



ANNO TERTIO

GULIELMI IV. REGIS.

Cap. li.

An Act for paving, cleansing, lighting, watching, and improving the Town and Parishes of *Gravesend* and *Milton* in the County of *Kent*, and for removing and preventing Nuisances and Annoyances therein. [17th May 1833.]

WHEREAS an Act was passed in the Thirteenth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for paving, cleansing, and lighting the High Street, East Street, and West Street in the Town and Parishes of Gravesend and Milton in the County of Kent, and for lighting the other Streets, and for removing all Encroachments and Annoyances within the said Town and Parishes*: And whereas an Act was passed in the Fifty-sixth Year of the Reign of His said late Majesty, intituled *An Act for altering and enlarging the Powers of an Act of the Thirteenth Year of His present Majesty, for improving the Town and Parishes of Gravesend and Milton in the County of Kent; and for the better Assessment and Collection of the Poor Rates and other Rates within the Parish of Gravesend*: And whereas since the passing of the said last-mentioned Act the Population of the said Town and Parishes of *Gravesend* and *Milton*, and the Number of Streets, Houses, and Buildings therein, have considerably increased, and the said Town hath become a Place of great Resort for Visitors and the Public: And whereas there is now charged on the Rates and Assessments authorized to be made by the said recited Acts annual Payments by way of Annuity amounting to One hundred and twenty-three Pounds

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Recited Acts
in part
repealed.

and Two Shillings, and the Sum of One thousand and seven hundred Pounds at Interest: And whereas the Powers and Provisions of the said Acts for paving, cleansing, lighting, and improving the said Town and Parishes have been found insufficient for the Purposes thereby intended, and it is expedient that the same should be repealed, and that more effectual Powers should be granted in lieu thereof: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Acts, and all Matters and Things therein contained (except such Parts thereof as relate to the better Assessment and Collection of the Poor Rates within the Parish of *Gravesend*), shall be and the same are hereby declared to be repealed.

So much
of recited
Acts as
relates to
Exemptions
from Stamp
Duties re-
pealed.

II. And be it further enacted, That so much of the said recited Acts or either of them relating to the better Assessment and Collection of the Poor Rates and other Rates within the Parish of *Gravesend* as enacts or provides that no Nomination, Appointment, Information, Warrant, Order, Judgment, or other Writing whatsoever shall be charged or chargeable with any Stamp Duty whatsoever, shall be and the same is hereby declared to be also repealed.

Rates, &c.
made under
recited Acts
to continue
in force.

III. And be it further enacted, That all Rates, Duties, and Assessments ordered or directed to be assessed, collected, and levied by and under the Authority of the said recited Acts, (and which shall be uncollected or in arrear at the Time of the Commencement of this Act,) and all Fines and Penalties, Costs, Charges, Expences, and Sums of Money which have been or shall be incurred or become due under the said recited Acts, (and which shall remain unpaid or unrecovered at the Time of the Commencement of this Act,) and all Contracts which have been entered into with the Commissioners for executing the said recited Acts, and which shall be in existence and be unperformed or undetermined at the Time of the Commencement of this Act, shall and may be collected, recovered, performed, and enforced by the Commissioners for executing this Act in the same Manner, and by the same Ways and Means, as if such Rates, Duties, and Assessments had been made or become due, and as if such Fines and Penalties, Costs, Charges, and Expences, and Sums of Money, had been incurred or become due, under the Provisions of this Act, and as if such Contracts had been entered into in pursuance of this Act.

This Act
liable to
Debts con-
tracted under
former Acts.

IV. And be it further enacted, That this Act, and the Rates hereby authorized to be made and assessed, shall be and the same are hereby made subject and liable to the Payment of all Monies which at the Time of the Commencement of this Act are or shall be due and owing on the Credit of the said recited Acts, or of the Rates thereby authorized to be made and assessed, and of all Interest due and to grow due thereon, as fully and effectually to all Intents and Purposes as if such Monies had been borrowed and become due on the Credit of this Act or of the Rates hereby authorized to be made or assessed.

V. And

V. And be it further enacted, That all Books for registering Mortgages or Assignments, and all Entries therein, and all Books of Proceedings of the Commissioners under the said recited Acts hereby repealed, kept according to the Directions of the said Acts, and made Evidence thereby, shall be admitted in Evidence in all Courts, and by all Judges, Justices, and others; and all Clerks, Surveyors, Collectors, and other Officers (except the Treasurers), and Persons appointed by the Commissioners by virtue of the said Acts, shall hold and enjoy their respective Offices and Employments, together with their respective Salaries, Gratuities, and Allowances thereunto annexed, until they shall be respectively removed therefrom by the Commissioners for executing this Act; and every such Officer and Person shall while he shall continue in Office be subject to the like Penalties and Powers of Removal, and to the like Rules, Regulations, and Proceedings, as if he had been appointed by virtue of this Act; and every such Treasurer, Clerk, Surveyor, Collector, and other Officer or Person who shall have in his Custody or Possession any Money collected or received by virtue of the said recited Acts hereby repealed, or any Books, Deeds, Papers, Writings, or Effects belonging to the Commissioners for executing the said Acts, or relating to the Execution of the same Acts or this Act, shall be liable to account for and pay to and deliver up all such Monies, Books, Deeds, Papers, Writings, and Effects to the Commissioners for executing this Act, or to such Person as they shall appoint to receive the same, in the same Manner, and subject to the same Process, Pains, and Penalties for Refusal or Neglect, as if such Treasurers, Clerks, Surveyors, Collectors, and other Officers and Persons had been appointed by the Commissioners for executing this Act; and all other Persons who shall owe any Sum or Sums of Money to the Commissioners for executing the said recited Acts for or in respect of any Matter or Thing affecting or relating to the Execution of the said Acts at the Time of the Commencement of this Act shall be liable to the Payment thereof to the Commissioners for executing this Act, and be subject to the Provisions of this Act for Recovery thereof in case of Refusal or Neglect to pay.

Old Books of Proceedings under recited Acts to be Evidence; and certain of the Officers to hold their Situations till others are appointed;

VI. And be it further enacted, That the Seneschal or High Steward of the Corporation of *Gravesend* and *Milton* for the Time being, the Mayor of the said Corporation for the Time being, the Sub-Seneschal or Recorder of the said Corporation for the Time being, the Governor for the Time being of His Majesty's Town and Forts of *Gravesend* and *Tilbury*, the Deputy Governor for the Time being of the said Town and Forts, the Ordnance Storekeeper or Paymaster for the Time being at *Gravesend* aforesaid, *Robert Coles Arnold*, *Edward Billington Arnold*, *Samuel Barber*, *Charles Becket*, *Henry Ditchburn*, *William Eagle*, *James Fothergill*, *John Gould*, *Samuel Hazard*, *Jonathan Hills*, *Thomas Mears Haite*, *John Henden*, *Jeffrey Twort Hollingdale*, *Thomas Johnson*, *John Lukes*, *Robert Oakes*, *Adam Park*, *Benjamin Rackstraw*, *Leonard Peter Staff*, *John Smith*, *Medhurst Troughton*, *John Thompson*, *Edward William Woodford*, and *George Wilson*, together with Twelve Persons, to be elected in manner herein-after mentioned, and their Successors, to be elected in manner herein-after mentioned, shall be and are hereby appointed Commissioners for paving, cleansing, lighting, watching, and improving the Town and

Commissioners.

and Parishes of *Gravesend* and *Milton*, and carrying the Purposes of this Act into execution.

