained and recovered in the same Manner as any Damages for the ascertaining and Recovery of which no special Provision is contained in this Act are directed to be ascertained and recovered; and if such Excess shall be payable by the Owner he shall allow the same, or so much thereof as shall not be repaid by him, to the Occupier, out of the Rent from Time to Time due or becoming due to him, as if the same had been actually paid to him as Part of such Rent.

Power to
Commis-
sioners to
light the
Streets.

XCII. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to cause the several Streets within the Limits of this Act, or such of them as they shall think proper, to be lighted with Gas, Oil, or otherwise, at such Times as they shall think fit, and to provide such Lamps, Lamp Posts, Lamp Irons, Pipes, and other Works as may be necessary for that Purpose.

Power to
break up
Streets and
lay down
Pipes, &c.

XCIII. And for the Purpose of enabling the Commissioners, or any Person or Company with whom they may contract, to light the said Streets, or any of them, be it enacted, That it shall be lawful for the Commissioners, or any Company or Persons with whom they may contract for lighting the said Streets, or any of them, under the Control and Direction of the Commissioners, to break up the Soil or Pavement of any Street within the Limits of this Act, and to lay and fix therein such Pipes, Lamp Posts, and other Works as they or he may deem necessary for lighting the same, and also to lay and place against any Houses, Buildings, and Inclosures such Pipes, Lamp Posts, Lamp Irons, and Lamps, and other Works, as they may deem necessary for the Purposes aforesaid: Provided always, that the Commissioners shall not lay or continue any Lamp, Lamp Post, Lamp Iron, Pipe, or other Work against or through any private Building, Inclosure, or Land, except with the Consent of the Owner and Occupier thereof.

Service
Cocks to be
kept fully
charged.

XCIV. And be it enacted, That every Branch or Service Pipe which shall be used for lighting with Gas the said Streets shall be kept fully charged with Gas, and the Stopcocks shall be so turned as not to impede any such Branch or Service Pipe being filled with Gas during the Time the same shall be lighted.

For prevent-
ing the Escape
of Gas.

XCV. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up within the Limits of this Act, by any Gas Company or Person manufacturing or selling Gas, the said Company or Person shall, at their own Expence, immediately after receiving Notice thereof by Parol or in Writing from any Inhabitant of any Parish or Place within the Limits of this Act, cause the most speedy and effectual Means to be taken to stop and prevent such Gas from escaping; and in case the said Company or Person shall not, within Twenty-four Hours next after

after such Notice, by Parol or in Writing, being given of any such Escape of Gas, cause the most speedy and effectual Means to be taken to discover and prevent the Gas from escaping, and to remove the Cause of Complaint, that then and in every such Case the said Company or Person shall for every such Offence forfeit and pay the Penalty or Sum of Five Pounds for each and every Day, after the Expiration of Twenty-four Hours from the Time of Service of such Notice, during which the Gas shall be suffered to escape as aforesaid, which Penalty shall from Time to Time be recoverable in a summary Way, on the Oath of One or more credible Witness or Witnesses, before some One or more Justice or Justices of the Peace acting within the Limits of this Act, by Distress and Sale of the Goods and Chattels of the said Company or Person, by the Warrant of any such Justice or Justices of the Peace as aforesaid, to be granted in like Manner, and subject to the like Provisions, and to be recovered and applied in manner herein directed touching other Penalties.

XCVI. And be it further enacted, That when and as often as any Gas or Water Company, or Person, within the Limits of this Act, or their Servants, Agents, or Workmen, shall dig or sink any Trench or Trenches, for laying any Pipe or Pipes, or other Apparatus, for the Conveyance of Gas or Water, or shall open any Ground for the Purposes of this Act, or any of them, in, upon, or near to which any Pipe or Pipes belonging to the Company of Proprietors for the Time being of any Water or Gas Works, for conveying Water or Gas, or any Branch or Service Pipe or Pipes for the Supply of any Dwelling House or Buildings, shall be laid, the Gas or Water Company, or Person, opening any Ground for the Purposes aforesaid within the said Limits, their Servants, Agents, or Workmen, shall and they are hereby required to give Twenty-four Hours previous Notice thereof, in Writing, to the Manager, or Chief Clerk, or Engineer for the Time being of such Waterworks or Gas Light Company respectively, to be left at the Dwelling House or Office of the said Manager, or Chief Clerk, or Engineer; and on every such Occasion the said Gas or Water Company, or Person, opening the Ground as aforesaid, their Servants, Agents, and Workmen, shall, under the Inspection of the Manager, or Chief Clerk, or Engineer for the Time being of such Water or Gas Light Company, protect and preserve such Pipe or Pipes from any Injury or Damage, and shall also repair and make good any Damage that shall or may be done to any such Pipe or Pipes on any such Occasion; and in default of repairing and making good any such Damage the said Company or Person shall for each and every such Default forfeit and pay to the Manager or Chief Clerk for the Time being of such Waterworks or Gas Light Company, for the Use of the said Waterworks or Gas Light Company, any Sum not exceeding Five Pounds, and also the Costs and Expences which shall have been incurred by the said Waterworks or Gas Light Company in and about the protecting and securing of any such Pipe or Pipes, or in and about the repairing or making good any Injury or Damage that may have been done thereto by the Means aforesaid, such Costs and Expences to be ascertained by any Justice of the Peace acting within the Limits of this Act, and to be recovered in the same Manner as any Expences or Penalties under this Act may be recovered.

[Local.]

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XCVII. And

For laying
Pipes to
convey Gas.

Mode of lay-
ing Pipes.

