



ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

Cap. cxlvii.

An Act to extend the Limits of the Borough of *Folkestone*; to enable the Corporation of the said Borough to construct a Market House; to make certain new Streets and other Improvements; and to pave, light, drain, and otherwise improve the said Borough; and for other Purposes. [16th July 1855.]

WHEREAS an Act was passed in the Thirty-sixth Year of the Reign of King George the Third, intituled *An Act* 36 G. 3. c. xlix. *for paving, repairing, and cleansing the Highways, Streets, and Lanes in the Town of Folkestone and Liberty thereof in the County of Kent, and for removing and preventing Nuisances and Annoyances therein,* and Commissioners were appointed by the said Act for putting the same into execution: And whereas the said Commissioners have borrowed, under the Powers of the said Act, and now owe, the Sum of Three thousand five hundred and fifty Pounds: And whereas the existing Borough of *Folkestone* is one of the Boroughs named in the Second Section of Schedule (B.) annexed to "The Municipal Corporation Act," and the Corporate Body of such Borough

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is called and known by the Name of "the Mayor, Aldermen, and Burgesses of the Borough of *Folkestone*:" And whereas since the passing of the said last-mentioned Act the Town of *Folkestone* has so much increased that its Limits already extend beyond the Limits of the existing Borough, and are likely every Year to extend still further, and it would be attended with great public and local Advantage if the Limits of the existing Borough were extended: And whereas it would be attended with great public Advantage if the Drainage, cleansing, lighting, watching, paving, and otherwise improving the Borough were placed under the Control of the Corporation; and it is expedient that the said first-recited Act should be repealed, and that the Powers now exercised by the Commissioners under that Act to collect Coal Dues should be transferred to the Corporation, and that the Property and Effects now vested in the said Commissioners should be transferred to and vested in the said Corporation: And whereas the Right Honourable *William* Earl of *Radnor* is seised or entitled for his Life, with Remainder to his eldest Son and Heir Apparent, the Honourable *Jacob Pleydell Bouverie* commonly called Viscount *Folkestone*, his Heirs and Assigns, of and to certain Market and Fair Dues and Tolls within the Limits of the existing Borough of *Folkestone*, and it is contended that the said Earl as Lord of the Manor of *Folkestone* is Gaoler of, and that he and his Predecessors Lords of the said Manor have from Time immemorial provided a Prison for the District contained within the Limits of the said existing Borough, but the present Prison has for some Time ceased to be used as such: And whereas the said Earl of *Radnor* and Viscount *Folkestone* are also seised or entitled in manner aforesaid (amongst other Property in *Folkestone*) of or to the following Properties; (that is to say,) a Messuage or Tenement called the Cistern House or Town Hall, including the Steward's Rooms and Apartments now occupied by the Deputy Gaoler; a Building called the Market adjoining the said Messuage or Cistern House; the Gaol and Gaol Yard; a Garden adjoining thereto; a Stable lately occupied by *John* and *William Bateman* adjoining or near to the said Gaol Yard; and Two small Tenements also adjoining the said Gaol Yard, one being Part of Property numbered 138, and the other being Part of Property numbered 139 on the Plans herein-after referred to: And whereas the said Earl of *Radnor* and Viscount *Folkestone* have agreed to sell to the said Mayor, Aldermen, and Burgesses the said Market and Fair Dues and Tolls, and also the said several Properties herein-before mentioned, reserving such Right of Way or Passage, of not less than Twelve Feet in Width, over the same or some Part thereof from *Rendezvous Street*, as the said Earl and Viscount, their Heirs or Assigns, shall require, for the Sum of Three hundred Pounds; provided that by this Act the Power conferred by the said Act of the Thirty-sixth Year of the Reign of King *George* the Third to dig,
break,

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break, and carry away any Stone, Gravel, Sea Beach, or other Materials from the Sea Side, at the East or West Ends of the said Town of *Folkestone*, for the amending and paving the Highways, Streets, Lanes, Markets, Passages, or Places, or for any other the Purposes in the said Act mentioned, be relinquished: And whereas the said Mayor, Aldermen, and Burgesses have agreed to purchase the said Fair Dues, Tolls, and Properties upon the before-mentioned Terms: And whereas it is expedient that this Agreement should be carried into effect, and also that the said Mayor, Aldermen, and Burgesses should have Power to construct a new Market House and Market Place within the Borough: And whereas many of the present Thoroughfares of the existing Borough are very narrow and inconvenient, and certain new Streets and other Improvements are much needed in the Borough as proposed to be extended; and such last-mentioned Borough would be greatly benefited if the Corporation had Power to alter some of the existing Streets, and to make certain new Streets and other Improvements: And whereas Plans showing the Lands which are required for the Purposes of the before-mentioned Market House and Market Place, new Streets, and Improvements, together with Books of Reference to such Plans, containing the Names of the Owners, Lessees, and Occupiers of such Lands, have been deposited with the Clerks of the Peace for the existing Borough and for the County of *Kent*: And whereas the before-mentioned Objects cannot be effected without 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, as follows; (that is to say,)

I. In this Act, and in every Act and Part of every Act incorporated herewith, the following Words and Expressions shall for the Purposes of this Act be construed to 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,)

Interpreta-
tion of
Terms.

The Words "the existing Borough" shall mean the Municipal Borough of *Folkestone* as it existed, and according to the Limits thereof, at the Time of the passing of this Act:

The Words "the Borough" shall mean the Municipal Borough of *Folkestone* as altered and extended by this Act:

The Word "Corporation" shall mean the Body Corporate which after the passing of this Act shall be continued and called by the Name of "The Mayor, Aldermen, and Burgesses of the Borough of *Folkestone*:"

The Words "Clerk of the Peace" or "Clerk of the Peace of the County" shall mean the Clerk of the Peace for the Borough:

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The Words "Quarter Sessions" or "General Quarter Sessions" or "the Court of Quarter Sessions" shall mean the Quarter Sessions for the Borough:

The Words "Justices at or in Quarter Sessions" shall mean the Recorder in Quarter Sessions for the Borough:

The Word "Chairman," as applied to the Chairman of the Court of Quarter Sessions, shall mean the Recorder of the Borough:

The Words "Special Sessions" or "Special Sessions holden for the Division" shall mean the Special Sessions for the Borough:

The Words "the Mayor" shall mean the Mayor of the Borough:

The Words "the Clerk" or "the Town Clerk" shall mean the Town Clerk of the Borough:

The Words "the Treasurer" shall mean the Treasurer of the Borough:

The Words "Municipal Corporation Act" shall mean the Act of the Fifth and Sixth Years of the Reign of King *William* the Fourth, Chapter Seventy-six, intituled *An Act to provide for the Regulation of Municipal Corporations in England and Wales*;" and the Words "Municipal Corporation Acts" shall mean the said last-mentioned Act, and any Acts for altering and amending the same.

Limits of Act.

II. This Act shall be put in force within the Borough for all the Purposes thereof, excepting where it is herein expressly provided to the contrary.

Limits of the Borough altered and extended.

III. The Limits of the existing Borough shall be and the same are hereby altered and extended so as to include so much of the Parish of *Folkestone* as lies between the present Boundary of the existing Borough and the Highway known as *Crete Lane*, and a Line drawn from the Termination of *Crete Lane* at the Turnpike Gate on the *Folkestone and Barham* Turnpike Road, to the North-western Boundary of the *Folkestone* Waterworks Land, and thence running due Westward.

The Inhabitants of the Borough as extended incorporated.

IV. All Persons within the new District brought within the Borough by this Act, who have or shall have the Qualification required by the Municipal Corporation Act for a Burgess, shall form Part of the said Body Politic and Corporate called and known by the Name of "the Mayor, Aldermen, and Burgesses of the Borough of *Folkestone*;" and the said Body Corporate and Politic by that Name shall for ever hereafter be continued, called, and known, subject always, nevertheless, to the Alterations effected in its Constitution by this Act.

Provisions of the Municipal Corporation

V. All the Clauses and Provisions of the Municipal Corporation Acts which, if this Act had not been passed and the existing Borough had

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had been divided into Wards, would have been applicable to the existing Borough, shall, save so far as the same may be excepted or varied by this Act, be applicable and the same are hereby extended to the Borough and to the Inhabitants thereof.

ration Acts
extended to
the Borough.

VI. The present Commission of the Peace for the existing Borough shall from and after the passing of this Act be read and construed as though the Borough referred to in such Commission had been the Borough as extended by this Act, and the Powers, Privileges, Jurisdiction, and Authority of the Justices already appointed or to be appointed under such Commission, and of every Justice of the Borough who may be such by virtue of the Municipal Corporation Act, and of the Coroner, and of the Court of Quarter Sessions, and of the Recorder, Clerk of the Peace, and Clerk to the Justices, respectively, for the Time being of the existing Borough, shall extend to the Borough.

Present
Commission
of the Peace,
valid for the
Borough as
extended by
this Act.

VII. The Council of the Borough shall consist, as that of the existing Borough does, of a Mayor, Four Aldermen, and Twelve Councillors, until after the Declaration of the First Election of Three additional Councillors under the Provisions of this Act; and thenceforth the Council of the Borough shall consist of a Mayor, Four Aldermen, and Fifteen Councillors.

Constitution
of the Coun-
cil of the
Borough.

VIII. The Borough shall be divided into Three Wards, and the Names and Boundaries thereof respectively shall be as set forth in the Schedule (A.) hereunto annexed.

Borough to
be divided
into Wards,
as in Sche-
dule (A.)

IX. The East Ward and the West Ward shall each return and have Six Councillors, and the North Ward shall return and have Three Councillors.

Each Ward
to return
Councillors.

X. For the Purposes of the First Election of Councillors under this Act, the Town Clerk shall, on the Fifth Day of *September* in the present Year, make out an alphabetical List (to be called the Burgess List) of Persons who shall possess the Title and Qualification required by the Municipal Corporation Act of Burgesses of the Borough, and shall sign such List, and cause a Copy of it to be fixed on or near the outer Door of the Town Hall, or some other public and conspicuous Situation within the Borough on every Day during the Week next preceding the Fifteenth Day of *September* in the present Year, and the Town Clerk shall cause Copies of such List to be printed, and shall deliver a Copy thereof to any Person requiring the same on Payment of a reasonable Price for such Copy.