Election
of other
Commis-
sioners by
rated Inha-
bitants.

VII. And be it further enacted, That for the Purpose of electing Twelve Persons to be Commissioners together with the other Commissioners herein-before named it shall be lawful for the Commissioners herein-before named, and they are hereby required, within One Calendar Month, or as soon after as conveniently may be, to cause public Notice (mentioning the Time and Place and Purpose of the Meeting) to be given of a Meeting of the Inhabitants respectively assessed in the last Rate made by the said Commissioners previous to the passing of this Act in respect of any Houses, Buildings, Lands, Tenements, or Hereditaments within the said Parish of *Gravesend*, at an annual Rent or Rate of Five Pounds or upwards, and who shall have duly paid the said Rate or Assessment, to be held at some convenient Place within the said Parish of *Gravesend*, and on some Day (not sooner than Three Days after Publication of such Notice) to be appointed by the said Commissioners, for the Purpose of electing and appointing Six Persons to be Commissioners for the Purposes of this Act; and such Inhabitants present at such Meeting shall and may elect and appoint Six Persons qualified as herein-after mentioned to be such Commissioners; and it shall also be lawful for the Commissioners herein-before named, and they are hereby required, within One Calendar Month, or as soon after as conveniently may be, to cause public Notice (mentioning the Time and Place and Purpose of the Meeting) to be given of a Meeting of the Inhabitants respectively assessed in the last Rate made by the said Commissioners previous to the passing of this Act in respect of any Houses, Buildings, Lands, Tenements, or Hereditaments within the said Parish of *Milton*, at an annual Rent or Rate of Five Pounds or upwards, to be held at some convenient Place within the said Parish (not sooner than Three Days after Publication of such Notice), to be appointed by the said Commissioners, for the Purpose of meeting and appointing Six Persons to be Commissioners for the Purposes of this Act, and such Inhabitants present at such Meeting shall and may elect and appoint Six Persons, qualified as herein-after mentioned, to be such Commissioners; and the Twelve Persons so to be elected and appointed shall be Commissioners for the Purposes of this Act as aforesaid.

Respecting
Appointment
of Commis-
sioners in the
Stead of
those herein
named.

VIII. And be it further enacted, That for the Purpose of electing future Commissioners, in manner herein-after mentioned, in the Place or Stead of such of the Commissioners as shall neglect to take the Oaths within the Period herein-after mentioned, or as shall neglect to attend any Meeting for the Period herein-after mentioned, or as shall die, or refuse to act, or become disqualified or incapable of acting, (except the said Seneschal or High Steward, Mayor, Sub-Seneschal or Recorder, Governor, Deputy Governor, Ordnance Storekeeper or Paymaster,) the Successors of the said *Robert Coles Arnold*, *Edward Billington Arnold*, *Samuel Barber*, *Henry Ditchburn*, *John Gould*, *Samuel Hazard*, *John Henden*, *Jeffrey Twort Hollingdale*, *John Lukes*, *Adam Park*, *Benjamin Rackstraw*, and *John Smith*, shall be elected by the Inhabitants of the said Parish of *Gravesend*; and the Successors of the said

Charles

Charles Becket, William Eagle, James Fothergill, Jonathan Hills, Thomas Mears Haite, Thomas Johnson, Robert Oakes, Leonard Peter Staff, Medhurst Troughton, John Thompson, Edward William Woodford, and George Wilson, shall be elected by the Inhabitants of the said Parish of Milton.

IX. And be it further enacted, That if any Commissioner herein-before named, (except the said Seneschal or High Steward, Mayor, Sub-Seneschal or Recorder, Governor, Deputy Governor, Ordnance Storekeeper or Paymaster,) or to be elected and appointed as herein-before mentioned, or any of their Successors respectively to be elected as herein-after mentioned, shall neglect to take the Oath or Affirmation herein-after mentioned for the Space of Six Calendar Months next after his Appointment, or shall neglect to attend the Meetings of the said Commissioners for the Space of Six Calendar Months, or shall die, or refuse to act, or become disqualified or incapable of acting as a Commissioner, then and in any or either of such Cases it shall be lawful for the surviving or remaining Commissioners, and they are hereby required, from Time to Time, within Three Calendar Months or as soon as conveniently may be after such Neglect, Death, Refusal, Disqualification, or Incapacity to act shall happen or be known, to cause public Notice to be given of a Meeting of the Inhabitants of such one of the said Parishes as the Commissioner or Commissioners so neglecting, dying, refusing, or becoming disqualified or incapable of acting, as the Case may be, is to be elected by or was elected by, and then respectively assessed in the then last Rate made by the said Commissioners for the Purpose of the said recited Acts or this Act, in respect of any Houses, Buildings, Lands, Tenements, or Hereditaments within such one of the said Parishes, at an annual Rent or Rate of Five Pounds or upwards, to be held at such convenient Place within the same Parish as the said Commissioners shall appoint, within a Period of not less than Three Days after such Notice shall have been given, for the Purpose of electing and appointing new Commissioners or a new Commissioner, as the Case may require, in the Room of such Commissioner or Commissioners so neglecting, dying, refusing, or becoming disqualified or incapable of acting as aforesaid; and such Inhabitants present at any such Meeting or respective Meetings shall and may elect and appoint One other fit Person, qualified as herein-after mentioned, in the Room or Stead of the Commissioner so neglecting, dying, refusing, or becoming disqualified or incapable to act as aforesaid; and every Person so to be elected and appointed, when he shall have duly qualified according to the Directions in this Act contained, shall be and he is hereby declared to be a Commissioner for executing this Act, for the Remainder of the Term during which the Commissioner in whose Room or Stead he shall be so elected and appointed would have remained in Office if such Death, Neglect, Refusal, or Disqualification had not happened.

For electing Commissioners to supply Vacancies.