XCVII. And be it further enacted, That all and every the Pipes or other Conduits hereafter to be laid or used for the Conveyance of Gas in, under, through, along, across, or round any Street within the Limits of this Act, shall be so laid at the greatest practicable Distance from the nearest Part of any Pipe already laid down, or hereafter to be laid down, by or by the Order of any Waterworks or Gas Light Company, for the Conveyance of Water or Gas in, under, through, along, across, or round any of the said Streets within the Limits of this Act, and wherever the Width of the Carriageway or Footpath in such Street will allow thereof shall be laid at the Distance of Four Feet at least from the nearest Part of any such Pipe laid or to be laid as aforesaid, unless in Cases where it shall be unavoidably necessary to lay the Gas Pipes across or nearer to any of the said Pipes, in which Case the said Gas Pipes shall be laid over and above the said former Pipes at the greatest practicable Distance therefrom, or shall form therewith a Right Angle, as near as the Situation will admit; and that in such Cases the said Gas Pipes so crossing the said former Pipes shall be at least Six Feet in Length, so that no Joint of any of the said Gas Pipes shall be nearer to any of the said former Pipes than Three Feet at least, where the Width of the Street will admit; and that such Gas Pipe so crossing the former Pipes shall, for the whole Length thereof, be sufficiently bedded in with good sound Clay, or other fit Materials of a proper Consistence, and well worked and rammed into the Trenches all round the said Gas Pipes; and that in laying down the said Gas Pipes Two or more Gas Pipes shall in no Case be joined together previous to their being laid in the Trench, but each Pipe shall be laid as near as may be in its Place in the Trench, and in such Trench the Jointing with the other Pipes to be added thereto shall be properly formed with proper and sufficient Materials; and also, wherever practicable, each and every the Joints of the said Main Gas Pipes, and also the Joints or Screws of the Branch or Service Gas Pipes connecting with the Main Gas Pipes, and also the Joints of the Service or Branch Pipes for conveying the Gas from the Main Gas Pipes to the Houses and other Buildings, and all other Joints, Inlets, Apertures, or Openings which are or shall or may be made in any of the said Gas Pipes, shall be laid and well and sufficiently bedded with such Clay or other fit Materials as aforesaid, all round the said several and respective Joints, Inlets, Apertures, or Openings, and for Six Inches in Length each Way from the Centre of each and every of the Caps or Joints of the Main Pipes, and of the Inlets, Apertures, or Openings therein, and for Three Inches at least from the Centre of each of the Joints of the Service Pipes, so to make and keep all and every such Pipes, and the Screws, Joints, Inlets, Apertures, or Openings therein respectively Air-tight, and to prevent the said Gas from escaping therefrom.

Nuisances.

XCVIII. And be it further enacted, That when any Body or Bodies Politic or Corporate, or inhabitant Householder residing within the Limits of this Act, or any other Person or Persons whomsoever, shall be aggrieved by any public or private Nuisance caused by any Company or Person making or supplying Gas, or any of their Officers, Servants, or Workmen, in respect of any Works of such Company or
Person,

Person, or the Means which shall be employed by them in manufacturing the said Gas and using the same, or furnishing such Light as aforesaid, or from any other Cause whatever, it shall be lawful for such Person, in lieu of proceeding by way of Indictment, or bringing an Action against the Company or Person causing such public or private Nuisance, to give Notice in Writing to such Company or Person of the Existence of any such public or private Nuisance, the said Company or Person shall at his own Expence cause the most speedy and effectual Measures to be taken to remove and abate such public or private Nuisance from continuing; and in case such Company or Person shall not proceed, within Three Days next after such Notice in Writing being given as aforesaid of any such public or private Nuisance, to cause the most speedy and effectual Measures to be taken to remove and abate the same to the Satisfaction of Two Justices of the Peace acting within the Limits of this Act, that then and in every such Case such Company or Person shall forfeit and pay the Sum of Five Pounds for each and every Day during which such public or private Nuisance shall be permitted or suffered to exist after the Expiration of Three Days from the Time of receiving such Notice; which Penalty shall and may from Time to Time, on the Oath of One or more credible Witness or Witnesses, by Information to be laid and exhibited before One or more such Justice or Justices of the Peace, be recoverable and recovered, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the said Company or Person, by the Warrant of any such Justices as aforesaid, to be granted in like Manner, and subject to the like Provisions, and to go to and be paid as directed touching other Penalties to be recovered under this Act: Provided always, that if any Body Corporate or Person shall pursue the summary Remedy hereby given for or on account of any alleged Nuisance, such Proceeding, whether it be successful or not, shall be a valid and effectual Bar to any Proceeding by Indictment or Action by the same Person, for or in respect of the same Grievance or Offence, unless the same Grievance or Offence be continued after the Expiration of Three Days.

XCIX. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent any Person or Persons, except as herein-before mentioned, from proceeding against any Company or Person making or supplying Gas within the Limits of this Act, or against any of their Officers, Servants, or Workmen, in respect of any Works of such Company or Person, or the Method which shall be employed by them for furnishing such Gas Light as aforesaid, as a public or private Nuisance, or from bringing any Actions against any such Company or Person, or any of their Officers, Servants, or Workmen, for any Injury sustained by reason of any such Works or Method of lighting, whether such Injury shall proceed from the Nature of such Method of lighting, or the Carelessness or Want of Skill of the Persons employed therein, or otherwise howsoever.

C. And be it further enacted, That if any Company or Person making or supplying Gas within the Limits of this Act shall at any Time wilfully and knowingly empty, drain, or convey, or wilfully and

Nothing in this Act to prevent Persons making or supplying Gas from being indicted for a Nuisance.