List of Per-
sons entitled
to be Bur-
gesses to be
made out.

XI. Every Person whose Name shall have been omitted from such Burgess List, and who shall claim to have his Name inserted therein,
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Persons
omitted from
the Burgess

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List to give
Notice.

Persons not
entitled to be
on the List
may be ob-
jected to.

List of
Claimants
and of Per-
sons objected
to be pub-
lished, &c.

Lists to be
revised, &c.

Overseers
and Collec-
tors of Poor's
Rates to pro-
duce their
Books and
give Evi-
dence when
required.

shall, on or before the said Fifteenth Day of *September* in this present Year, give Notice thereof to the Town Clerk according to the Form Number 2 in the Schedule (D.) annexed to the Municipal Corporation Act, or to the like Effect; and every Person whose Name shall have been inserted in such Burgess List may object to any other Person as not being entitled to have his Name retained in the said Burgess List, and every Person so objecting shall, on or before the said Fifteenth Day of *September*, give to the Town Clerk, and also give to the Person so objected to, or leave on the Premises for which he shall appear to be rated in such Burgess List, Notice thereof according to the Form Number 3 in the said Schedule (D.), or to the like Effect; and the Town Clerk shall include the Names of all Persons so claiming to be inserted in the said Burgess List in a List according to the Form Number 4 in the said Schedule (D.), and shall also include the Names of all Persons so objected to as not entitled to be retained on the said Burgess List in a List according to the Form Number 5 in the said Schedule (D.), and shall cause Copies of such several Lists to be fixed on or near the outer Door of the Town Hall, or in some other public and conspicuous Situation within the Borough, during the Eight Days next before the First Day of *October* in the present Year.

XII. The Mayor and the Assessors of the existing Borough, or a Barrister-at-Law, to be nominated by the said Mayor by Writing under his Hand, shall hold an open Court within such Borough for the Purpose of revising, and shall between the First Day of *October* inclusive and the Fifteenth Day of *October* inclusive in this present Year, (having first given Three clear Days Notice of the holding of such Court to be fixed on or near the outer Door of the Town Hall, or in some other public and conspicuous Situation within the Borough,) revise the said Burgess List, as well as the said Lists of Claimants, and of Persons objected to, in the Manner directed in the Municipal Corporation Act.

XIII. The Overseers and Collectors of Poor's Rates within the Township and the Parish of *Folkestone* respectively shall produce to the Town Clerk of the Borough, when and where he shall require, all such Rate Books and other Books as he shall deem necessary to enable him to make out the aforesaid Burgess List; and they shall also attend the said Court to be held by the Mayor and Assessors of the existing Borough, or such Barrister-at-Law as aforesaid, as the Case may be, and shall answer upon Oath such Questions as the Court may put to them or any of them touching any Matter necessary for revising the said List; and the reasonable Expenses incurred in and about revising the said List shall be taken into account by the Council, who shall order the Treasurer of the Borough to pay the same out of the Borough Fund of the Borough.

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XIV. The Burgess List so revised shall be signed by the Mayor or such Barrister as aforesaid, as the Case may be, in the Manner pointed out by the Municipal Corporation Act, and shall be delivered to the Town Clerk.

Lists when revised to be signed, &c.

XV. The Town Clerk shall make out a Burgess Roll (in alphabetical Lists of the Burgesses in each of the said Wards, to be called "Ward Lists") of the Burgesses of the Borough, and shall cause such Burgess Roll to be completed on or before the Twenty-second Day of *October* in the present Year; and such Burgess Roll shall be the Burgess Roll of the Burgesses of the Borough entitled to vote in the Choice of Councillors, Auditors, and Assessors of the Borough and the Wards thereof respectively, at any Election or Elections which may take place in such Borough, between the First Day of *November* inclusive in this present Year and the First Day of *November* One thousand eight hundred and fifty-six.

Burgess Roll to be made out.

XVI. The present Mayor of the existing Borough, or such other Person as in the event of any extraordinary Vacancy occurring in that Office shall be elected in his Stead, shall continue and be the Mayor of the Borough until after the First Election of a Mayor under the Provisions of this Act.

Present Mayor to continue in Office.

XVII. The Aldermen of the existing Borough and their Successors shall continue and be Aldermen of the Borough; provided always, that the Number of Aldermen shall be Four.

Present Aldermen to continue in Office.

XVIII. The Auditors and Assessors of the existing Borough shall (subject to any Change that may be rendered necessary by any extraordinary Vacancy) continue and be the Auditors and Assessors respectively of the Borough until after the First Election of Auditors and Assessors for the Borough under the Provisions of this Act.

Auditors and Assessors to remain in Office until after First Election under this Act.

XIX. *James Tolputt, Thomas Kennett, Alexander Swan, Thomas Caister, Samuel Mackie, and James Meikle*, being Six of the present Councillors of the existing Borough, shall continue in Office as Representatives of the East Ward; and *Gilbert Kennicott, Ham Tite, William Kelcey, Robert William Boarer, James Jinkings, and Morris Regis*, being the remaining Six of the present Councillors of the existing Borough, shall continue in Office as Representatives of the West Ward; and such Representatives of each such Ward shall go out of Office at the Time and in the Rotation in which they would have retired had they been originally elected Councillors of such Ward instead of Councillors of the existing Borough, and this Act had not been passed.

Present Councillors to represent East and West Wards.

XX. The

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First Election of Councillors.

XX. The First Election of Councillors for the several Wards of the Borough shall take place on the First Day of *November* in this present Year.

Rotation in which Councillors for the North Ward shall go out of Office.

XXI. Upon the First Day of *November* One thousand eight hundred and fifty-six, and upon the First Day of *November* in every succeeding Year, One Third of the Number of Councillors elected for the said North Ward shall go out of Office; and in the said Year One thousand eight hundred and fifty-six the Councillor who shall go out of Office shall be the Councillor who was elected under the Provisions of this Act by the smallest Number of Votes in the present Year; and in the next Year (One thousand eight hundred and fifty-seven) the Councillor shall go out of Office who was elected under the Provisions of this Act by the next smallest Number of Votes in this present Year; the Majority of the Members present at a Meeting of the Council always determining, when the Votes shall have been equal, who shall be the Person so to go out of Office; and thereafter the Councillor to go out of Office shall always be he who has been the longest Time in Office without Re-election.

Election of First Mayor under this Act.

XXII. The First Mayor of the Borough to be elected under the Provisions of this Act shall be elected by and out of the Aldermen and Councillors of the Borough on the Ninth Day of *November* in this present Year, in the Manner and according to the Provisions of the Municipal Corporation Acts.

Election of Auditors and Assessors.

XXIII. The First Election of Auditors and Assessors for the Borough, and of Assessors for the several Wards thereof, under the Provisions of this Act, shall take place on the First Day of *March* in the Year of our Lord One thousand eight hundred and fifty-six.

Appointment of Returning Officer to act at First Election.

XXIV. The Mayor for the Time being of the existing Borough, or such Person as he shall appoint in that Behalf, shall act as Returning Officer at the First Election of Councillors under this Act, and at any subsequent Election which may take place or which it may be necessary to hold before a valid Election could be held under and according to the Provisions of this Act and of the Municipal Corporation Act, with the same Powers as by the Municipal Corporation Act are given to the Mayor and Assessors, and to an Alderman and Assessors, at Elections of Councillors for the Boroughs named in the Schedules to that Act annexed.

Mayor to be a Justice of the Peace of the extended Borough.

XXV. The Mayor of the existing Borough shall be a Justice of the Peace of and for the Borough for and during so long a Time as he would have been a Justice of the Peace for the existing Borough if this Act had not been passed, and shall have the same Powers in and throughout

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throughout the Borough as prior to the passing of this Act he had in and throughout the existing Borough.

XXVI. The Recorder, the Clerk of the Peace, the Coroner, and the Clerk to the Justices respectively for the Time being of the existing Borough shall be and continue the Recorder, the Clerk of the Peace, the Coroner, and the Clerk to the Justices respectively of the Borough; and all the Clauses and Provisions of the Municipal Corporation Acts relating to these Officers respectively, and to their Powers, Authorities, Duties, Disqualifications, and Privileges, shall apply to the Recorder, the Clerk of the Peace, the Coroner, and the Clerk to the Justices respectively of the Borough.

Present
Recorder
continued.

XXVII. The Town Clerk, Coroner, and Treasurer of the existing Borough, and all the other Officers and Servants of the Corporation, shall, notwithstanding the Alterations hereby made in the Constitution of the said Corporate Body, continue and be the Town Clerk, Coroner, and Treasurer of the Borough and the Officers and Servants of the Corporation, according to the Nature and Tenure of their Appointments and Employments respectively, and they shall be accountable to the Corporation in the same Manner as if at the Time of their Appointments and Employments respectively the Corporation had been constituted as provided by this Act, and shall have the same Powers in and throughout the Borough as prior to the passing of this Act they had in and throughout the existing Borough.

Present
Officers to
continue in
Office.

XXVIII. This Act shall be executed by the Corporation acting pursuant to the Powers and Provisions of "The Municipal Corporation Acts;" and, subject to the Powers and Provisions of this Act and of any Act incorporated therewith, the several Powers and Provisions of the Municipal Corporation Acts shall extend and apply to the Powers, Provisions, and Purposes of this Act.

Corporation
by Council
to execute
Act, except
where other-
wise pro-
vided.