X. And be it further enacted, That on the first *Tuesday* in the Month of *May* One thousand eight hundred and thirty-four Six of the then existing Commissioners, whose Successors are to be appointed by the Inhabitants of the said Parish of *Gravesend*, and Six of

Six Commissioners for each Parish to go out of Office annually, and

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the

others to be
elected.

the then existing Commissioners, whose Successors are to be appointed by the Inhabitants of the said Parish of *Milton next Gravesend*, shall go out of Office, and it shall be determined by Lot at the Meeting of Commissioners herein-after appointed to be held on the first *Tuesday* in the Month of *April* preceding, or at some Adjournment thereof, by the Commissioners then present, which of the said Commissioners shall so go out of Office; and on the first *Tuesday* in the Month of *May* One thousand eight hundred and thirty-five Six of the Commissioners who shall not have so gone out of Office in the preceding Year, whose Successors are to be appointed by the Inhabitants of the said Parish of *Gravesend*, and Six of the Commissioners who shall not have so gone out of Office in the preceding Year, whose Successors are to be appointed by the Inhabitants of the said Parish of *Milton next Gravesend*, (or the Persons who shall in the meantime have been elected to fill Vacancies occasioned by the Death, Resignation, or Disqualification of any such Twelve Commissioners,) shall also go out of Office, to be determined by Lot as aforesaid; and on the first *Tuesday* in the Month of *May* One thousand eight hundred and thirty-six the remaining Six Commissioners who shall not have so gone out of Office under the Provisions herein-before contained, whose Successors are to be appointed by the Inhabitants of the said Parish of *Gravesend*, and the remaining Six Commissioners who shall not have so gone out of Office under the Provisions herein-before contained, whose Successors are to be appointed by the Inhabitants of the said Parish of *Milton next Gravesend*, (or the Persons who shall in the meantime have been elected to fill Vacancies occasioned by the Death, Resignation, or Disqualification of any such remaining Commissioners,) shall also go out of Office; and the Vacancies from Time to Time occasioned by such Removals as aforesaid shall be filled up in the same Manner as is by this Act directed in case of the Death, Neglect, Refusal, or Disqualification of any of the said Commissioners.

New Commissioners to
remain in
Office for
Three Years.

XI. And be it further enacted, That the respective Sets of Twelve Commissioners, (so to be appointed in Sets of Twelve at a Time, as herein-before mentioned,) and every Twelve Commissioners elected in their Places, or in the Places of their respective Successors, as herein mentioned, shall remain in Office for the Term of Three Years from the respective Times of their coming into Office, and at the Expiration of each such Term respectively Twelve other Persons shall be elected in the Room or Stead of such respective Sets of Twelve Commissioners by the Inhabitants of the said Parishes of *Gravesend* and *Milton*, that is to say, Six by the Inhabitants of each of the said Parishes respectively.

Commissioners may
be re-elected.

XII. Provided nevertheless, and be it further enacted, That all or any of the said Commissioners who shall go out of Office by Lot as aforesaid, and also all or any of those who shall go out by triennial Rotation as aforesaid, shall be eligible to be re-elected immediately afterwards, or at any subsequent Election.

Regulating
Proceedings
at Election
of Commissioners.

XIII. And be it further enacted, That at every Meeting for the Purpose of any such Election of Commissioners as aforesaid a Chairman shall be appointed by the Inhabitants present to preside thereat; and

and in case of an Equality of Votes the Chairman shall have the casting or decisive Vote, in addition to his Vote as an Inhabitant; and every Inhabitant of the said respective Parishes who, by the last Rate which shall have been made for the Purposes of the said recited Acts or this Act, shall have been duly rated and assessed, and shall have paid such Rate or Assessment, shall have and be entitled to give One Vote or any greater Number of Votes in respect of the Assessment made upon him in such Rate or Assessment, in like Manner in all respects as he is or may be entitled to vote at any Vestry of either of the said Parishes in respect of the Assessment made upon him for the same Premises in any Rate for the Relief of the Poor of the said respective Parishes; and the Chairman shall at such Meeting declare the Name or Names of the Person or Persons who shall have been elected a Commissioner or Commissioners, and shall return the Name or Names of such Person or Persons to the said Commissioners at their next Meeting to be held after such Election.

XIV. And be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act (except in administering the Oath or Affirmation herein-after mentioned) while he shall be a Shareholder, Proprietor, Director, or other Officer in any Company or Concern contracting with the said Commissioners for the Manufacture or Supply of Gas, nor unless he shall at the Time of acting be a resident Inhabitant within the said Town or Parishes, and be, either in his own Right or in the Right of his Wife, in the actual Possession or Receipt of the Rents and Profits of an Estate of Freehold or Leasehold of Lands, Tenements, or Hereditaments, situate within the said Town or Parishes, of the clear yearly Value of Ten Pounds above Reprises, or be an actual Occupier of some Dwelling House within the said Town or Parishes of the yearly Value, with the Appurtenances, of Twelve Pounds, and shall also be possessed of a Personal Estate to the Amount or Value of Five hundred Pounds, and until he shall have taken and subscribed an Oath or Affirmation in the following Form, which any Two of the said Commissioners are hereby empowered to administer; (that is to say,)

‘ I *A. B.* do swear, [*or, being one of the People called Quakers, do solemnly affirm,*] That I am an Inhabitant residing within the Limits of an Act passed in the Third Year of the Reign of King *William* the Fourth, intituled [*here set forth the Title of this Act*], and am in my own Right [*or in the Right of my Wife*] in the actual Possession or Receipt of the Rents and Profits of an Estate of Freehold or Leasehold of Lands, Tenements, or Hereditaments, situate within the said Town or Parishes, of the clear yearly Value of Ten Pounds above Reprises, *or* that I am an actual Occupier of and reside in a Dwelling House within the said Town or Parishes of the yearly Value, with the Appurtenances, of Twelve Pounds, and am also possessed of a Personal Estate to the Amount or Value of Five hundred Pounds; and that I will truly and faithfully, impartially and honestly, according to the best of my Skill and Knowledge, execute the several Trusts, Powers, and Authorities reposed in me as a Commissioner by virtue of the said Act. So help me GOD.
[*Or being a Quaker omit the Words ‘So help me God.’*]

And

Penalty on
acting if not
qualified.

Acts of Com-
missioners
good before
Conviction.

Commis-
sioners being
Justices may
act as such,
&c.

Meetings of
Commis-
sioners.

And if any Person not being qualified as required by this Act, or not having taken and subscribed the Oath herein-before directed to be taken and subscribed, or holding any Place or Office of Profit under or by virtue of this Act, or being a Shareholder, Proprietor, Director, or other Officer in any Company or Concern contracting with the said Commissioners for the Manufacture or Supply of Gas, or being any way interested or concerned in any Contract to be made by virtue of this Act, or in any Work or Business to be done under the same, during the Time he shall hold any such Place or Office, or be so interested or concerned as aforesaid, shall presume to act as a Commissioner in the Execution of this Act, every such Person shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same; and the Person so sued shall prove that he was at the Time of acting qualified as aforesaid, or that he did not hold any such Office or Place of Profit, or was not interested or concerned in any such Contract Work or Business (as the Case may happen), or otherwise shall pay the said Penalty, without any other Proof or Evidence being given on the Part of the Plaintiff than that such Person hath acted as a Commissioner in the Execution of this Act; and no Person being a Commissioner for executing this Act shall be capable of taking or entering into any Contract under this Act during the Time he shall be such Commissioner: Provided always, that all Acts and Proceedings of any Person acting as such Commissioner, although not duly qualified as aforesaid, previously to a Verdict being obtained against him for so acting, shall, notwithstanding such subsequent Conviction, be as valid and effectual as if such Person had been duly qualified; and provided further, that it shall be lawful for any Justice of the Peace for the said Town and Parishes to act as such in the Execution of this Act, notwithstanding he may be a Commissioner under the same, and may have previously acted as such Commissioner in any Case or Question which may be or may be liable afterwards to be brought or heard before him as such Justice; and that nothing herein contained shall prevent any Person from acting as a Commissioner, or to make such Person liable to a Penalty for so acting, in consequence of his being a Creditor on the Rates and Assessments authorized to be made by this Act: Provided always, that nothing herein contained shall extend or be construed to extend to prevent the said High Steward, Mayor, Recorder, Governor, or Deputy Governor of the said Town and Forts, or the Ordnance Storekeeper or Paymaster for the Time being, from acting as Commissioners in the Execution of this Act, although they may not be qualified as herein-before is mentioned, any thing herein-before contained to the contrary notwithstanding.