Penalty for conveying Washings into any

River,
Stream, &c.

and knowingly cause or suffer to be emptied, drained, or conveyed, or to run or flow, any Washings or other waste Liquids, Substances, or Things whatsoever, which shall arise or be produced in the Prosecution of the Gas Works, or in the Manufacture or Process of making or procuring such Gas, into any River, Brook, or running Stream, Reservoir, Aqueduct, Feeder, Pond, Springhead or Well, or into any Drain, Sewer, or Ditch communicating therewith, or wilfully and knowingly do or cause to be done any Annoyance, Act, or Thing to the Water contained in any such River, Brook, or running Stream, Reservoir, Aqueduct, Waterway, Feeder, Pond, or Springhead, Well, Drain, Sewer, or Ditch, then and in every such Case the Company or Person so offending shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of Her Majesty's Courts of Record at *Westminster*, by Action of Debt, or on the Case, or by Bill, Plaint, Suit, or Information, and the whole thereof shall be paid to the Person or Persons who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Twelve Calendar Months from the Time of such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased and determined: Provided also, that over and above and in addition to the said Penalty of Two hundred Pounds, and whether such Penalty shall have been sued for or recovered or not, in case any of the said Washings or other waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be emptied, drained, or conducted or conveyed, or caused or suffered to run or flow, in manner aforesaid, into any River, Brook, or running Stream, or any Reservoir, Aqueduct, Waterway, Feeder, Pond, Springhead or Well, or into any Drain, Sewer, or Ditch communicating therewith, or any such Annoyance, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Person or Persons to whom the same shall belong, or by any other Person or Persons whomsoever, to the Company or Person making or supplying such Gas, and such Company or Person shall not, within Twenty-four Hours after such Notice shall have been given to them or him as aforesaid, cause the most speedy and effectual Means to be adopted to stop, hinder, or prevent all and every such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things, from being emptied, drained, conducted, or conveyed, or from running or flowing, in any Manner aforesaid, and every such other Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case the Company or Person so making or supplying Gas as aforesaid shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things shall be so emptied, drained, conducted, or conveyed, or caused or suffered to run or flow, in manner aforesaid, or such other Annoyance, Act, or Thing shall be so done or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered and levied in such and the like Manner as any other Penalty or Forfeiture is by this Act directed to be recovered and levied.

Cl. And

CI. And be it further enacted, That whenever the Water which shall be supplied by any Waterworks Company, or Company established for the Supply of Water, shall be contaminated or affected in any Way whatsoever by the Gas of the said Company, or Person making or supplying Gas within the Limits of this Act, then and in every such Case the said Company or Person shall, within Twenty-four Hours next after Notice thereof in Writing, signed by any One of the Directors, or by the Secretary for the Time being of any such Waterworks Company, left at the Offices or Places of Business of the said Company or Person respectively, cause Measures to be taken effectually to stop and prevent such Gas from contaminating or affecting the Water of such Waterworks Company; and in case the said Company or Person shall not, within Twenty-four Hours next after each and every such Notice so left as aforesaid, cause Measures to be taken effectually to remove the Cause of such Complaint, and to prevent all and every such Contamination whereof Notice shall be given as aforesaid, then and in such Case the said Company or Person shall, on each and every Complaint whereof Notice shall be given as aforesaid, forfeit and pay to the Secretary of such Waterworks Company, for the Use and Benefit of such Company, the Sum of Ten Pounds for each and every Day during which the Water supplied by any such Waterworks Company shall be and remain contaminated or affected by the Gas of the said Company or Person respectively; and every such Penalty or Forfeiture shall and may be levied and recovered for the Use of such Waterworks Company, in the same Manner as any other Penalty or Forfeiture is herein directed to be levied and recovered.

To prevent further Contamination of Water by Gas.

CII. And whereas it may become a Question upon such Complaint as aforesaid whether or not the said Water be contaminated or affected by the Gas of the said Company or Person against whom such Complaint shall have been made; be it therefore enacted, That in every such Case it shall be lawful for any such Waterworks Company as aforesaid to dig to and about and to search and examine the Mains, Pipes, Conduits, and Apparatus of the same Company or Person adjacent to the Pipes of such Waterworks Company, for the Purpose of ascertaining whether or not such Contamination proceed or be occasioned by Gas, and by what Company or Person supplied, giving Twenty-four Hours previous Notice in Writing, signed by One of the Directors, or by the Secretary for the Time being of any such Waterworks Company, and left at the Offices or Places of Business of the Company or Person supplying Gas as aforesaid, who may be affected by such Examination, of the Intention of such Waterworks Company so to dig, search, and examine as aforesaid, and of the Time and Place or Places when and where such Digging, Search, and Examination is intended to be made; and if it shall appear that the said Water has been contaminated, and that there has been any Escape of Gas whereby such Contamination hath been produced, then and in every such Case the Costs and Expences of the said Digging, Search, and Examination, and of the Repair of the Street, Road, or Place which shall be taken up or disturbed, shall be borne and paid by the Company or Person through whose Neglect such Contamination of Water from the Escape of Gas shall

For ascertaining if the Water is contaminated.

[Local.]