XXIX. And whereas by virtue of the Provisions of this Act the Lands and Hereditaments to be added to the Borough of *Folkestone* will cease to be liable to the Payment of County Rates: And whereas the County Rates are now charged by way of Mortgage with the Principal Sum of Twenty thousand five hundred and fifty Pounds Thirteen Shillings and Fourpence payable to the Public Loan Commissioners by annual Instalments, with Interest, and it is just that the said Lands and Hereditaments should still remain liable to their Proportion of the said Mortgage Debt: Be it enacted, That, notwithstanding this Act, the said Lands and Hereditaments shall remain liable to the Payment of a fair and equal Portion with the other rateable Lands in the said County of the said Mortgage Debt, and of the Interest thereof, to be payable at such Times and in such Proportions and at

Land
brought
within Bo-
rough by this
Act to be
still liable to
contribute
towards ex-
isting Coun-
ty Debt.

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such

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such Rate of Interest as the same Mortgage Debt and Interest shall for the Time being be payable by virtue of the said Mortgage Security; and that the Justices of the County of *Kent* shall from Time to Time levy and raise, upon and from the rateable Property of the Inhabitants of the said Lands and Hereditaments so added to the said Borough, such Sums of Money on account of the Instalments of Principal and Interest then due or accruing due as shall in their Opinion from Time to Time be in proportion to the annual Value of the rateable Property of the said Land and Hereditaments as compared with the rateable annual Value of the Remainder of the County then liable to the Payment of the said Mortgage Debt; and that the said Justices of the County of *Kent* shall have the same Powers and Remedies for making, levying, and recovering the said Rates as they now or for the Time being may by Law have for making, levying, and recovering the County Rates from Parishes lying partly within the Jurisdiction of the Justices of the County, subject to all Rights and Remedies of Appeal and otherwise to which County Rates are or may be liable.

Recited Act
repealed
from 9th
Nov. 1855.

XXX. The said Act of the Thirty-sixth Year of the Reign of King *George* the Third, Chapter Forty-nine, shall be and the same is hereby repealed from and after the Ninth Day of *November* One thousand eight hundred and fifty-five; and on and after the said Day the Provisions herein-after contained shall commence and take effect.

Corporation
to remain
entitled to
their Pro-
perty.

XXXI. On the said Ninth Day of *November* the Corporation shall be seised and possessed of and entitled to all the Estates, Rights, Interests, Monies, Property, Effects, Chattels, Choses in Action, Claims, and Demands whatsoever of or to which the Commissioners were seised, possessed, or in any way entitled at Law or in Equity under or by virtue of the said Act of the Thirty-sixth Year of the Reign of King *George* the Third, Chapter Forty-nine.

Convey-
ances, &c. to
remain.

XXXII. All Conveyances, Leases, Deeds, Contracts, Agreements, Mortgages, Bonds, Covenants, and Securities theretofore made or entered into to, with, in favour of, or by, for, and on behalf of the said Commissioners, or any Person on their Behalf, shall be and remain as good, valid, and effectual, in favour of, against, and with reference to the Corporation, and may be proceeded on and enforced, in like Manner to all Intents and Purposes as if the said Act were not repealed.

Actions, &c.
not to abate.

XXXIII. Any Action, Suit, Prosecution, or other Proceeding whatsoever commenced either by or against the Commissioners before the Repeal of such Act, shall not abate or be discontinued or
pre-

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prejudicially affected by this Act, but on the contrary shall continue to take effect, both in favour of and against the Corporation, in like Manner and to all Intents and Purposes as if this Act were not passed.

XXXIV. All Rates which immediately before the Repeal of the said Act shall be due and payable shall be payable to and may be collected and recovered by the Corporation, in like Manner as they might have been collected and recovered by the Commissioners if this Act had not passed.

Rates due at Commencement of Act to be recoverable.

XXXV. All Persons who on the Repeal of the said Act owe any Sum of Money to the Commissioners, or to any Person on their Behalf, shall pay the same, with all Interest (if any) due or to accrue due for the same, to the Corporation; and all Debts and Monies which at the Time aforesaid may be due or owing by or recoverable from the Commissioners, or for the Payment whereof they are or but for this Act would be liable, shall be paid, with all Interest (if any) due or to accrue due thereon, by or be recoverable from the Corporation.

Debts due to and by the Commissioners to be paid to and by the Corporation.

XXXVI. All Officers and Persons who have or shall have in their Possession or under their Control any Money, Books, Documents, Papers, Writings, or Effects belonging to the Commissioners, or to which they are or but for this Act would be entitled, shall be liable to account for and to deliver up the same to the Corporation, or to such Persons as they shall appoint to receive the same, in like Manner, and subject to the like Process, Pains, and Penalties for Refusal or Neglect, as if such Officers and Persons had been appointed by or become possessed of such Money, Books, Documents, Papers, Writings, or other Effects for the Corporation.

Officers to account.

XXXVII. Notwithstanding the Repeal of the said Act, all Books and other Documents by that Act directed or authorized to be kept, and which, if that Act were not repealed, would be receivable in Evidence, shall be admitted as Evidence in all Courts of Law and Equity and elsewhere accordingly.

Books to be Evidence.

XXXVIII. The Corporation shall, with reference to every Act done or left undone, and with respect to every Liability, of what Nature or Kind soever, incurred by the Mayor, Aldermen, and Burgesses of the existing Borough, or by the said Commissioners, prior to the passing of this Act, be considered as identical with the said Mayor, Aldermen, and Burgesses, or the said Commissioners, as the Case may be, in like Manner in all respects as if this Act had not been passed.

Continuing Liability of old Corporation and of Commissioners.

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Clauses of
10 & 11 Vict.
c. 16. as to
Meetings
and Proceed-
ings of Com-
missioners,
extended to
this Act.

XXXIX. The 40th, 41st, 42d, 43d, 44th, 45th, 47th, 48th, 49th, 50th, 51st, 52d, and 55th Clauses of "The Commissioners Clauses Act, 1847," with respect to the Meetings and other Proceedings of the Commissioners, the Clauses of the same Act with respect to the Contracts to be entered into and the Deeds to be executed by the Commissioners, Clause 60 of the same Act with respect to the Liabilities of the Commissioners, and the Clauses of the same Act with respect to the Accounts to be kept by the Commissioners (except Clause 92), shall be incorporated with this Act; and the Auditors for the Time being of the Borough shall be the Auditors of such Accounts; and the Word "Commissioners" in these Clauses shall be construed as though the Words "Council" or "Members of the Council," as the Case may require, had been used instead of the Word "Commissioners."

Chairman of
Meetings.

XL. At every Meeting of the Corporation or any Committee the Mayor, if present, shall be Chairman of such Meeting, or, in the Absence of the Mayor, such Alderman, or in the Absence of all the Aldermen, such Councillor as shall be chosen by the Majority of the Members of the Council then assembled, shall be Chairman of such Meeting.

8 & 9 Vict.
c. 18. incor-
porated.

XLI. "The Lands Clauses Consolidation Act, 1845," shall be incorporated with this Act; and, subject to the Provisions thereof, the Corporation may from Time to Time enter upon, take, and use, by Compulsion or Agreement, for the Purposes herein-after mentioned, all or any of the Lands delineated on the said Plans and referred to in the said Books of Reference so deposited as aforesaid.

Errors and
Omissions in
Plans, &c.
may be cor-
rected by
Justices, who
shall certify
the same.

XLII. If any Omission, Mis-statement, or wrong Description has been made of any Lands, or of the Owners, Lessees, or Occupiers of any Lands, described on the said Plans or in the said Books of Reference, the Corporation, after giving Ten Days Notice to the Owners, Lessees, and Occupiers of the Lands affected by the proposed Correction, may apply to Two Justices for the Correction thereof; and if it appear to such Justices that such Omission, Mis-statement, or wrong Description arose from Mistake, they shall certify the same accordingly, and shall in such Certificate state the Particulars of any such Omission, Mis-statement, or wrong Description; and such Certificate shall be deposited with the Clerk of the Peace, and be kept by such Clerk of the Peace with the other Documents to which it relates, and thereupon such Plans or Books of Reference shall be deemed to be corrected according to such Certificate, and the Plans or Books of Reference so corrected shall thenceforth be deemed the Plans or Books of Reference deposited for the Purposes of this Act.

Certificate to
be deposited.

XLIII. It

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XLIII. It shall be lawful for the Corporation to make the following new Streets and Improvements as shown upon the said Plans:

Corporation empowered to make certain new Streets and Improvements.

A new Street commencing at the South-east End of *Tontine Street*, and terminating at the Harbour :

A new Street commencing at the Northern End of *North Street*, and running parallel with the Branch Railway there, and leading under the Arch of *Radnor Bridge*, and terminating at the Crossing of the said Railway there :

A new Street branching out of the last-mentioned intended new Street, and terminating at the South-east End of *Radnor Bridge* :

A new Road commencing from the West Side of the Turnpike Road at *Mill Bay*, passing by the South Side of Mrs. *Stace's* Mill, and terminating in *Foord Lane* :

To widen *Upper Sandgate Road*, by taking Portions of all the Gardens belonging to the Houses on the North Side thereof, commencing from the East End of *Albion Terrace* to the *King's Arms* Public House :

To widen the South Side of *Upper Sandgate Road* opposite the Guildhall :

To widen *Rendezvous Street*, the South-east End of *Grace Hill*, and the Turnpike Road leading down to *Mill Lane* :

To widen the Road at the Junction between the West End of *Tontine Street* and the East Side of the Turnpike Road :

To widen *Tontine Street* and *Beach Street* :

To widen and improve *South Street*, and to widen the Two Approaches into it from the Bottom of the *Parade Steps* :

To widen *Bail Street* :

To widen the Road extending from *Church Street* into the *Bail* :

Lastly, to widen and improve *North Street* and *Radnor Street* :

All which new Streets and Improvements in the existing Streets will be situate in the Borough and Parish of *Folkestone*.

XLIV. It shall be lawful for the Corporation to stop up such Roads or such Parts of Roads as may become useless by the Alterations in the Streets hereby authorized, and to dispose of the Sites thereof; but the Corporation shall, before they interfere with the present Access to the Land and Premises at the Back of the Houses on the Northern Side of *Guildhall Street*, make and for ever afterwards maintain an Approach to such Land and Premises of not less than Twelve Feet in Width from *Rendezvous Street*.