XV. And be it further enacted, That the said Commissioners, or any Seven or more of them, shall assemble and hold their first General Meeting at the *Falcon Inn*, or at some other convenient Place within the said Town and Parishes, on the first *Tuesday* next after the passing of this Act, or any subsequent *Tuesday*, between the Hours of Ten and Twelve of the Clock in the Forenoon, and proceed to put this Act in execution; and afterwards a General Meeting of the said Commissioners shall be held for the same Purpose on the first *Tuesday*

day in every Calendar Month at the Place and Hours aforesaid, unless some other Place within the said Town and Parishes, or some other Hours, shall from Time to Time be appointed by the said Commissioners; and the Commissioners present at such first or any subsequent Meeting may from Time to Time adjourn the same to the same or any other Place within the said Town and Parishes; and if at any such Meeting there shall not be Seven or more Commissioners then and there present within Half an Hour after the Time appointed for such Meeting, then any Two of the said Commissioners assembled at any such intended Meeting may, if they shall think proper, adjourn such Meeting from Time to Time to the same or any other Place within the said Town and Parishes; and no Act of the said Commissioners shall be valid unless made or done at some Meeting to be held by virtue of this Act, and at which Seven Commissioners at least shall be present (except the calling and adjourning of Meetings as herein mentioned); and all the Powers and Authorities by this Act granted to or vested in the said Commissioners shall and may from Time to Time be exercised by the major Part of them present at any Meeting to be held as aforesaid, the Number of Commissioners present at any such Meeting not being less than Seven; and at every such Meeting the first Business shall be the Election of a Chairman to preside at the same; and in all Cases where the Number of Votes upon any Question shall be equal (including the Chairman's Vote), the Chairman shall have the casting Vote; and the said Commissioners shall defray their own Expences at every such Meeting (except for the Use of the Room where such Meeting shall be held): Provided nevertheless, that it shall be lawful for the said Commissioners and they are hereby authorized to hold any Special Meeting, so that such Meeting shall be required by Two or more of the said Commissioners, and Notice thereof in Writing be given to or left with the Clerk to the said Commissioners, who shall thereupon give One clear Day's Notice in Writing at the least of such Special Meeting, to be left at the House of each of the said Commissioners, specifying the Time, Place, and Object of such Meeting.

XVI. And be it further enacted, That the said Commissioners shall and they are hereby authorized from Time to Time to appoint a Treasurer, Clerk, Surveyor or Surveyors, and also a Collector or Collectors of the Rates and Assessments herein-after mentioned, and such other Officers and Persons as they shall think necessary for the Execution of this Act, and to remove any such Officers and other Persons as they may think proper, and appoint others in their Stead, and pay such Salaries and make such Allowances to all such Officers and Persons out of the Monies to be received by virtue of this Act as they the said Commissioners shall think reasonable.

Commissioners to appoint Officers.

XVII. And be it further enacted, That no Order, Rule, Regulation, Act, or Proceeding made or done by the said Commissioners shall be revoked, altered, or suspended, unless at some subsequent Special Meeting to be required as aforesaid, and of which Three Days Notice shall be given in the Manner herein-before mentioned for calling Special Meetings, expressing the Occasion of such Meeting.

Restriction as to revoking Orders.

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XVIII. And

Committees
may be ap-
pointed.

XVIII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time, and so often as they shall think proper, to nominate and appoint One or more Committee or Committees (every such Committee to consist of Seven or more Persons) out of the said Commissioners, to investigate, transact, and manage such particular Matters or Departments of Business as shall be referred to them; and such Committee or Committees shall have full Power and Authority to do, execute, and perform all Matters and Things whatsoever which the said Commissioners shall from Time to Time intrust to the Management of such Committee or Committees; and such Committee or Committees shall meet at such Times and in such Places within the said Town and Parishes as they shall think proper; and all Powers which shall be vested in the said Committee or Committees shall be exercised by the major Part present at their respective Meetings; and such Committee shall from Time to Time make Reports of their Proceedings to the said Commissioners: Provided always, that the Acts of such Committee or Committees shall not be valid unless ratified and confirmed by the said Commissioners at some or one of their Meetings to be held under this Act.

Orders and
Proceedings
to be entered
in Books,
which may
be Evidence.

XIX. And be it further enacted, That the said Commissioners shall cause to be provided and kept a proper Book or Books, and fair and regular Entries to be made therein of all Orders and Proceedings of the said Commissioners relative to the Execution of this Act, together with the Names of the Commissioners who shall attend every Meeting; and the Chairman of the Meeting at which such Orders or Proceedings shall be from Time to Time had or made, and the Clerk for the Time being to the said Commissioners, shall sign the same at such Meeting or at the next Meeting of the said Commissioners; and such Book or Books shall be open at all seasonable Times to the Inspection of the said Commissioners, or any Creditor or Creditors on the Rates to be levied, collected, received, or taken in pursuance of this Act, without Fee or Reward; and such Orders and Proceedings so entered and signed by the Chairman of such Meeting or Meetings, and by such Clerk as aforesaid, shall be deemed and taken to be original Orders and Proceedings; and which said Book or Books, as well as the Book or Books in which the Oath or Affirmation directed to be taken or made by the said Commissioners shall be entered, and also the Book or Books to be kept for registering Grants of Annuities, Mortgages, and Assignments, and all Entries in such Books respectively, shall and may be read in Evidence in all Courts and Places whatsoever in all Cases of Appeal, and in all Prosecutions, Examinations, Suits, and Actions whatsoever, before all Judges, Justices, and others.

Accounts to
be kept, and
to be open to
the Inspec-
tion of Com-
missioners
and Creditors.

XX. And be it further enacted, That the said Commissioners shall and they are hereby required from Time to Time and at all Times to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended for the Purposes of this Act, and of the several Articles, Matters, and Things for which

such Sums of Money shall have been disbursed, laid out, and paid, and such Book or Books shall at all seasonable Times be open to the Inspection of the said Commissioners and every Creditor on the Rates and Assessments by this Act authorized to be made, and of every Person paying any such Rate or Assessment, without Fee or Reward; and the said Commissioners, Creditors, and other Persons aforesaid, or any of them, shall or may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and in case the said Clerk shall refuse to permit or shall not permit the said Commissioners, Creditors, or Persons aforesaid to inspect the same, or to take Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum of Money not exceeding Five Pounds for each Default.