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have

have taken place, which Costs and Expences shall be ascertained and determined (if necessary) by any Justice of the Peace, and may be levied and recovered in the same Manner as any Penalty or Forfeiture is herein directed to be levied and recovered: Provided always, that if upon such Examination it shall appear that such Contamination has not arisen from any Escape of Gas from any of the Mains, Pipes, or Conduits of the Company, or Person charged with causing such Contamination, then and in every such Case the Waterworks Company by whom or on whose Behalf such Examination shall be made shall bear and pay all the Costs, Charges, and Expences of and incident to such Examination and Search, and shall also make good to the said Company or Person not having caused such Contamination any Loss, Injury, or Damage which may be occasioned to the Mains, Pipes, Conduits, or Apparatus of the said Company or Person in and by such Search and Examination, and also any Injury or Damage which may be done in or about any of the Streets, Roads, or Places which shall be broken up or disturbed in such Search and Examination, the Amount of such Injury, Loss, or Damage to be ascertained, if necessary, by any Justice of the Peace as aforesaid, and to be also levied and recovered in the same Manner as any Penalty or Forfeiture is herein directed to be levied and recovered.

Imperial Gas
Light and
Coke Com-
pany not
subject to the
Penalties
imposed by
this Act.

CIII. Provided always, and be it hereby further enacted, That notwithstanding any thing in this Act contained the Imperial Gas Light and Coke Company shall not be subject or liable to any of the Penalties or Forfeitures by this Act created or imposed, but shall be and continue to be subject and liable to such and the same Penalties and Forfeitures as they were subject and liable to before the passing of this Act, in like Manner as if this Act had not been passed.

Power to
levy Rates.

CIV. And in order to raise Money for carrying the several Purposes of this Act into execution, be it enacted, That it shall be lawful for the Commissioners once in every Year after the passing of this Act, to be computed from the Twenty-fourth Day of *June*, or oftener if they shall think it necessary, to make One or more equal Rate or Rates, Assessment or Assessments, to be signed by the Commissioners, upon the Occupiers of all Houses, Shops, Warehouses, Coach-houses, Cellars, Buildings, Gardens, Lands, Tenements, and Hereditaments within the Limits of this Act, according to the annual Value of the same, so as such Rates or Assessments do not exceed in any One Year the Sum of One Shilling and Sixpence in the Pound on such annual Value, except as is next herein-after provided.

Annual Rate
may be in-
creased by
Consent of a
General
Meeting of
Rate-payers.

CV. And be it enacted, That if it shall at any Time appear that the said Sum of One Shilling and Sixpence in the Pound is not sufficient for the Purposes aforesaid, it shall be lawful for the Commissioners, with the Consent of the Majority of Rate-payers assembled at the Annual Meeting for the Settlement of Accounts, to increase the Rates, so as the same do not in any One Year exceed the Sum of Two Shillings and Sixpence in the Pound on such annual Value as aforesaid, so that the Rate for lighting shall be made separately for

all those Parts within the said Limits as shall be lighted only, to the Intent that they shall be rated only for the same: Provided always, that Notice of the Intention of the Commissioners to make any such Increase shall be given by them One Month previous to such annual Meeting, by conspicuous Bills to be affixed to the Places of Public Worship, and posted in the principal Streets within the Limits of this Act.

CVI. And be it enacted, That the several Rates made under this Act shall be vested in the Commissioners, and shall be payable, at such Times as they shall direct, to the Collectors to be appointed by them.

Rates to be vested in the Commissioners.

CVII. And be it enacted, That no Person shall be rated in pursuance of this Act on account of any Arable, Meadow, or Pasture Land, or of any Tithes or Composition in lieu of Tithes, within the Limits of this Act.

Arable or Meadow Land and Tithes not to be rated.

CVIII. And be it enacted, That the annual Value of all Property rateable under this Act shall be ascertained according to the next preceding annual Assessment for the Relief of the Poor within the Limits of this Act, except in such Cases as are herein-after mentioned.

Value of Property to be according to Poor Rate.

CIX. And be it enacted, That the Books of Rates of the Commissioners under the said recited Act and this Act, and all Entries made therein in manner by the said respective Acts directed, shall be received as Evidence of the Rates imposed by virtue thereof respectively.

Rate Books to be Evidence.

CX. Provided always, and be it enacted, That it shall be lawful for the Occupiers of any rateable Property to demand to be assessed for the same, and to pay the Rates in respect thereof made under the Authority of this Act, and the Commissioners shall assess every such Occupier so long as he shall duly pay the said Rates.

Occupiers may be rated if they think fit.

CXI. And be it enacted, That if any Person rated under the Authority of this Act shall not pay any of the said Rates due from him for the Space of Fourteen Days after Demand thereof in Writing by the Commissioners or their Collector, it shall be lawful for the Commissioners to recover the same by Action of Debt in any of Her Majesty's Courts of Record at *Westminster*; or any Justice shall, on the Application of the Commissioners or their Collector, summon any such Person to appear before him, at a Time to be mentioned in the Summons, to show Cause why the Rates due from him should not be paid; and in case no sufficient Cause for the Nonpayment of such Rate shall be shown accordingly, the same shall be levied by Distress, and such Justice shall issue his Warrant accordingly.

Rates to be recovered by Action or by Distress.

CXII. And be it enacted, That the Warrant of Distress for the Nonpayment of any Rate may include One Person or several Persons, and may be to the Effect mentioned in Schedule (C.) to this Act annexed.

Form of Warrant of Distress.

CXIII. And

Constables to assist in making Distress.

CXIII. And be it enacted, That in all Cases where a Distress is hereby authorized to be made, every Constable authorized by the Warrant to levy any Sum mentioned therein shall, upon being required by a Collector of the Rates, aid in making a Distress or Sale pursuant to such Warrant, and every Constable who shall refuse to do so shall be liable to a Penalty not exceeding Five Pounds.