Power to stop up Roads rendered unnecessary by Improvements.

XLV. The Corporation shall, within Four Years from the passing of this Act, make and provide in and upon any of the Lands shown
[Local.] 26 K upon

Market House, &c. to be erected

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within Four
Years.

upon the said Plans and mentioned in the said Book of Reference, and situate between *Rendezvous Street* and *Guildhall Street*, Market Houses and Market Places, with all proper Approaches and Conveniences connected therewith, for the Sale of such Provisions, Goods, and other marketable Commodities as the Corporation may from Time to Time think fit to permit to be sold therein respectively, and the Corporation may maintain, improve, alter, or discontinue, as they think fit, any now existing and future Market Houses and Market Places from Time to Time vested in them for the Purposes of this Act.

Powers for
compulsory
Purchase
of Lands
limited.

XLVI. The Powers of the Corporation for the compulsory Purchase of the Lands required for the Purposes of the Market shall not be exercised after the Expiration of Three Years, or for the compulsory Purchase of any other Lands after the Expiration of Seven Years from the passing of this Act.

Sale of
Lands.

XLVII. The Corporation may, at such Times as they think fit, within the Ten Years prescribed by the 127th Clause of "The Lands Clauses Consolidation Act, 1845," make Sale of any Lands which may become vested in them under the Powers of this Act, and which shall not be required for the Purposes thereof, without the Approbation of the Commissioners of Her Majesty's Treasury or any of them; but they shall not be compelled to make Sale of such Lands within Ten Years, under the Provisions of the same Clause.

10 & 11 Vict.
c. 34. incor-
porated.

XLVIII. "The Towns Improvement Clauses Act, 1847," (except Clauses 50 and 103, and the Proviso to Clause 167,) shall be incorporated with this Act.

No Approval
of Secretary
of State to
be necessary
to Appoint-
ment of
local Sur-
veyor, &c.

XLIX. Provided always, That nothing in "The Towns Improvement Clauses Act, 1847," contained shall extend to subject any Appointment or Removal of a local Surveyor, Officer of Health, or other Officer acting in the Execution of this Act, or his Salary, to the Approval of One of Her Majesty's Principal Secretaries of State, but every such Appointment and Removal may be made and Salary fixed by the Corporation without any such Approval as aforesaid.

Corporation
to fix the
Line of new
Buildings.

L. In every Case where the Width of any Street shall not be Forty Feet it shall be lawful for the Corporation, whenever it shall appear to them expedient, to prescribe the Line in which any House to be hereafter built, or taken down for the Purpose of being rebuilt or altered, shall be erected, and the same shall be erected in accordance therewith, and the Corporation shall pay or tender Compensation to the Owner or other Person immediately interested in such House for any Loss or Damage he may sustain in consequence of his House being

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being set back; the Amount of such Compensation, in case of Dispute, to be settled in the same Manner as Compensation for Lands to be taken under the Provisions of this Act is directed to be settled.

LI. The Occupier of any Tenement from which any private Drain shall issue into any Sewer vested in the Corporation shall from Time to Time repair and cleanse such private Drain to the Satisfaction of the Corporation, or in default thereof the Corporation may repair and cleanse the same, and recover the Expense thereof from the Defaulter as Damages.

Occupiers
to repair
and cleanse
private
Drains.

LII. The Corporation may require the Owner of any Vault, Arch, or Cellar already or hereafter made under any Street to keep the same in substantial Repair, so as not to occasion any Injury to the Street.

Vaults under
Streets to be
repaired by
Owners.

LIII. No Vault, Arch, or Cellar shall be made under the Footway of any Street without the Consent in Writing of the Corporation, and all such Vaults, Arches, and Cellars shall be substantially made, and so as not to interfere or communicate with any Sewers belonging to the Corporation; and if any Vault, Arch, or Cellar be made contrary to the Provisions herein contained, or be not kept in substantial Repair as aforesaid, the Corporation may demolish, fill up, or repair the same, and the Expense incurred thereby shall be paid by the Person making such Vault, Arch, or Cellar, or permitting the same to go unrepaired, and shall be recoverable as Damages.

Vaults and
Cellars not
to be made
under Foot-
ways with-
out Consent
of Corpora-
tion.

LIV. It shall not be lawful to let or occupy or suffer to be occupied separately as a Dwelling any Vault or Cellar.

Cellars, &c.
not to be let
as Dwelling
Houses.

LV. When and so often as it shall be certified to the Corporation, under the Hands of Two Medical Men, that any Privy, Drain, or Cesspool is in a Condition, State, or Situation injurious, dangerous, or prejudicial to the Health of any of the Inhabitants, it shall be lawful for the Corporation, if they think fit, to require the Owner thereof, by Notice for that Purpose signed by the Town Clerk, forthwith or within such reasonable Time as shall be specified in such Notice, to convert such Privy into a Watercloset, and to cause such Drain to be properly trapped, and such Cesspool to be properly cleansed and repaired, to the Satisfaction of the Corporation or of their Surveyor; provided, that if such Owner shall satisfy the Corporation that such Privy can be so altered as to prevent the same being injurious, dangerous, or prejudicial to Health by other Means than by converting the same into a Watercloset, then such Alteration, if made to their Satisfaction or to the Satisfaction of their Surveyor, shall be deemed a Compliance with this Provision.

Power to
enforce
Conversion
of Privies
into Water-
closets, and
to cause
Drains to be
trapped.

LVI. The

The Folkestone Improvement Act, 1855.

Level of the
Ground
Floor.

LVI. The Level of the Ground Floor of every House hereafter built within the Borough shall be at least Eight Inches above the Level of the Edge of the Footway adjoining such House, or of the Crown of the Road in front of such House if such Road is higher than the Footpath, whether there be a Cellar to such House or not.

Owners of
Land on
which new
Streets
formed to
lay down
Sewers.

LVII. If the Owner or Occupier of any Land shall hereafter lay out any Street or Road over or across the same, he shall at his own Expense, if and when so required by the Corporation, lay down throughout the whole Length of such Street, or so far as his own Land extends, a proper Sewer, of such Depth, Dimensions, and Materials, and in such Manner as the Corporation shall require; and in case he shall fail so to do after Three Months Notice given to him by the Corporation for that Purpose, it shall be lawful for the Corporation to cause such Sewer to be laid down; and the Expense which shall be incurred by them in respect thereof shall be recoverable by them from such Owner or Occupier as Damages, or by Order of the Corporation may be declared to be Private Improvement Expenses, and be recoverable as such.

Public Sew-
ers not to be
interfered
with without
Notice.

LVIII. No Person shall, after the Commencement of this Act, begin the making of any Vault, Arch, Cellar, Sewer, or Drain in or under any Street, so as to interfere or communicate with any Sewer or Drain under the Control of the Corporation, without the Consent in Writing of the Corporation obtained after giving Three Days previous Notice thereof, describing the Place and Situation thereof, to the Corporation or their Surveyor, or the Town Clerk.

Notice to
Owners of
Intention to
make Sewers
or Drains.

LIX. The Provisions of "The Towns Improvement Clauses Act, 1847," "with respect to laying out new Streets," shall extend and apply to all Cases of making or laying out or altering by any Person other than the Corporation of any Sewer or Drain, or of the Level of any Street, Sewer, or Drain; and the Notice to be given to the Corporation under Section Fifty-seven of that Act shall specify the intended Length, Breadth, Boundaries, and Level of the proposed Street, Sewer, or Drain, or the proposed Alteration thereof.

Corporation
to make Re-
gulations as
to Levels of
Sewers or
Drains.

LX. The Corporation shall have like Power and Authority with respect to the Level of every such Sewer and Drain, and the Course, Depth, Width, Form, and Construction thereof, as under the Provisions of "The Towns Improvement Clauses Act, 1847," "with respect to laying out new Streets," they have with respect to the Levels of new Streets; and those Provisions shall be binding on and observed by all Persons accordingly.

LXI. If

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LXI. If any Person shall make or alter any Street, Sewer, or Drain, contrary to any Order of the Corporation made within the Time limited by this Act, the Corporation at any Time afterwards may alter the same, and recover the Expense thereof from such Person doing the same in the like Manner as any Penalty under this Act may be recovered.

Corporation may alter Level, &c. if made contrary to Regulations, at Expense of Owner.

LXII. The Corporation from Time to Time may alter the Level of any existing Sewer or Drain, or of any Sewer or Drain to be hereafter made within the Borough, or the Course, Form, or Construction of such Sewer or Drain, in such Manner and Form as they think expedient.

Corporation may alter Level of existing or future Drains.

LXIII. Within Three Years from the passing of this Act the Corporation shall and may construct and complete and thereafter maintain such new Sewers and other Works as shall be necessary or proper for diverting the whole of the Sewage of the Borough from the Stream of Water called the *Pent* below *Stace's* Mill, and for preventing such Sewage being emptied into the Harbour of *Folkestone*, and for carrying such Sewage across the Harbour and through the East Pier into the Sea; and the Corporation shall and may within the said Period of Three Years so divert the whole of the existing Sewers and Drains of the Borough as that no Sewer or Drain within the Limits of this Act shall directly or indirectly empty itself into the said Stream below the said Mill, or into the Harbour of *Folkestone*; and after the passing of this Act it shall not be lawful for the Corporation or for any Company or Person to construct any Sewer or Drain which shall directly empty itself into the said Stream or Harbour or into any Part of the said Stream, whether above or below the said Mill; and after the Expiration of the said Period of Three Years no Sewer or Drain within the Limits of this Act shall directly or indirectly empty itself into the Harbour, or into any Part of the said Stream above or below the said Mill: Provided always, that nothing herein contained shall extend to any Sewer or Drain used only for the Purpose of draining Land or for carrying off any Surface Water.

Provision for diverting Sewage from the *Pent* Stream and Harbour.