XXI. And be it further enacted, That the said Commissioners shall take sufficient Security from their Treasurer for the faithful Execution of his Office, and also from such of the Collector or Collectors of the Rates and Assessments to be made by them as they shall think necessary, for answering and paying all and every Sum and Sums of Money which shall be by him or them respectively received, in such Manner as the said Commissioners shall from Time to Time order, direct, and appoint, and also for his and their giving and making respectively true Accounts in Writing from Time to Time, when and so often as he or they respectively shall be ordered and required by the said Commissioners so to do, of all Monies by him or them respectively received or collected for the Purposes of this Act, and when, of whom, and for what.

Security to be given by Treasurer and Receivers.

XXII. And be it further enacted, That the said Commissioners may sue and be sued, for or concerning any thing which shall be done by virtue or in pursuance of this Act, in the Name of their Clerk for the Time being, or in the Name of any One or more of the said Commissioners; and no Action or Suit to be so brought or commenced by or against the said Clerk or Commissioner or Commissioners shall abate or be discontinued by his or their Death, Removal, or Default, but shall be continued and carried on in his or their Name or Names; and such Clerk or Commissioner or Commissioners shall be deemed Plaintiff or Defendant, Plaintiffs or Defendants, in such Action or Suit (as the Case may require): Provided always, that any such Clerk, Commissioner or Commissioners, in whose Name or Names any Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act, shall not, by reason of his or their being such Clerk or Commissioner or Commissioners, be rendered incompetent or inadmissible as a Witness or Witnesses in any such Action or Suit as aforesaid, unless such Clerk or Commissioner or Commissioners shall be personally or individually interested or concerned therein.

Commissioners to sue and be sued in the Name of their Clerk.

XXIII. And be it further enacted, That nothing in this Act, or in any Deed, Mortgage, Contract, or Agreement by this Act authorized to be entered into or made by or on the Behalf of the said Commissioners for any of the Purposes of or in the Execution of this Act, shall extend to charge or affect the Person or Persons of any of the

Commissioners not to be personally liable as to Contracts.

the said Commissioners, or their Clerks, Treasurers, or other Officers, or any of them, authorized by the said Commissioners in their Behalf, executing any such Deed, Mortgage, Contract, or Agreement, or the Heirs, Executors, or Administrators of any such Commissioner, Clerk, Treasurer, or Officer, or their or any of their own proper Lands, Tenements, or Hereditaments, Goods, Chattels, Effects, or Property, with or for the Performance of all or any of the Covenants, Conditions, Matters, or Things in the same Deed, Mortgage, Contract, or Agreement contained or mentioned on the Part of any such Commissioner, Clerk, Treasurer, or other Officer; but the Amount of all Damages, Costs, Charges, and Expences which shall or may be recovered in any Action or Suit at Law or in Equity, or otherwise, against any such Commissioner, Clerk, Treasurer, or other Officer, or against their or any of their Heirs, Executors, or Administrators, for or by reason of such Deed, Mortgage, Contract, or Agreement, or any Matter or Thing therein contained, and also the Damages or Charges and Expences which any such Commissioner, Clerk, Treasurer, or other Officer shall bear, pay, or be put unto, or which shall be occasioned to him, them, or any of them, for or by reason of any such Deed, Mortgage, Contract, or Agreement, or any Matter or Thing therein contained, or any Action or Suit, Award or otherwise, to be brought, prosecuted, or made by or against him, them, or any of them thereupon, shall respectively be paid, satisfied, and discharged out of the Monies to arise by virtue of this Act, unless such Action or Suit, Matter or Thing, shall arise in consequence of their or his own wilful Neglect or Default, or have been brought or commenced, or be defended, without the Order or Direction of the said Commissioners.

Same Person
not to be
Clerk and
Treasurer.

XXIV. And be it further enacted, That it shall not be lawful for the said Commissioners to continue or appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, to be the Treasurer for the Purposes of this Act, or to continue or appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, to be the Clerk for the Purposes of this Act; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, shall accept the Office of Treasurer, or shall act as Deputy of such Treasurer, or in any Manner officiate for such Treasurer, or being the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any such Treasurer shall hold any Place or Office of Profit or Trust

Trust under the said Commissioners other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign Protection, Wager of Law, or more than One Imparance shall be allowed.

XXV. And be it further enacted, That every Clerk, Treasurer, Surveyor, Collector, and other Officer and Person appointed by virtue of this Act shall, under his respective Hand, and at such Time or Times and in such Manner as the said Commissioners shall direct, deliver to the said Commissioners, or such Person as they shall appoint to receive the same, true and perfect Accounts in Writing of all Matters and Things committed to his Charge by virtue of this Act, and also of all Monies which shall have been by such Officer or Person received by virtue or for the Purposes of this Act, specifying how much thereof shall have been expended and disbursed, and for what Purposes, together with proper Vouchers for such Payments, and also a List of the Names of all such Persons as shall have neglected or refused to pay their respective Rates and Assessments, and of the Monies due from them respectively; and every such Officer or Person shall pay all such Monies as shall remain due from him to the Treasurer for the Time being, or to such Person as the said Commissioners shall appoint to receive the same; and if any such Officer or Person shall, for the Space of Fourteen Days next after Notice or Requisition in Writing from any Seven or more of the said Commissioners, refuse or wilfully neglect to make and render such Account, or to produce and deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall refuse or wilfully neglect to deliver to the said Commissioners, or to such Person as they shall appoint to receive the same, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, or to give Satisfaction to the said Commissioners, or such other Person as aforesaid, respecting the same, then and in every such Case, upon Complaint made by the said Commissioners, or by such Person as they shall appoint for that Purpose, of any such Refusal or wilful Neglect as aforesaid, to any Justice of the Peace of the said Town and Parishes, or for the County, City, or Place wherein such Officer or Person so refusing or neglecting shall be or reside, such Justice may and he is hereby authorized and required to issue a Summons or Warrant, at his Discretion, under his Hand and Seal, for the Officer or Person so refusing or neglecting to appear before such Justice; and upon such Officer or Person appearing, or having been so summoned and not appearing, without some sufficient or reasonable Excuse, or not being to be found, it shall be lawful for the said Justice to hear and determine the Matter in a summary Way; and if upon Confession of the Party, or Testimony of any credible Witness upon Oath, it shall appear to such Justice that any Monies remain due from such Officer or Person, such Justice may and he is hereby required, upon Non-payment thereof, by Warrant under his Hand and Seal to cause such Money to be levied by Distress and Sale of the Goods and Chattels

Officers to
account.

of such Officer or Person ; and if no Goods and Chattels of such Officer or Person shall be found sufficient to answer and satisfy the said Money, and the Charges of distraining and selling the said Goods and Chattels, or if it shall appear to such Justice that such Officer or Person had refused or wilfully neglected to render and give such Accounts, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of this Act remained in the Hands or in the Custody or Power of such Officer or Person, and he refused or wilfully neglected to deliver or give Satisfaction respecting the same as aforesaid, then and in every such Case such Justice shall and he is hereby required to commit such Offender to any Common Gaol or House of Correction, there to remain without Bail or Mainprize until he shall have given a true and perfect Account as aforesaid, or until he shall have paid such Monies as aforesaid, or compounded with the said Commissioners for such Money, and shall have paid such Composition in such Manner as they may appoint (which Composition the said Commissioners are hereby empowered to make and receive), and until he shall deliver up such Books, Papers, and Writings, or give Satisfaction respecting the same, to the said Commissioners or to such other Person as aforesaid ; but no such Offender shall be kept or detained in Prison for Want only of sufficient Distress, by virtue of this Act, for any longer Term than Six Calendar Months : Provided also, that if any Money shall be due from such Officer or Person, his Commitment to Prison as aforesaid shall not (without the Consent of the said Commissioners) be deemed a Discharge for the same, nor exonerate the Surety or Sureties for such Officer or Person, but such Officer or Person and his Surety or Sureties shall remain liable to the Payment thereof in the same Manner as if such Officer or Person had not been committed to Prison.