Power to Commissioners or Justices to remit a Rate.

CXIV. Provided always, and be it enacted, That it shall be lawful for the Commissioners, or any Two Justices in Petty Sessions assembled, to reduce or remit the Payment of any Rate on account of the Poverty or Sickness of any Person liable to the Payment of the Rate.

Owners to pay the Rate in certain Cases.

CXV. And be it enacted, That the Owners of all rateable Property within the Limits of this Act, the yearly Rent or Value whereof respectively shall not exceed Twenty Pounds, or which shall be let to weekly or monthly Tenants or in separate Apartments, shall be rated to and pay the Rates by this Act directed to be made, instead of the Occupiers thereof.

Not necessary to state the Name of the Owner.

CXVI. And be it enacted, That whenever the Name of any such Owner shall not be known to the Commissioners or to the Person making the Rates, it shall be sufficient to rate such Owner in the Rate Book of the Commissioners as the Owner of the Property to be rated by the Designation of "the Owner," without stating his Name.

Receiver of Rents to be deemed the Owner.

CXVII. And in order to prevent any Dispute touching the Word "Owner" for the Purposes of rating under the Authority of this Act, be it enacted, That the Person receiving the Rents of any rateable Property within the Limits of this Act, from the Occupier thereof, on his own Account, or as Agent of any other Person, shall be deemed the "Owner" of the same for the Purposes of such Rating.

Tenants under existing Leases to repay the Owner.

CXVIII. Provided always, and be it enacted, That when any Owner shall be rated in respect of any rateable Property which shall be in the Occupation of a Tenant under any Lease or Agreement made prior to the passing of this Act, such Tenant shall repay to the Owner all Sums which shall be paid by the Owner on account of any Rates made under this Act during the Continuance of such Lease, unless it shall have been agreed that the Owner shall pay all Rates in respect of such Property.

In default of the Owner for Six Months, the Rate may be recovered from the Occupier.

CXIX. And be it enacted, That when the Owner of any rateable Property shall have been rated in respect thereof, and the Rate shall have been unpaid for Six Months, it shall be lawful for the Commissioners or their Collector to recover the Amount of such Rate from the Occupier of such rateable Property by the same Means as the same might have been recovered if such Occupier had been rated thereto: Provided always, that no Occupier shall be required to pay, nor shall his Goods and Chattels be distrained for any further Sum than the Amount of Rent due from him at the Time when he shall have been required

required to pay, or of the issuing of the Warrant of Distress, unless he shall refuse to disclose the Amount of the Rent due from him on Application being made to him for that Purpose.

CXX. And be it enacted, That if the Amount of any Rate which, under the Provisions herein-before contained, ought to be borne by the Owner of any rateable Property, shall be paid by the Occupier of such Property or levied on his Goods and Chattels, the Owner shall reimburse the Occupier; and it shall be lawful for such Occupier to deduct the Sums paid or levied, together with the Costs of the Distress (if any), paid by him, from the Rent due or to become due from him to such Owner.

Owner to
repay the
Occupier.

CXXI. And be it enacted, That if any Person shall quit or be about to quit any rateable Property before he shall have paid the Rates then payable by him in respect thereof, and shall not pay the same to the Commissioners or their Collector, on Demand, it shall be lawful for any Justice of the Peace, having Jurisdiction where such Person may reside or his Goods be found, to summon such Person to appear before him, at the Time to be mentioned in the Summons, to show Cause why the Rates should not be paid; and if no sufficient Cause for the Nonpayment of such Rates be shown accordingly, the same shall be levied by Distress, and such Justice shall issue his Warrant accordingly.

Remedy
against Per-
sons quitting
before Pay-
ment of
Rates.

CXXII. And be it enacted, That when any Rate shall have been made for a particular Period, and the Owner or Occupier who shall be rated to such Rate shall cease to be the Owner or Occupier of the Property in respect whereof he shall be rated before the End of such Period, such Owner or Occupier shall be liable to pay a Portion only of the Rate payable for the whole of such Period proportionate to the Time during which he continued to be Owner or Occupier; and if any Person shall become the Owner or Occupier of any Property so rated as aforesaid during any Part of any Period for which any Rate shall have been made, such Person shall pay a Portion of such Rate proportioned to the Time during which he shall have held or occupied the Property so rated.

Rates to be
apportioned
on Holder
quitting.

CXXIII. And be it enacted, That the Money which shall arise from the said Rates or other Money to be received by the Commissioners under this Act shall be applied, in the first place, in Payment of the Interest of all Monies borrowed on Mortgage of the said Rates by virtue of this Act, and afterwards in defraying the Expences of paving, cleansing, draining, and lighting the several Streets within the Limits of this Act, and of improving the same, and carrying the several Purposes of this Act into execution, and in paying off the Principal Sums borrowed on the Credit of the Rates, in such Order as the Commissioners shall direct.

Application
of the Rates.

CXXIV. And be it enacted, That where any Damages or Charges are directed by this Act to be paid, in addition to any Penalty for any Offence, the Amount of such Damages or Charges, in case of Nonpayment thereof, or of any Dispute concerning the same, shall

Damages to
be ascer-
tained with
the Penalty.

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be

be determined by the Justices before whom the Offender shall be convicted of such Offence, and shall be levied by Distress, and such Justices shall issue their Warrant accordingly.

Provision for Damages not otherwise provided for.