LXIV. It shall not be lawful for the Corporation to enter upon, take, or use any Portion of the Harbour or Lands, Wharves, Quays, or Works, belonging to or connected with such Harbour, (except for the Purpose of carrying a Sewer or Pipe under the same, and through the East Pier into the Sea,) or to execute any Works (except such Sewer or Pipe) which shall interfere with any Part of the Harbour; and such Sewer or Pipe, and all Works constructed under the Authority of this Act which affect the *South-eastern* Railway or the *Pent* Stream, shall be made and for ever thereafter maintained under the Superintendence and to the reasonable Satisfaction of the Engineer to the

Harbour not to be interfered with, and Works affecting Railway, &c. to be made, &c. under Superintendence of Engineer to *South-eastern* Railway Company.

[*Local.*]

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South-

The Folkestone Improvement Act, 1855.

South-eastern Railway Company; and if any Dispute shall arise between the Corporation and the Company as to the Manner in which any Work by this Enactment directed to be made or maintained under the Superintendence of the said Engineer shall be so made or maintained, such Dispute shall be settled by Arbitration in the Manner prescribed by the "Railways Clauses Consolidation Act, 1845," with respect to the Settlement of Disputes by Arbitration.

Course of
Pent Stream
not to be
diverted, &c.

LXV. It shall not be lawful for the Corporation to alter the Course of the *Pent* Stream, or to take Water thereout in such Quantity as to diminish the Efficiency of that Stream for the Purpose of flushing or scouring the Harbour; and the Dimensions of the *Pent* Stream as now existing between the Harbour and the Point at which the said Stream is crossed by the *High Street*, shall not at any Time be diminished so as to curtail the Space in which Water may be now retained in such Part of the said *Pent* Stream by means of the Sluice or Floodgate at the End thereof adjoining the Harbour.

Provision for
the Protec-
tion of the
Pent Stream.

LXVI. If any Person shall throw or cast any Ashes, Dust, Dirt, Rubbish, Offal, or Filth into the *Pent* Stream, or into any Part thereof, or shall in any Manner divert or interfere with the Course of the said Stream and the Flow of Water therein, every Person so offending shall be liable to a Penalty not exceeding One Pound.

Corporation
may pave
and drain
Streets not
being High-
ways at the
Expense of
Owners.

LXVII. If any Street or Part of a Street (having Houses on both Sides or for the most Part on both Sides thereof), not being a Highway, be not paved, flagged, levelled, and drained, or otherwise made good to the Satisfaction of the Corporation, the Corporation may cause such Street, or the Parts thereof not so paved, flagged, levelled, and drained, or otherwise made good, to be paved, flagged, levelled, and drained, or otherwise made good, in such Manner as they think fit; and the Expenses incurred by the Corporation in respect thereof shall be repaid to them by the Owners of the Lands abutting on such Street, or such Parts thereof as have not been well and sufficiently paved, flagged, levelled, and drained, or otherwise made good; and such Expenses shall be recoverable from such Owners respectively as Private Improvement Expenses; and thereafter such Street shall become a public Highway, and be repaired by the Corporation.

Corporation
may autho-
rize Streets
to be broken
up for laying
down Pipes.

LXVIII. It shall be lawful for the Corporation, upon such Terms and Conditions as to them may seem fit, to authorize any Person or Company to open and break up any Street, and to lay down, alter, repair, or remove any Gas Mains or Pipes.

New Streets
to be Forty
Feet wide.

LXIX. No new Street to be hereafter laid out shall be of less Width than Forty Feet inclusive of the Footway, and in case of any existing Street or of any Part of such Street not being of the before-
men-

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mentioned Width, and not being built upon on either Side, or only on One Side thereof, the Houses to be hereafter erected on any Part of any such Street shall be so set back as to allow of the Street being widened to the before-mentioned Extent of Forty Feet: Provided always, that the Corporation shall make full Compensation to the Owner of the Land upon which any such House is to be so set back for any Damage he may thereby sustain.

LXX. It shall be lawful for the Corporation, if they think fit, to exercise over the Footways on each Side of any Turnpike Road within the Borough, the same Powers as are conferred upon them by "The Towns Improvement Clauses Act, 1847," over the Footways of such Streets as are or will be under their Management.

Footways on Side of Turnpike Roads within Borough may be repaired by Corporation.

LXXI. It shall also be lawful for the Corporation to contract with the Trustees of any such Turnpike Road for repairing or contributing towards the Expense of repairing so much of any such Turnpike Road as may be within the Borough or any Part of such Road.

They may contract with Trustees of Turnpike Roads as to Repair thereof.

LXXII. If any Person take up or alter any Part of any Pavement, Carriageway, or Footway, and do not forthwith after Notice from the Corporation or their Surveyor properly relay and reinstate the same, with the same or similar Materials, and in as nearly as may be the same Manner as before the taking up or altering the same, the Corporation may relay and reinstate the same, and may recover the Expense thereof from the Person who took up or altered such Pavement, Carriageway, or Footway, in the like Manner as any Penalty under this Act may be recovered, or by Action or Plaint in any Court of competent Jurisdiction.

Corporation may alter Pavement, &c. in case of Neglect.

LXXIII. The Powers conferred by the 121st Clause of "The Towns Improvement Clauses Act, 1847," shall not, so far as the Town Dyke is concerned, be obligatory upon the Corporation.

Clause 121 of 10 & 11 Vict. c. 34. not obligatory upon Corporation.

LXXIV. It shall be lawful for the Corporation from Time to Time to make Byelaws with respect to the Removal by the Occupier, or (in case of his Default) by the Corporation, of Dust, Ashes, Rubbish, Filth, Manure, Dung, and Soil collected, placed, or found in or about any House, Stable, Cowhouse, Street, or Place whatsoever, and with respect to the Times and Manner of cleansing and emptying Water-closets, Privies, and Cesspools.

Corporation may make Byelaws with respect to Removal of Ashes, &c.

LXXV. The Corporation may require any Person being a Licensed Publican or Victualler, or being a Dealer in Beer, Ale, Cider, or other strong Liquor, to provide an Urinal adjoining or near his Public House

Publicans to provide Urinals when required by Corporation.

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House or other Place of Business; and if such Person shall not, within Twenty-eight Days after Notice from the Corporation, requiring him to make such Urinal, construct the same with proper Materials to the Satisfaction of the Surveyor to the Corporation, and in some convenient Situation, as little exposed as practicable, to be approved of by such Surveyor, with proper Drains therefrom, or who shall not every Day before Eight of the Clock in the Forenoon thoroughly cleanse such Urinal and Drains, shall for every such Offence be liable to a Penalty not exceeding Forty Shillings, and also to an additional Penalty not exceeding Five Shillings for every Day during which the Offence is continued.

Power to
enforce the
Removal or
Alteration
of Urinals.

LXXVI. If the Corporation shall consider that any Urinal now or hereafter to be erected in or near any Street is so erected in an improper Place or in an improper Manner, and so as to be offensive to any of the Inhabitants of or Persons passing along such Street, it shall be lawful for the Corporation to give Notice to the Person to whom such Urinal shall belong, or in whose Occupation the same or the Premises to which the same shall belong or be appurtenant shall be, requiring such Person to remove or alter the same, in such Manner as shall be specified in such Notice, before a Day to be mentioned in such Notice, not being earlier than Twenty-eight Days from the Day of serving such Notice; and if the Urinal to which such Notice relates shall not be removed, or shall not be altered in manner aforesaid to the Satisfaction of the Corporation, it shall be lawful for the Corporation and they are hereby authorized and empowered forthwith to remove or alter the same in manner aforesaid; and all Expenses which the Corporation shall incur thereby shall be a Debt due to them from such Person, and shall be recoverable in like Manner as any Penalty of the like Amount is recoverable under this Act, or by Action or Plaint in any Court of competent Jurisdiction.

Clause 108 of
10 & 11 Vict.
c. 34. not to
apply to
Steam
Vessels;

LXXVII. Clause 108 of "The Towns Improvement Clauses Act, 1847," shall not be applicable to any Fireplace or Furnace of any Steam Ship lying or being in the Harbour of *Folkestone*, or of any Steam Ship lying or being within the Limits of this Act.

nor to pre-
sent Coke
Ovens of
South-east-
ern Railway
Company
until Seven
Years after
the passing
of this Act.

LXXVIII. Clause One hundred and eight of "The Towns Improvement Clauses Act, 1847," shall not extend to the coking of Coal at the present Coke Ovens of the *South-eastern Railway Company*: Provided always, that if after the Expiration of Seven Years from the passing of this Act there shall not in any Public Health Act or any other Act of a similar Character be contained any general Exemption from the Necessity for the Consumption of Smoke in respect of coking of Coal, then the Exemption hereby granted shall cease, and the coking of Coal at such Ovens shall thenceforth become and be subject to the said

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said Clause of the Towns Improvement Clauses Act, 1847, for the Prevention of Smoke.

LXXIX. Provided always, That it shall not be lawful for the *South-eastern* Railway Company to erect or use within the Limits of this Act any greater Number of Coke Ovens than the Number of such Ovens maintained and used by that Company before and at the Time of the passing of this Act.

Number of
Coke Ovens
not to be in-
creased.

LXXX. If any Butcher, Provision Dealer, or other Person exposes or offers for Sale in his Shop, Stall, Warehouse, or any Part of his Premises, or otherwise within the Borough, any unsound or unwholesome Meat, Fish, or other Provisions unfit for the Food of Man, every Person so offending shall for every such Offence forfeit a Sum not exceeding Five Pounds; and such Meat, Fish, or other Provisions may be seized, carried away, and dealt with by any Officer of the Corporation in like Manner as by "The Markets and Fairs Clauses Act, 1847," is provided touching the seizing, carrying away, and Disposal of unwholesome Meat and Provisions sold or exposed for Sale in any Market or Fair.

Penalty for
exposing for
Sale unsound
Meat or Pro-
visions.