Officers not
to take Fees
or Rewards.

XXVI. And be further enacted, That if any Person who shall be employed as Treasurer, Clerk, Collector, or Surveyor, or any other Officer or Servant employed by the said Commissioners for the Purposes of this Act, shall exact, take, or accept any Fee or Reward whatsoever, other than such Salaries, Allowances, and Rewards as are appointed by this Act, or shall be appointed, allowed, or approved of by the said Commissioners, for or on account of any thing done or to be done by virtue of this Act, or for forbearing to do any thing ordered or directed by the said Commissioners, or on any Account whatsoever relative to his or their Employment or Duty, or shall in anywise be concerned or interested in any Bargain or Contract made or to be made by the said Commissioners, every such Person so offending shall be incapable afterwards of serving or being employed under this Act, and shall forfeit and pay any Sum not exceeding Ten Pounds for each Offence.

Accounts to
be made out
and examin-
ed and set-
tled yearly.

XXVII. And be it further enacted, That in the Month of *June* next after the passing of this Act a true Account shall be made in Writing of all Monies received and paid by virtue of the said recited Acts and this Act during the preceding Year ; and that in the Month of *June* in every succeeding Year a true Account shall be made in Writing of all Monies received and paid by virtue of this Act during
the

the preceding Year ending upon the Twenty-fourth Day of *June* in every Year; and that at the Meeting which shall be held on the First *Tuesday* in *July* in every Year, or some Adjournment thereof, the said Account shall be produced, examined, and settled, and the said Commissioners shall at the Settlement of such Account cause a full and true Statement to be made and drawn out of all Rates or Assessments made, and of all Contracts entered into, and of all Monies received and paid under and by virtue of this Act during the preceding Year, and of all Debts then due and owing on account thereof: Provided always, that Ten Days Notice of such Meeting for the Purpose of passing such Accounts shall also be given by affixing the same in some conspicuous Part of the Market Place of the said Town and Parishes.

XXVIII. And be it further enacted, That all the present and future Squares, Roads, Streets, Lanes, Ways, and other public Passages and Places, as well Carriageways as Footways, within the said Town and Parishes, and the Ground and Soil thereof, and the Pavements, Stones, Gravel, and all the other Materials of, in, or belonging to the same, and all the present and future public Drains, Sewers, Gutters, Grates, and Sinks in the said Town and Parishes, and all the Lamps, Lamp Irons, and Posts, and all other Articles, Materials, and Things already made, erected, set up, or provided by virtue of any former Act, or to be made, erected, set up, fixed, or provided by virtue of this Act, and all Lands, Grounds, Tenements, and Hereditaments heretofore purchased or taken by the said Commissioners for executing the said recited Acts, or at the Time of the Commencement of this Act vested in or belonging to them, and all Buildings and Works, Articles, Materials, and Things, already erected, set up, done, made, or provided by virtue of any former Act, or to be erected, set up, made, or provided by virtue of this Act, shall belong to and be the Property of and the same are hereby absolutely vested in the Commissioners for executing this Act (subject nevertheless to any Conditions or Regulations contained in any Contracts with the said Commissioners); and the said Commissioners shall and may cause to be brought any Action, or direct the preferring of any Bill of Indictment, Information, or Complaint (as the Case may require), against any Person who shall steal, take or carry away, or detain, spoil, injure, divert, disturb, annoy, damage, or destroy the said several Articles, Matters, Property, and Things hereby vested in them the said Commissioners as aforesaid, or any of them, or any Part thereof; and in any such Action, or Bill of Indictment, Information, or Complaint respectively, it shall be sufficient to state generally that the Article, Matter, Property, or Thing for or on account or in respect of which such Action shall be brought, or Bill of Indictment, Information, or Complaint preferred, is the Property of the Commissioners for paving, cleansing, lighting, watching, and improving the Town and Parishes of *Gravesend* and *Milton*, without particularly mentioning or specifying the Names of all or any of the said Commissioners; and the said Commissioners shall have full Power and Authority from Time to Time to sell and dispose of all or any of the said Articles, Matters, and Things, or any Part of the same respectively, as shall not be wanted

Pavements,
&c. vested
in the Com-
missioners.

wanted for the Purposes of this Act, to such Person, at such Time, and in such Manner as they shall think proper.

Existing Projections to be removed by the Commissioners.

XXIX. And be it further enacted, That the said Commissioners may from Time to Time, at their own Expence, cause all or any of the Rails, Posts, Fences, Steps, Cellar Windows, Cellar Doors, Hatchways, Signs, Sign Posts, Show Boards, and other Obstructions and Projections whatsoever which are already erected, affixed, set up, laid down, standing, or being against or in front of or belonging to any Houses or other Buildings or Premises whatsoever, and which in the Judgment of the said Commissioners shall be considered public Annoyances or Nuisances by reason of their projecting into or encroaching upon, or otherwise obstructing, annoying, or endangering the public Passage along any of the Squares, Roads, Streets, Lanes, Ways, Passages, or other public Places within the said Town and Parishes, to be taken down, filled up, removed, and carried away, or otherwise altered or reformed, in such Manner as the said Commissioners shall think most proper and expedient, the said Commissioners nevertheless first giving Thirty Days Notice of their Intention to take down, fill up, remove, carry away, alter, or reform such Annoyances or Nuisances respectively to the respective Owners or Occupiers of such Houses or other Buildings or Premises, and causing as little Damage to be done in effecting every such Removal or Alteration as the Nature of the Case will allow: Provided nevertheless, that the said Commissioners shall and they are hereby required to make reasonable Satisfaction and Compensation to the several Owners and Occupiers of such Houses, or other Buildings or Premises, for any Damage and Injury which shall be done thereto in consequence of such Removal or Alteration as aforesaid; and if the said Commissioners and such Owners and Occupiers cannot agree as to the Sum to be paid by the said Commissioners, the Amount thereof shall be ascertained, fixed, and determined by any Two or more Justices of the Peace.

Projections to be removed by Occupiers.