CXXV. And for the Purpose of providing for the Recovery of any Compensation for any Land, or for any Injury to any Land or other Property or Person, or for any Expences, Charges, or Damages which shall be payable under this Act, and for the Recovery of which no Method is herein provided, be it enacted, That in all such Cases the Amount of the Compensation, Charges, or Damages by this Act directed or authorized to be paid shall, in case of Nonpayment thereof, or of any Dispute about the same, be ascertained and determined by One or more Justices, not being Commissioners, and the same shall be levied by Distress.

Recovery of Money from Commissioners.

CXXVI. And with respect to any Money under the Provisions of this Act adjudged to be paid by the Commissioners for which no other Mode of Proceeding is hereby prescribed, be it enacted, That if such Money be not paid by the Commissioners to the Party entitled to receive the same within Twenty-one Days after Demand thereof in Writing, stating the Order of the Justices for the Payment of such Money, the Amount shall be recovered by Distress of the Goods of the Commissioners, and if no sufficient Goods of the Commissioners can be found, by Distress of the Goods of the Treasurer of the Commissioners; but no such Distress shall issue against the Goods of such Treasurer unless Seven Days previous Notice in Writing, stating the Amount so due, and demanding Payment thereof, shall have been given to such Treasurer, or left at his usual Place of Abode: Provided always, that every such Commissioner paying such Money as aforesaid shall be reimbursed, out of the Monies which shall come into the Hands of the Treasurer, all Damages, Costs, Charges, and Expences to which any such Commissioner may be put to.

Reimbursement of Treasurer.

CXXVII. And be it enacted, That if such Treasurer pay any Money under any such Distress as aforesaid it shall be lawful for him to retain the Amount so paid by him, and all Costs and Expences occasioned thereby, out of any Money belonging to the Commissioner coming into his Custody or Control, or to sue the Commissioners for the same in the same Manner as other Parties are by this Act enabled to sue the said Commissioners.

Liability to Rates not to disqualify Witnesses or Justices.

CXXVIII. And be it enacted, That no Person, although liable to the Payment of Money towards the Rates authorized to be raised by this Act, shall, by reason thereof, be deemed to be an incompetent Witness in any Proceeding before any Court or Justice by virtue of this Act; and no Justice shall be disabled from acting in the Execution of this Act by reason of his being liable to the Payment of any Money towards the Rates authorized to be raised by this Act.

Penalties to be summarily recovered before

CXXIX. And for the Purpose of providing for the Recovery of Penalties or Forfeitures imposed by this Act, or by any Bye Law made in pursuance thereof, the Recovery of which is not otherwise provided for,

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for, be it enacted, That every such Penalty or Forfeiture may be recovered by summary Proceeding upon Complaint made before Two or more Justices; and on the Complaint being made to any such Justices they shall issue a Summons, requiring the Party complained against to appear on a Day and at a Time and Place to be named in such Summons; and every such Summons shall be served on the Party offending, either in Person or by leaving the same with some Inmate at his usual Place of Abode; and either upon the Appearance or upon the Default to appear of the Party offending it shall be lawful for any Two or more Justices to proceed to the Hearing of the Complaint, and upon Proof of the Offence, either by the Confession of the Party complained against or upon the Oath of One credible Witness or more, it shall be lawful for any Two or more Justices to convict the Offender, and upon such Conviction to adjudge the Offender to pay the Penalty or Forfeiture incurred, as well as such Costs attending the Conviction, as such Justices shall think fit.

Two or more Justices.

CXXX. And be it enacted, That if forthwith, upon any such Adjudication as aforesaid, the Amount of the Penalty or Forfeiture, and of such Costs as aforesaid, be not paid, the Amount of such Penalty and Costs, together with the Costs of the Distress, shall be levied by Distress, and any Two or more Justices may issue their Warrant of Distress accordingly.

Penalties to be levied by Distress.

CXXXI. And be it enacted, That it shall be lawful for the Justices to order any Offender so convicted as aforesaid to be detained and kept in safe Custody until Return can be conveniently made to the Warrant of Distress to be issued for levying such Penalty or Forfeiture, and Costs, unless the Offender give sufficient Security, by way of Recognizance or otherwise, to the Satisfaction of the Justices, for his Appearance before them on the Day appointed for such Return, such Day not being more than Eight Days from the Time of taking such Security; but if before issuing such Warrant of Distress it shall appear to the Justices, by the Admission of the Offender or otherwise, that no sufficient Distress can be had whereon to levy such Penalty or Forfeiture and Costs, they may, if they think fit, refrain from issuing such Warrant of Distress, and in such Case, or if such Warrant shall have been issued, and upon Return thereof such Insufficiency as aforesaid shall be made to appear to the Justices, then such Justices shall, by Warrant, cause such Offender to be committed to Gaol, there to remain without Bail for any Term not exceeding Three Months, unless such Penalty or Forfeiture and Costs be sooner paid and satisfied.

Imprisonment in default of Distress.

CXXXII. And with respect to the Application of any Penalties or Forfeitures recovered by virtue of this Act, the Application whereof is not herein otherwise provided for, be it enacted, That the Justices by whom any such Penalty or Forfeiture shall be imposed shall award one Half thereof to the Commissioners, and the other Half thereof to the Informer, or any Person suing for the same; or if the Commissioners be the offending Party shall award one Half thereof to the Informer, and the other Half to the Overseers of the Poor of the Parish in which the Offence shall have been committed, for the Benefit of the Poor of such Parish.

Application of Penalties.

CXXXIII. And

Penalties to
be sued for
within Six
Months.