LXXXI. Any Inspector or other Officer authorized by the Corporation for that Purpose may at all Times in the Day, with or without Assistants, enter into and inspect any Knacker's Yard, House, or Place whatsoever kept or used for slaughtering Horses or other Animals not fit for the Food of Man, and any Building, Shed, Yard, or Place belonging thereto, to search and see the State and Condition thereof.

Officers may
inspect
Knackers'
Yards.

LXXXII. In the Clauses of "The Towns Improvement Clauses Act, 1847," with respect to Things to be done by the Commissioners by "special Order only," the Expression "the Ratepayers having Votes in the Election of the Commissioners" shall be construed as if the Words "Burgesses of the Borough" had been used instead; and the Votes of the Burgesses in respect of the Remonstrance referred to in the 133d Clause of that Act shall be as follows:

"Rate-
payers" in
10 & 11 Vict.
c. 34. to mean
"Burgesses."

Every Person rated upon a rateable Value of less than Twenty-five Pounds shall have One Vote:

Of Twenty-five Pounds and less than Fifty Pounds, Two Votes:

Of Fifty Pounds and less than One hundred Pounds, Three Votes:

Of One hundred Pounds and less than One hundred and fifty Pounds, Four Votes:

Of One hundred and fifty Pounds and less than Two hundred Pounds, Five Votes:

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Of Two hundred Pounds and less than Two hundred and fifty Pounds, Six Votes :

Of Two hundred and fifty Pounds and upwards, Seven Votes.

Meaning of Word
"Lodging-house."

LXXXIII. The Expression "Public Lodging-house" in "The Towns Improvement Clauses Act, 1847," shall, for the Purposes of this Act, mean Lodging-houses in which Persons of the poorer Class are harboured or lodged by Night for short Periods, and, although Strangers to one another, inhabit One common Room.

Certain Parts of 10 & 11 Vict. c. 14. incorporated with this Act.

LXXXIV. "The Markets and Fairs Clauses Act, 1847," except the Thirty-first and Fiftieth Clauses thereof, shall be incorporated with this Act; and the Expression "the Undertakers" in "The Markets and Fairs Clauses Act, 1847," contained shall be construed to mean the Corporation.

Market Powers not to extend to Sandgate.

LXXXV. Provided always, That the Powers of this Act, so far as relates to the Markets, shall not extend to any Part of *Sandgate*.

Land for extraordinary Purposes.

LXXXVI. The prescribed Number of Acres of Land to be appropriated or purchased for the extraordinary Purposes provided for by the Ninth Clause of "The Markets and Fairs Clauses Act, 1847," shall be Five.

Need not provide Places for weighing Carts.

LXXXVII. Nothing in this Act contained shall compel the Corporation to provide, as required by Clause Twenty-four of the said last-mentioned Act, Buildings or Places for weighing Carts.

Days for holding Markets and Fairs.

LXXXVIII. The prescribed Day for holding Markets, in addition to such other Days as the Corporation shall appoint by Byelaw, shall be *Saturday*, and the prescribed Days for holding Fairs shall be those on which the same have been heretofore held according to Charter or ancient Custom.

Fishermen may sell Fish on the Strand.

LXXXIX. Provided always, That nothing herein contained shall be construed to extend to prevent Fishermen from selling Fish as heretofore on the Stade or Strand within the Town.

Rents for Stallages, &c. as in Schedule (B.)

XC. It shall be lawful for the Corporation to demand and take such Stallages, Rents, and Tolls as they shall from Time to Time appoint, not exceeding the several Stallages, Rents, and Tolls specified in the Schedule (B.) to this Act, in respect of the several Matters specified in the said Schedule.

Application of Tolls.

XCI. The said Tolls, Rents, and Stallages shall be applied in aid of the General Improvement Rate.

XCH. The

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XCII. The Corporation may from Time to Time demise and let the Market Places or any Part of them, and the Weighing Houses or Places and Machines or any of them, and the said Tolls, Rents, and Stallages or any of them, for any Period not exceeding Three Years, upon such Terms as may be agreed upon between the Corporation and the Person to whom such Lease is made.

Power to
lease Tolls.

XCI. The Corporation may let any of the Stalls, Standing Places, Benches, or other Conveniences in the Market Places or Markets to any Person for any Term not exceeding Three Years.

Power to
lease Stalls,
&c.

XCIV. The Lessee of any such Stall, Standing Place, or other Convenience, his Executors, Administrators, and Assigns, with the Consent in Writing of the Corporation, but not otherwise, may assign the same for the Residue of his Term.

Power to as-
sign Leases.

XCV. The Tolls, Rents, and Stallages from Time to Time may be demanded and taken by such Officers and Servants of the Corporation or other Persons as the Corporation from Time to Time shall appoint.

Collection of
Tolls.

XCVI. The Corporation shall, within One Year from the passing of this Act, purchase of the said Earl of *Radnor* and Viscount *Folkestone*, their Heirs and Assigns, the Fee Simple of the existing Rights of the said Earl and Viscount to Market and Fair Dues and Tolls within the existing Borough, and also the Fee Simple of the Messuage or Tenement called the Cistern House, the Building called the Market, the Gaol, and other the Premises herein-before referred to as having been agreed to be sold to them, subject to such Rights of Way or Passage as aforesaid, for the Sum of Three hundred Pounds; and on Payment by the Corporation of the said Sum the said Earl and Viscount, their Heirs and Assigns, and any other Person having any Estate or Interest therein, shall, according to the said Agreement, convey to the Corporation all such Rights and Properties, and upon such Purchase being completed the Obligation, if any, of the said Earl and Viscount, their Heirs and Assigns, as Lords of the Manor of *Folkestone*, or otherwise, to provide a Prison, and any Duties now imposed upon them respectively in respect thereof, shall absolutely cease and determine.

Corporation
to purchase
Rights to ex-
isting Dues,
Town Hall,
&c. of Lord
Radnor.

XCVII. "The Town Police Clauses Act, 1847," shall be incorporated with this Act: Provided nevertheless, that nothing in this Act contained shall extend to take away, abridge, or lessen any Powers which now or at any Time hereafter may by Law belong to or may be exercised by the Council or the Watch Committee of the Borough,

10 & 11 Vict.
c. 89. incor-
porated.

or

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or the Powers or Duties of any Constable at Common Law or by Statute.

Consent of Lord of Manor required to Regulations as to bathing.

XCVIII. Provided always, That no Byelaws shall be made under Clause Sixty-nine of the last-mentioned Act, except with the Consent in Writing of the Lord of the Manor of *Folkestone* for the Time being.

Dogs suspected to be mad may be destroyed.

XCIX. Any Constable may destroy any Dog or other Animal reasonably suspected to be in a rabid State, or to have been bitten by any Dog or other Animal reasonably suspected to be in a rabid State, or which shall be allowed to go about unmuzzled after Notice issued by the Corporation that no Dogs will be suffered to go about the Streets without being muzzled.

Street Musicians.

C. Every Person who shall sound or play upon any Musical Instrument in any Thoroughfare near any House, after being required to depart from the Neighbourhood on account of the Illness of any Inmate in any House there, or for any other reasonable Cause, shall be liable to a Penalty not exceeding Five Shillings for every such Offence.

Corporation may regulate Pleasure Boats.

CI. The Powers given by the Sixty-eighth Section of "The Towns Police Clauses Act, 1847," to make Byelaws for the Regulation of Hackney Carriages, shall extend, so far as such Powers are applicable, to the making of Byelaws for the Regulation of Pleasure Boats plying for Hire off or opposite that Part of the Coast which is within the Limits of the Borough: Provided always, that no such Byelaw shall apply to any Vessel or Boat of the *South-eastern Railway Company*, or shall prejudice or affect the Powers of the Harbourmaster, or the Rights of the *South-eastern Railway Company* as Owners of the Harbour of *Folkestone*.

Power to levy Lighting Rate.

CII. It shall be lawful for the Corporation from Time to Time to levy a Rate, to be called "The Lighting Rate," not exceeding in any One Year the Sum of One Shilling in the Pound on the full net annual Value of the Property included in such Rate.

Application of Lighting Rate.

CIII. All Monies which shall come to the Hands of the Corporation from the Lighting Rate shall be applied in carrying the Purposes of this Act into execution as to lighting the Borough.

Power to levy General Improvement Rate.

CIV. It shall be lawful for the Corporation from Time to Time to make and levy a Rate to be called "The General Improvement Rate," not exceeding in any One Year Four Shillings in the Pound on the full net annual Value of the Property included in such Rate, but

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but the Corporation shall not include in such Rate the Custom House or any other Premises occupied by or for the Use of Her Majesty or the Commissioners or Officers of Her Majesty's Customs in their official Capacity.

CV. The Corporation may ask, demand, and receive for all Coals, Coke, or Cinders landed, carried, or delivered within the Limits of the existing Borough the Sum of One Shilling for every Chaldron, where such Coal, Coke, or Cinders are sold by the Chaldron, and One Shilling *per* Ton where such Coals, Coke, or Cinders are sold by the Ton, and so in proportion for any Fraction of a Chaldron or Ton; and the Corporation may also ask, demand, and receive the further Sum of Twopence for every Chaldron of Coals, Coke, or Cinders landed from any Collier or other Vessel at or within the Limits of the existing Borough; and which said Sums of One Shilling and of Twopence are herein-after referred to as "Coal Dues:" Provided always, that the Coal Dues shall not be payable upon any Coals, Coke, or Cinders brought by Sea into the Harbour unless landed.

Also Duty
on Coals, &c.

CVI. The said Coal Dues shall be paid to such Person as the Corporation shall from Time to Time appoint, and such Person is hereby authorized and empowered to demand, collect, receive, and take the said Coal Dues of and from every Person bringing or causing to be brought any such Coals, Coke, or Cinders within the Limits of the existing Borough.

Coal Dues to
be paid to
Person ap-
pointed by
Corporation.