XXX. And be it further enacted, That the several Owners or Occupiers of Houses, Buildings, and Premises situate in the several Squares, Roads, Streets, Lanes, Ways, Passages, or other public Places within the said Town and Parishes, and every of them, are hereby authorized and required, at their Expence respectively, within Thirty Days next after their respectively receiving Notice in Writing from the said Commissioners, to cause all and every the Rails, Posts, Fences, Steps, Cellar Windows, Cellar Doors, Hatchways, Signs, Sign Posts, Show Boards, and other Obstructions and Projections whatsoever which shall hereafter be erected, affixed, set up, or laid down, or stand, or be against, or in front of, or belonging to their respective Houses, Buildings, or Premises, and which in the Judgment of the said Commissioners shall be considered public Annoyances or Nuisances by reason of their projecting into or encroaching upon, or otherwise obstructing, annoying, or endangering the public Passage along any of the said Streets or other public Places, to be taken down, filled up, removed, and carried away, or otherwise altered or reformed, within such Time and in such Manner as shall be directed by the said

said Commissioners; and in case the Owner or Occupier of any such House, Building, or Premises as aforesaid shall neglect or refuse to cause any such Matter or Thing so adjudged to be a public Annoyance or Nuisance as aforesaid to be taken down, filled up, removed, and carried away, or otherwise altered or reformed, within the Time and in manner aforesaid, then and in every such Case the said Commissioners may cause the same to be forthwith done, and the Costs and Charges attending the same shall and may be recovered from such Owner or Occupier in manner herein-after directed: Provided always, that the Occupier of any such House or Building, being a Tenant at Rack Rent, and having either paid such Costs and Charges in the first instance, or having repaid the same to the said Commissioners, and not being the Person who originally made or occasioned such Annoyance or Nuisance, shall and may deduct and retain the Amount thereof out of his Rent, and the Proprietor or Person entitled to the said Rent is hereby required to allow the same accordingly.

XXXI. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any Five or more of them, to view and inspect any of the Squares, Roads, Streets, Lanes, Ways, Passages, or other public Places within the said Town and Parishes which may be hereafter made; and if upon such View they shall be of opinion that the same, or any Part or Parts thereof, is or are fit and proper to be paved, it shall be lawful for the said Commissioners, at any of their Meetings after such View, to order or direct their Surveyor or other Person to be by them for that Purpose appointed to cause the Ground of the intended Footway opposite to the Fronts and Flank Walls of the respective Messuages or Tenements, Shops, Warehouses, Coach-houses, Stables, or Buildings in any such Square, Road, Street, Lane, Way, Passage, or other public Place, to be raised or lowered, levelled, and well and sufficiently rammed down, formed, and made ready for paving, and the Ground of the intended Carriageway well and sufficiently formed, as soon as conveniently may be; and all the Charges and Expences attending the preparing such Ground shall be paid by the then respective Owner or Owners, Proprietor or Proprietors, Lessee or Lessees of such Premises, and shall be recovered and levied upon the Goods and Chattels of such Owner or Owners, Proprietor or Proprietors, Lessee or Lessees of such Premises, or upon the said Premises, in such and the like Manner as any Rate or Rates, Assessment or Assessments, to be made under this Act may be recovered and levied.

Commissioners to view new Streets, and, if they think proper, level and prepare the Ground, for Footpaths, charging the Expences to the Owners.

Power for recovering such Expences.

XXXII. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and required, from Time to Time, when and so often and in such Manner as they shall think necessary, to cause the present and future Squares, Roads, Streets, Lanes, Ways, or other public Passages and Places, as well Carriageways as Footways, within the said Town and Parishes, to be paved, flagged, made, formed, repaired, and amended, and the same, and the Pavements, Flagging, and other Materials thereof, to be taken up and relaid, and the Ground and Soil thereof to be raised, lowered, or altered from Time to Time, in such Manner and with

Streets to be paved.

[*Local.*]

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such

such Materials, and with such Drains, Gutters, Sinks, Watercourses, or Gratings therein, as the said Commissioners shall think proper, and to erect or set up, or cause to be erected or set up, any Posts, Rails, Pales, or Fences in or near any of the said Squares, Roads, Streets, or other public Passages or Places which they the said Commissioners may think proper, for the better Security of Passengers, Cattle, or Carriages, or otherwise, as to them the said Commissioners shall seem expedient.

No Alteration
of the Pavements or
Drains,
without the
Consent of
the Commissioners.

XXXIII. And be it further enacted, That no Person shall at any Time take up, remove, or alter, or cause to be taken up, removed, or altered, any Part of the Pavements, Flags, Stones, Gravel, or other Materials, or the Surface of the Carriageways or Footways, or the Gutters, Sinks, Drains, or Watercourses, within the said Town and Parishes, or any of them, or the Ground or Soil under the same, without the previous Consent of or otherwise than as shall be directed or allowed by the said Commissioners, upon pain of forfeiting for every such Offence any Sum not exceeding Five Pounds, and also the further Sum of Twenty Shillings for each Day such Offence shall continue after the Expiration of Three Days from the Time Notice in Writing to remove such Offence or the Cause thereof shall have been given by the said Commissioners; and where such Alteration shall be made with such Consent or Direction as aforesaid, the same shall be made at the Expence of the Person requiring the same, or to whom such Consent or Direction shall be so given as aforesaid; and in case any Person shall cause any such Alteration to be made without such Consent or contrary to such Direction, and shall refuse or neglect to remove and restore the same to its former State or Condition, the said Commissioners may and they are hereby authorized to remove such Alteration, and to restore or make good the Pavement or Surface, Gutter, Sink, Drain, or Watercourse, Ground or Soil, to the State in which it was before such Alteration was so made, or as near thereto as Circumstances will admit, and the Charges and Expences attending the Restoration thereof shall be paid by the Person who so caused such Alteration to be made, and shall be recovered in the Manner herein-after directed for the Recovery of Penalties.

For cleansing
the
Streets, &c.

XXXIV. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby empowered to purchase or hire any Cart or Carts, Water Cart or Water Carts, or other Carriage or Carriages, and also any Horse or Horses for drawing the same, for carrying away Dirt, Dust, Ashes, and Rubbish from, and for the watering of the said Squares, Roads, Streets, Lanes, Ways, or other public Passages and Places, and for other Purposes in the Execution of this Act; and also to purchase, hire, or otherwise provide Land and Buildings fit and convenient for depositing the Dirt, Dung, Ashes, or other Filth to be swept and collected under the Authority of this Act, and for the Accommodation and Deposit of all Horses, Carts, Tools, and Implements, and other Articles, Matters, and Things to be used and employed by or by the Direction of the said Commissioners under the Authority of this Act; and also to cause any Wells, Pumps, Pipes, Tanks, Reservoirs, and other Apparatus to be
sunk,

sunk, made, or laid down in any Part of the said Town and Parishes, and to cause the same to be removed, altered, and repaired when necessary and as they shall think fit; and also to nominate, appoint, and employ any Person or Persons to cleanse and water the said Squares, Roads, Streets, Lanes, Passages, and other public Places, and to carry away the Dust, Dirt, Cinders, or Ashes from any House or Houses or other Premises within the said Town and Parishes, at such Seasons and Times as the said Commissioners shall think proper.