CXXXIII. And be it enacted, That no Person shall be liable to the Payment of any Penalty or Forfeiture imposed by virtue of this Act for any Offence herein-before made cognizable before a Justice, unless the Complaint respecting such Offence shall have been made before such Justice within Six Months next after the Commission of such Offence.

Penalty on
Witnesses
making de-
fault.

CXXXIV. And be it further enacted, That it shall be lawful for any Justice to summon any Person to attend before him to testify the Truth in any Matter over which he shall have Jurisdiction by means of this Act, and to examine such Person; and if any Person who shall be summoned as a Witness before any Justice touching any Offence committed against this Act, or any Bye Law made by virtue thereof, shall, without reasonable Excuse, refuse or neglect to appear at the Time and Place appointed for that Purpose, having been paid or tendered a reasonable Sum for his Expences; or if any Person appearing shall refuse to be examined upon Oath, or to give Evidence before such Justice, every such Person shall forfeit a Sum not exceeding Five Pounds for every such Offence.

Form of Con-
viction.

CXXXV. And be it enacted, That the Justices before whom any Person shall be convicted of any Offence against this Act may cause the Conviction to be drawn up according to the Form in the Schedule (D.) to this Act annexed.

Informalities.

CXXXVI. And be it enacted, That no Proceeding in pursuance of this Act shall be quashed or vacated for Want of Form, nor shall the same be removed by Certiorari, or otherwise, into any of the Superior Courts.

Distress, how
to be levied.

CXXXVII. And be it enacted, That where in this Act any Sum of Money, whether in the Nature of Penalty or otherwise, is directed to be levied by Distress, such Sum of Money shall be levied by Distress and Sale of the Goods and Chattels of the Party liable to pay the same; and the Overplus arising from the Sale of such Goods and Chattels, after satisfying such Sum of Money, and the Expences of the Distress and Sale, shall be returned, on Demand, to the Party whose Goods shall have been distrained.

Distress not
unlawful for
Want of
Form.

CXXXVIII. And be it enacted, That no Distress levied by virtue of this Act shall be deemed unlawful, nor shall any Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall such Party be deemed a Trespasser *ab initio* on account of any Irregularity afterwards committed by him; but all Persons aggrieved by such Defect or Irregularity may recover full Satisfaction for the special Damage in an Action upon the Case.

Parties may
appeal to
Quarter Ses-
sions on
giving Se-
curity.

CXXXIX. And be it enacted, That if any Person shall think himself aggrieved by any Determination or Adjudication of any Justice under the Provisions of this Act, he may appeal to the General Quarter Sessions for the County of *Middlesex*; but no such Appeal shall be entertained

entertained unless it be made within Four Months next after the making of such Determination or Adjudication, and unless Ten Days Notice in Writing of such Appeal, stating the Nature and Grounds thereof, be given to the Party against whom the Appeal shall be brought, and unless the Appellant forthwith after such Notice enter into Recognizances, with Two sufficient Sureties, before a Justice, conditioned duly to prosecute such Appeal, and to abide the Order of the Court thereon; and also that such Person shall have such and the like Powers of Appeal against the Rates to be levied by virtue of this Act, and the Orders of the Commissioners, as they now have under and by virtue of the Act now in force for regulating the said Parish of *Saint Pancras*.

CXL. And be it enacted, That at the Quarter Sessions for which such Notice shall be given the Court shall proceed to hear and determine the Appeal in a summary Way, or they may, if they think fit, adjourn it to the following Sessions; and upon the Hearing of such Appeal the Court may, if they think fit, mitigate any Penalty or Forfeiture, or they may confirm or quash the Adjudication, and order any Money paid by the Appellant, or levied by Distress upon his Goods, to be returned to him, and may also order such further Satisfaction to be made to the Party injured as they may judge reasonable; and they may make such Order concerning the Costs, both of the Adjudication and of the Appeal, as they may think reasonable.

Court to make such Order as they think reasonable.

CXLI. Provided always, and be it further enacted, That nothing in this Act contained shall prejudice, diminish, alter, limit, interfere with, take away, control, or suspend, or be held or construed to prejudice, diminish, alter, limit, interfere with, take away, control, or suspend, any of the Rights, Privileges, Jurisdictions, Powers, and Authorities vested in or belonging to the Commissioners of Sewers for the City and Liberty of *Westminster* and Part of the County of *Middlesex*; but that all such Rights, Privileges, Jurisdictions, Powers, and Authorities shall be as good, valid, and effectual as if this Act had not been passed.

Not to prejudice the Powers of the Commissioners of Sewers for Westminster;

CXLII. And be it enacted, That nothing in this Act contained shall extend, or be deemed or construed to extend, to prejudice, diminish, alter, or take away any of the Rights, Powers, or Authorities vested in the Commissioners of Sewers for the Limits of *Holborn* and *Finsbury* Divisions, the Parish of *Saint Leonard Shoreditch*, and the Liberty of *Norton Folgate*, in the County of *Middlesex*, and the Borders and Confines of the same; but all the Rights, Powers, and Authorities vested in them shall be as good, valid, and effectual as if this Act had not been passed.

or for the Holborn and Finsbury Divisions, &c.

CXLIII. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice or affect, or to authorize any Interference with, the Powers vested in the Commissioners appointed under or by virtue of an Act passed in the Third Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for watching, lighting, watering, cleansing, gravelling, and otherwise improving the Foot, Carriage, and other public Ways on* [Local.] 16 K—L certain

Saving Rights of the Commissioners of the Camden Estate.

3 G. 4. c. 82.

certain Lands and Grounds in the Parish of Saint Pancras in the County of Middlesex called Camden Town, but the District under the Control of the said last-mentioned Commissioners shall be wholly exempted from the Operation of this Act, any thing in this Act contained to the contrary notwithstanding.