CVII. If any such Coal Dues shall not be paid, it shall be lawful for the Collector of the Dues from Time to Time to stop any Waggon, Cart, or other Carriage containing such Coals, Coke, or Cinders, and to demand, collect, and receive the said Dues, and on Nonpayment of the same to take and detain every such Waggon, Cart, or other Carriage, and the Horses, Harness, and Furniture thereof, or all or any Part of the Coals, Coke, or Cinders chargeable with the said Dues, until the said Dues are paid, together with the Expenses incurred in making any such Seizure as aforesaid; and in case of any Delay or Neglect in Payment of the Rates, Dues, and Expenses for the Space of Five Days next after any Distress so taken as aforesaid, then and in that Case it shall be lawful for any such Collector to cause the same to be appraised, and afterwards to sell the said Distress, and therewith to satisfy himself as well concerning the said Dues as his reasonable Charges in taking, keeping, appraising, and selling such Distress, paying the Overplus (if any) upon Demand to the Owner of any such Waggon, Cart, or other Carriage as aforesaid; and every Person refusing or evading the Payment of any such Dues shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Power for
Collectors to
detain Wag-
gon, Cart, or
Carriage for
Payment of
Rates.

[*Local.*]

26 N +

CVIII. If

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Penalty for obstructing Collector.

CVIII. If any Person shall obstruct or hinder, or endeavour to obstruct or hinder, any Collector in levying and collecting the said Coal Dues, he shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds.

Tolls paid for Coals, &c. not consumed within certain Limits to be repaid on Production of a proper Receipt.

CIX. Provided always, That where the said Coal Dues shall have been paid in respect of any Coals, Coke, or Cinders which shall not be consumed within the Borough, the whole of the Coal Dues so paid, except the Sum of Threepence for every Ton of such Coals, Coke, or Cinders, shall be repaid to the Person to whom such Coals, Coke, or Cinders shall belong, on producing to the Collector the Receipt for the Payment of the Dues in respect of such Coals, Coke, or Cinders, and on Delivery to such Collector of a Certificate signed by the Person claiming such Repayment that such Coals, Coke, or Cinders are to be consumed beyond the Borough.

Treasurer compelled to return the Drawback.

CX. If the said Collector shall refuse or neglect to return and pay on Demand the said Drawback to any Person entitled to the same, he shall forfeit and pay to such Person any Sum not exceeding Ten Pounds; and if any Person shall fraudulently obtain or endeavour to obtain the Allowance of the said Drawback, not being legally entitled to the same, every such Person shall for every such Offence forfeit and pay to the Corporation any Sum not exceeding Ten Pounds.

Preserving Drawback in favour of South-eastern Railway Company.

CXI. Provided also, That the Provisions herein-before contained with respect to Coal Dues shall, so far as the *South-eastern Railway Company* are concerned, be subject and without Prejudice to the Act of the Sixth and Seventh Years of the Reign of Her present Majesty, Chapter Fifty-one, relating to that Company.

Coal Dues to go in aid of General Improvement Rate.

CXII. The Revenue arising from the Coal Dues shall be applied by the Corporation to and in aid of the General Improvement Rate.

Application of General Improvement Rate.

CXIII. All Monies which shall come to the Hands of the Corporation from the General Improvement Rate and the Coal Dues shall be applied and disposed of as follows:

Firstly, in paying the Interest of the before-mentioned Debt of Three thousand five hundred and fifty Pounds, and of all Monies to be borrowed and which shall from Time to Time be due and owing on the Credit of the General Improvement Rate and the said Coal Dues:

Secondly, in setting apart and appropriating the Sum of Money necessary to be set apart and appropriated for paying off the said Sum of Three thousand five hundred and fifty Pounds, and the Principal

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Principal Monies to be from Time to Time borrowed or secured on the General Improvement Rate or the said Coal Dues :

Thirdly, in carrying all the Purposes of this Act into execution (excepting the Purposes to which the Sewer Rates, and the Lighting Rates, and any Rate for Sewers, Drains, and private Improvements, are by this Act or any Acts incorporated herewith made applicable) :

And then in paying off all Monies due on the Credit of the General Improvement Rate or the said Coal Dues :

Provided always, that if the before-mentioned Rate shall be insufficient for enabling the Corporation, as Surveyors of the Highways, to repair and maintain the Highways within the Borough, then the Corporation shall and they are hereby required to levy such a Rate, under the Laws for the Time being in force with respect to Highways, as shall be necessary for the Purposes of the Highways; but in that Case so much of the Improvement Rate as may have been raised and applied for the Purposes of the Highways shall be considered as having been raised for these Purposes as Part of the Highway Rate.

CXIV. The Rates by this Act authorized shall be assessed upon Lands used as Arable, Meadow, or Pasture Ground only, or as Woodland, Market Garden, or Nursery Ground, and upon all Lands used as a Railway constructed under the Powers of any Act of Parliament for Public Conveyance, and also upon the Harbour of *Folkestone* (but not including therein any Buildings connected with the Harbour), in the Proportion of One Fourth Part only of the net annual Value of such Lands respectively; and so far as relates to the Lighting Rate, the Occupier of any House which shall not, at the Time any such Lighting Rate is made, be within One hundred and fifty Yards of any public Lamp lighted under the Authority of this Act, shall be assessed in respect of such House in the before-mentioned Proportion only.

Proportion
at which cer-
tain Land,
&c. to be
rated.

CXV. Clause 159 of "The Towns Improvement Clauses Act, 1847," enabling the Corporation to borrow Money by Mortgage of the Special and General Sewer Rates, and for any Private Improvement Expenses, shall extend also to the before-mentioned General Improvement Rate and Coal Dues, and to any Property which the Corporation may acquire under the Powers of this Act; and the Corporation may from Time to Time borrow on the Credit of such respective Rates and of any such Property, for any of the Purposes of this Act, any Sum or Sums of Money not exceeding in the whole Forty-nine thousand Pounds; and if after having borrowed any Part of the Money so authorized to be borrowed, the Corporation pay off the same or any Part thereof (otherwise than by the Sinking Fund), it shall be lawful for them again to borrow the Amount so paid off, and

Corporation
may borrow
on Credit of
General Im-
provement
Rate and
Coal Dues.

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and so from Time to Time: Provided always, that the Monies now owing upon the Credit of the said Dues, and of the Rates authorized by the Act hereby repealed, shall have Priority over any Monies which may be borrowed under the Powers of this Act.

Mortgagees
not to ascer-
tain Power
of Corpora-
tion to
borrow.

CXVI. Any Person from whom the Corporation from Time to Time propose to borrow any Money for any of the Purposes of this Act shall not be bound to inquire as to the Power or Duty of the Corporation to borrow or reborrow such Money, or any Part thereof, or as to any Matter precedent to or otherwise affecting their Power to borrow or reborrow the same; but the Production of a Copy of this Act, and of a Resolution of the Corporation for the borrowing or reborrowing of such Money, shall, without further Evidence, be in favour of every Person in good Faith lending any Money to the Corporation for any of the Purposes of this Act sufficient Proof of their Power to borrow or reborrow the same, and of all Matters necessary for the due Exercise of such Power.

Validity of
Mortgages
under Act.

CXVII. Every Instrument appearing on the Face thereof to be a Mortgage issued by the Corporation under this Act shall, in favour of every Person claiming in good Faith the Benefit, be as against the Corporation absolutely valid at Law and in Equity to all Intents and Purposes whatsoever.

Corporation
not bound by
Trusts affect-
ing Mort-
gage.

CXVIII. The Corporation shall not be bound to see to the Execution of any Trust whatever, expressed, implied, or constructive, to which any Mortgage under this Act may be subject; and the Receipt of the Party in whose Name the Mortgage stands in the Register of Mortgages, or if it stand in the Names of more Parties than One, the Receipt of One of the Parties named in that Register, shall from Time to Time be a sufficient Discharge to the Corporation for any Interest or other Sum payable in respect of such Mortgage, notwithstanding any Trust to which such Mortgage may then be subject, and whether or not the Corporation have had Notice of such Trust; and the Corporation shall not be bound to see to the Application of the Money paid upon any such Receipt.

Arrears may
be enforced
by Appoint-
ment of a
Receiver.

CXIX. The Mortgagees of the Corporation under this Act may enforce the Payment of the Arrears of Principal and Interest due to them by the Appointment of a Receiver, and the Amount in arrear to authorize a Requisition for a Receiver shall be Three thousand Pounds.

Amount to
be yearly set
apart out of
Rates for a

CXX. The Amount to be set apart by the Corporation yearly out of the Rates levied under this Act (other than the Rates for Private Improvement Expenses) as a Sinking Fund shall be a Sum equal to One

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One Thirtieth Part of the Monies borrowed under this Act and under the recited Act. Sinking Fund.

CXXI. At any Time before the Expiration of the Period for which any Charge on account of Private Improvement Expenses is made, or for which any Special Sewer Rate or Drainage Rate is made, the Owner or Occupier of the Premises assessed thereto may redeem the same by paying to the Corporation the Expenses in respect of which the Charge or Rate was made, or such Part thereof as may not have been defrayed by Sums already paid or levied in respect of the same. Redemption of Private Improvement and other Rates.

CXXII. It shall be lawful for the Corporation to order and direct that any Rate by this Act authorized to be made shall be levied by Assessments to be made for separate and distinct Districts. Rates may be made for separate and distinct Districts.

CXXIII. Every Rate which shall be made in pursuance of this Act shall be sealed with the Common Seal of the Borough, and need not be signed. Rates to be sealed with Borough Seal.

CXXIV. The Proceeds of all Lands sold or let by the Corporation under the Powers of this Act shall be applied in reduction of the Mortgage Debt, so long as the same shall exist, and shall then be carried to the Credit of the General Improvement Rate. Proceeds of Lands sold to be carried to Credit of the General Improvement Rate.

CXXV. Any Rate made by the Corporation for any of the Purposes of this Act may be made either wholly prospectively or wholly retrospectively, or partly prospectively and partly retrospectively, and for defraying Liabilities incurred or to be incurred, or both. Rates prospective and retrospective.

CXXVI. In addition to any other Remedies and Powers for Recovery of Rates, the Corporation shall have Power to recover the same by Action or Plaint in any Court of competent Jurisdiction. Cumulative Power to recover Rates by Action.

CXXVII. The Owners of all rateable Property the yearly rateable Value whereof does not exceed Six Pounds, or which is let in separate Apartments, shall be rated to and pay the Rates made under this Act instead of the Occupiers thereof. Owners to pay the Rate in certain Cases.

CXXVIII. The Clauses and Provisions of "The Towns Improvement Clauses Act, 1847," with respect to the Byelaws to be made by virtue of that or the Special Act, shall apply to all Byelaws to be made by the Corporation under the Powers of this Act or any Act incorporated therewith. Byelaws to be made in accordance with Provisions of 10 & 11 Vict. c. 34.

CXXIX. The Corporation may from Time to Time, by Agreement, purchase and hold, or take on Lease, or hire, any Buildings or Corporation may purchase or hire
[Local.] 26 O Lands

The Folkestone Improvement Act, 1855.

Buildings or Land. Lands for the Accommodation of any Carts or Horses belonging to or used by them.

Act not to interfere with Powers of the Sandgate Local Board of Health. CXXX. Provided always, That nothing in this Act contained shall enable the Corporation to exercise within so much of the District of the *Sandgate* Local Board of Health as will, after the passing of this Act, be within the Borough, any of the Powers of rating, or any of the other Powers given by this Act, so far as any similar Powers are or can be exercised within the said District by the said Local Board under "The Public Health Act, 1848," or any Act amending the same.

As to Service of Writs on the Corporation. CXXXI. Where in this Act, or in any Act or Part of any Act incorporated herewith, any Act is required to be done at the Office of the Commissioners or Corporation, such Act may be done at the Office of the Town Clerk; and any Summons, Notice, or Writ, or other Proceeding at Law or in Equity, requiring to be served upon the Corporation, may be lawfully served by delivering the same personally to the Town Clerk, or by leaving the same at his Office.

Authentication of Notice. CXXXII. Every Summons, Demand, or Notice, or other such Document under this Act, shall be in Writing or Print, or partly in Writing and partly in Print; and if the same require Authentication by the Corporation, the Signature thereof by the Mayor or Town Clerk shall be a sufficient Authentication.

All Fines, &c. under this Act to be paid to the Treasurer. CXXXIII. All Fines, Penalties, and Forfeitures for any Offences under this Act shall be paid to the Treasurer, to be by him carried to the Account of the Improvement Rate.

Costs of Proceedings for Recovery of Rates to be included in Warrants of Distress. CXXXIV. It shall be lawful for any Justice who shall issue any Warrant of Distress for the Recovery of any Rate payable under this Act to order that the Costs of the Proceedings for the Recovery of such Rate shall be paid by the Person failing to pay such Rate, and such Costs shall be ascertained by such Justice and levied by Distress, and the Justice shall include in his Warrant of Distress for the Recovery of the said Rate the Amount of such Costs, and shall issue his Warrant accordingly.

Liability to Rates not to disqualify Justices. CXXXV. No Justice shall be disqualified for acting in the Execution of this Act by reason of his being liable to the Payment of any Rate or other Charge under this Act, or by reason of his being a Member of the Council.

Not to effect Right of South-east. CXXXVI. Nothing in this Act contained shall prejudice or affect the Right of the *South-eastern* Railway Company to make Byelaws for

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for regulating their Railway or the Harbour and Quays and other Works connected with such Railway and Harbour respectively, or for regulating the Traffic in the Steam Vessels of that Company.

ern Railway
Company to
make Bye-
laws.

CXXXVII. All the Costs, Charges, and Expenses of obtaining and passing this Act, and preparatory and incident thereto, shall be paid and defrayed out of the Borough Fund ; but the Corporation may in the first instance pay such Costs, Charges, and Expenses, or any Portion thereof, out of any Monies which may be received by them under or by virtue of this Act ; but the Monies which may be so applied shall be reimbursed out of the Borough Fund.

Expenses
of Act.

CXXXVIII. In citing this Act for any Purpose, it shall be sufficient to use the Expression "The *Folkestone Improvement Act, 1855.*"

Short Title.

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SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

EAST WARD.

To consist of so much of the Borough as lies Eastward of Tontine Street and the proposed Extension thereof to the Harbour, and of the New Road proposed to be continued from Tontine Street to Foord Lane, and the Viaduct of the South-eastern Railway Company, and Southward of the Line of the said Railway.

WEST WARD.

To consist of so much of the Borough as lies Westward of Tontine Street and the proposed Extension and New Road to the Viaduct, and Southward of the said Railway.

NORTH WARD.

To consist of the Remainder of the Borough lying to the North of the South-eastern Railway.

SCHEDULE (B.)

TOLLS in respect of ARTICLES SOLD in or BROUGHT FOR SALE to, and in respect of RENTS and STALLAGE in, the Market and Fair.

CORN AND SEEDS.

	s.	d.
For every Bushel of Wheat, Peas, Beans, Vetches, Flour, Meal, or Malt	0	3
For every Bushel of Barley, Oats, or Rye Grass	0	2
For every Fourteen Pounds Weight of Clover, Trefoil, Turnip, or other Seeds	0	2

And so in proportion for a greater or less Quantity.

CHEESE.

For every single Cheese weighing above Two Pounds, and not more than Twenty-eight Pounds	0	1
For every Half Dozen or less Number of Cheeses, each weighing not more than Two Pounds	0	2
For every additional Half Dozen, or less Number	0	2
For every Quantity of other Cheese :—		
Not exceeding One Quarter of a Hundredweight	0	1½
Exceeding One Quarter, and not exceeding Half a Hundredweight	0	3
Exceeding Half, and not exceeding Three Quarters of a Hundredweight	0	4½
Exceeding Three Quarters of and not exceeding One Hundredweight	0	6

And so in proportion for any greater Weight.

Butter

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BUTTER AND EGGS.					s.	d.
For every Tub, Cask, or Jar of Salt Butter, or any less Quantity	-	-	-	-	0	4
For every single Basket of Fresh Butter or Eggs	-	-	-	-	0	3
For every double Basket of the same	-	-	-	-	0	4½
FISH.						
For every Stall for the Sale of Fish:—						
For each Market Day	-	-	-	-	1	6
For each Fair Day	-	-	-	-	3	0
For each other Day	-	-	-	-	1	0
If by the Week	-	-	-	-	3	0
For any Fish, if in a Cart	-	-	-	-	1	6
If in smaller Vehicles, or in Pots	-	-	-	-	0	6
SUNDRIES.						
For every Sucking Pig	-	-	-	-	0	2
For every Couple of Fowls or Ducks	-	-	-	-	0	1½
For every Goose or Turkey	-	-	-	-	0	1½
For every Pea Fowl, Couple of Guinea Fowls, Hare, Couple of Wild Fowl, Brace or Couple of Pheasants, Partridges, or Woodcocks	-	-	-	-	0	2
For every Couple of Rabbits, Pigeons, or Snipes	-	-	-	-	0	1
For every Pocket or a less Quantity of Hops	-	-	-	-	1	6
For every Hide of Leather	-	-	-	-	0	6
For every Pail or a less Quantity of Barm	-	-	-	-	0	1½
For every Bag or Pot of Apples, Pears, Plums, or any other Kind of Fruit, or of Potatoes, Turnips, or other Vegetables	-	-	-	-	0	4
For any Quantity less than a Bag, but exceeding a Bushel	-	-	-	-	0	2
For any Quantity not exceeding a Bushel	-	-	-	-	0	1
For every Pack of Wool of Two hundred and forty Pounds, per Pack	-	-	-	-	1	0
And so in proportion for a greater or less Quantity.						

STALLS.						
For every Butcher's Stall, per Week	-	-	-	-	4	0
For every such Stall for Market Days	-	-	-	-	2	6
For every such Stall for every other Day	-	-	-	-	1	0
For every Stall, Standing, or Place for the Sale of manufactured Goods, Wares, or Merchandise, Provisions, or any other Article not herein-before enumerated or otherwise charged, per Week	-	-	-	-	5	0
For every such Stall, Standing, or Place, for every Market Day	-	-	-	-	2	6
For every such Stall, Standing, or Place, for every Fair Day	-	-	-	-	3	0
For every such Stall, Standing, or Place, for every other Day	-	-	-	-	1	0
For every Superficial Square Foot of Ground used for the selling or exposing to Sale Goods, Wares, or Merchandise, or any other Article not herein-before enumerated, and not otherwise charged for as a Stall, Standing, or Place for Sale, for every Fair Day	-	-	-	-	0	3
For every other Day	-	-	-	-	0	2

The several Tolls, Rents, and Stallage before mentioned and specified shall be payable and paid for and in respect of the Occupation or Use of any Stall, Standing Place, Bench, Compartment, or Space of Ground, as well by the original Taker or Occupier thereof, for a Part or Portion of the Day, in case he shall not occupy the same the whole Day, as also by any subsequent Taker or Occupier of the same for the Residue of any Part or Portion of the same Day.

[Local.]

26 P

TOLLS

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TOLLS in respect of ARTICLES WEIGHED OR MEASURED in the MARKET.

For every Quantity of Meat, Article, or Thing weighing not exceeding	s.	d.
One Quarter of a Hundredweight - - - - -	0	1
Above One Quarter of and not exceeding Half a Hundredweight - - - - -	0	1½
Above Half and not exceeding One Hundredweight - - - - -	0	3
And so in proportion for any greater Quantity than One Hundredweight over and above One Hundredweight.		
For every Quantity of Goods, Articles, or Things sold by Measure, per Bushel or any less Quantity - - - - -	0	0½

TOLLS in respect of WEIGHING MACHINES.

For every Waggon or other Four-wheeled Carriage, including the Loading thereof - - - - -	1	0
For every Cart or other Two-wheeled Carriage, including the Loading thereof - - - - -	0	6

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