Saving the Rights of the Metropolis Roads Commissioners.

CXLIV. Provided also, and be it further enacted, That neither this Act, nor any Enactment, Clause, Provision, Matter, or Thing herein contained, shall extend or be construed to extend to any Road or to any Part of any Road now under the Charge or within the Jurisdiction of the Commissioners of the Metropolis Turnpike Roads North of the *Thames*, any thing herein contained to the contrary notwithstanding.

Interpretation Clause.

CXLV. And be it enacted, That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number:

Words importing the Masculine Gender only shall include Females:

The Word "Month" shall mean Calendar Month:

The Word "Person" shall include Corporation, whether Aggregate or Sole:

The Word "Oath" shall include Affirmation in case of Quakers, or other Declaration or Solemnity lawfully substituted for an Oath in case of any other Persons exempted by Law from the Necessity of taking an Oath:

The Word "Justice" shall mean Justice of the Peace acting within the Limits of this Act:

The Word "Street" shall include any public Square, Street, Terrace, Crescent, Court or Alley, Highway, Lane, Road, Thoroughfare, or public Passage or Place within the Limits of this Act:

The Word "Lands" shall extend to Messuages, Lands, Tenements, and Hereditaments of any Tenure:

The Word "Owner" shall be understood to mean Proprietors, Feoffees, and Trustees of any Lands, and Leaseholders holding any Lease of Lands, for a Term of which not less than Twenty Years shall be unexpired at the Time of the passing of this Act.

The Expression "the Commissioners" shall mean the Commissioners for the Time being acting by virtue of this Act.

Expences of Act.

CXLVI. And be it further enacted, That all the Costs, Charges, and Expences of and incidental to the obtaining and passing of this Act shall be defrayed by the said Commissioners, out of any Monies which shall arise by virtue of this Act, in preference to all other Payments whatsoever.

Public Act.

CXLVII. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

SCHE-

SCHEDULES referred to by the foregoing Act.

SCHEDULE (A.)

Form of Mortgage Deed.

By virtue of an Act passed, &c., intituled, &c., we, Nine of the Commissioners appointed by [or by virtue of] the said Act, in consideration of the Sum of _____ paid to us by A. B. of _____ for the Purposes of the said Act, do grant and assign unto the said A. B., his Executors, Administrators, and Assigns, such Proportion of the Tolls, Rates, or Assessments, and other Property arising by virtue of the said Act, 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 Rates, Assessments, and other Property, to hold to the said A. B., his Executors, Administrators, and Assigns, from this Day until the said Sum of _____ with Interest at _____ per Centum per Annum for the same, shall be fully paid and satisfied. In witness whereof we have hereunto set our Hands and Seals this _____ Day of _____ One thousand eight hundred and _____

SCHEDULE (B.)

Form of Transfer of Mortgage.

I A. B. of _____ in consideration of the Sum of _____ paid to me by C. D. of _____ do hereby transfer to the said C. D., his Executors, Administrators, and Assigns, a certain Mortgage, Number _____ made by the Commissioners for executing the [Title of the Act] to _____ bearing Date the _____ Day of _____ for securing the Sum of _____ and Interest [or, if such Transfer be by Endorsement, the within Security], and all my Right, Estate, and Interest in and to the Money thereby secured, and in and to the Money and Property thereby assigned. In witness whereof I have hereunto set my Hand and Seal, this _____ Day of _____ One thousand eight hundred and _____

SCHEDULE (C.)

Form of Warrant or Distress.

to wit. } To _____ one of the Collectors of the Rates
 } under an Act passed, &c., intituled, &c., and to all
 Constables.

Whereas the under-mentioned Persons, now or late Owners or Occupiers of Premises within the _____ have been duly rated in or are liable to the Payment of a Rate made on the _____ Day of _____ under the Authority of this Act, and there are _____ now

now due from them respectively the several Sums of Money against their Names herein-after respectively set down, which they have not paid, as appeareth upon Oath to me, one of Her Majesty's Justices of the Peace for the _____; and the said several Persons having been duly summoned to appear before me to answer the Premises, and not having shown any sufficient Cause why such several Sums of Money should not be paid; These are therefore, in Her Majesty's Name, to require you, or any of you, forthwith to levy the said several Sums due as herein-before mentioned, by Distress and Sale of the respective Goods and Chattels of the Persons aforesaid, rendering to them respectively the Overplus (if any), the reasonable Charges of such Summons, Warrant, Distress, and Sale being first deducted; and if no sufficient Distress can be had and taken, then that you certify the same to me, to the end that such further Proceedings may be had as the Law doth authorize and direct: And I do hereby strictly charge and command all and singular the Constables _____ respectively 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 One thousand eight hundred

and

	Sums due.		
	£	s.	d.
A.B.	-	-	-
C.D.	-	-	-

SCHEDULE (D.)

Form of Conviction.

to wit. } Be it remembered, That on the _____ Day of _____
 } in the Year of our Lord _____ A.B. is convicted
 before me, C.D., one of Her Majesty's Justices of the Peace for the
 County of Middlesex [*here describe the Offence generally, and the
 Time, Place, when and where committed*], contrary to the Kentish
 Town Paving Act, One thousand eight hundred and forty-one.
 Given under my Hand and Seal the Day and Year first above
 written.

LONDON: Printed by GEORGE E. EYRE and ANDREW SPOTTISWOODE,
 Printers to the Queen's most Excellent Majesty. 1841.