XXXV. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, from Time to Time to enter into any Contract with any Person or Company whatsoever for widening, altering, amending, improving, paving, or repairing the said Squares, Roads, Streets, Lanes, Ways, Passages, and Places in the said Town and Parishes, or any of them, or for taking away and collecting the Dirt, Dust, Cinders, and Ashes within the same Town and Parishes, or for lighting the same Squares, Roads, Streets, and Places, or any of them, or any Part thereof, with Gas or Oil, or in any other Manner whatsoever, or for cleansing or watering the same, or for furnishing Lamps, Lamp Irons, Watch-boxes, Posts, Chains, Pales, Rails, and other Things necessary for the Purposes aforesaid, or for furnishing Materials, and doing and performing all or any of the other Works by this Act authorized or directed to be done and performed, which Contracts shall specify the several Works to be done and the Prices to be paid for the same, and the Time when the same Works shall be completed, and the Penalties to be suffered in case of Nonperformance thereof, and shall be signed by Seven or more of the said Commissioners, and also by the Person contracting to perform such Works respectively; which Contract or a Copy thereof shall be entered in a Book to be kept for that Purpose by the Clerk to the said Commissioners; and the said Commissioners shall and they are hereby required to take Security from every such Contractor for the due Performance of his or her Contract: Provided always, that if the said Commissioners shall be of opinion that it will not be advantageous to contract with the Person offering the lowest Price, or with any other Person tendering or making such Proposal, it shall be lawful for the said Commissioners to contract or agree with any other Person whom they shall think proper.

Power to contract for Work directed to be done by this Act.

XXXVI. And be it further enacted, That the said Commissioners shall cause all and every the Works to be done in pursuance of this Act to be inspected by their Surveyor or by such other Person as they shall appoint; and in case the same shall not be well and sufficiently performed, according to the Terms, Intent, and Meaning of the Contract for the same, the said Commissioners may bring or cause to be brought any Action at Law or Suit in Equity against the Person so neglecting to perform such Contract or Contracts for any Penalty contained in such Contract, or for any Damage sustained in consequence of any Breach or Nonperformance thereof; and on Proof of the signing the said Contract, and Nonperformance thereof, the said Commissioners shall be entitled to and shall recover such Penalty or Damage as may be awarded, with full Costs of Suit:

Surveyor to inspect Works.

Pro-

Provided always, that it shall be lawful for the said Commissioners, if they think fit, to compound and agree with any Contractor, or his Surety or Sureties, for any Penalty incurred by him or them for the Breach or Nonperformance of any such Contract, for such Sum of Money as the said Commissioners shall think proper.

Houses
building or
repairing to
be fenced in.

XXXVII. And be it further enacted, That when at any Time hereafter, by reason of the erecting, building, altering, repairing, or enlarging any House, Wall, or Building within the said Town and Parishes, any or either of the said public Streets or Places shall or may be in any Manner obstructed or rendered dangerous or unsafe, every such House, Wall, or Building shall be well and sufficiently fenced in and inclosed, by and at the Expence of the Owner or Occupier thereof, before such House, Wall, or Building shall be begun to be erected, built, altered, repaired, enlarged, or taken down, and shall so continue during such Time as the said Commissioners or their Surveyor shall order and direct; and if the Owner or Occupier of such House, Wall, or Building shall refuse or neglect to fence in and inclose the same according to such Order and Direction, or to remove such Fence or Inclosure when ordered and directed so to do by the said Commissioners or their Surveyor, then and in either of the said Cases every such Owner or Occupier shall for every such Refusal or Neglect, or for every Day such Offence shall be continued, forfeit and pay any Sum not exceeding Forty Shillings; and moreover, in case of such Refusal or Neglect, it shall be lawful for the said Commissioners immediately afterwards to cause such House, Wall, or Building to be well and sufficiently fenced in and inclosed, or such Fence or Inclosure to be removed and taken away, as the Case may be; and the Person so neglecting or refusing as aforesaid shall (over and above the said Penalty) repay all the Charges and Expences thereof, to be recovered in such Manner as is herein-after directed for the Recovery of Penalties.

No Vaults or
Drains to be
made under
the Footways,
&c., without
the Consent
of the Com-
missioners.

XXXVIII. And be it further enacted, That no Person shall make or build any Vault or Drain upon or under any of the Foot or Carriage Ways, either in the Front, behind, or at the End of any House, Building, or Premises in any of the Streets or Places within the said Town and Parishes, without Leave of the said Commissioners first obtained for that Purpose, nor unless the same shall be substantially made to the Satisfaction of the said Commissioners or their Surveyor, nor shall any Person make such Vault or Drain so as to interfere with any Common Sewer or Drain in any of the said Streets or Places, nor dig out Earth, or leave any Hole in any such Street or Place, before any House, Building, or Premises, or elsewhere, for the Purpose of making any such Vault or Drain, or any other Purpose whatsoever, without the Consent of the said Commissioners or their Surveyor, nor without inclosing the same in a good and sufficient Manner, to be approved of by the said Commissioners or their Surveyor, nor shall keep up such Inclosure longer than shall be necessary in the Opinion of the said Commissioners or their Surveyor, under the Penalty of any Sum not exceeding Five Pounds for every such Offence, and the further Penalty of any Sum not exceeding Twenty Shillings for every Day that such Offence or Annoyance shall

shall be continued after Notice to remove or abate the same; and in case of any Refusal or Neglect to inclose any such Opening, or to remove or abate such Offence or Annoyance, it shall be lawful for the said Commissioners to cause the same to be done, and the Person so refusing or neglecting shall, over and above the said Penalties, repay all the Charges and Expences thereof to the said Commissioners.

XXXIX. And be it further enacted, That the Person or Persons employed by or contracting with the said Commissioners for cleansing and watering the said Squares, Roads, Streets, Lanes, Ways, Passages, and other public Places, or the Person or Persons employed by or acting under the Direction of such Person or Persons so contracting with the said Commissioners, shall on such Days, and at or between such Hours, as the said Commissioners shall from Time to Time appoint, well and sufficiently water the said Squares, Roads, Streets, Lanes, Ways, and other public Places, and sweep and collect together all Dust, Dirt, Filth, or Rubbish in such Squares, Roads, Streets, Lanes, Ways, Passages, and other public Places, and shall also bring or cause to be brought a Cart or other proper Carriage in such Squares, Roads, Streets, Lanes, Ways, Passages, and other public Places where such Cart or other Carriage can pass, and such Person or Persons so employed by or contracting with the said Commissioners shall immediately take the Dust, Dirt, Rubbish, Cinders, Ashes, and Filth (except Filth from any Privy or Necessary House) from the respective Premises in such several Streets, Lanes, public Passages and Places, and put the same in such Cart or Carriage; all which Dust, Dirt, Rubbish, Cinders, Ashes, and Filth (except as aforesaid), as well as all such Dust, Dirt, Dung, Ashes, and other Filth as shall be swept up and collected together as aforesaid, such Person or Persons shall then immediately, or as soon as may be, carry away or cause to be carried away to the Place or Places appointed by the said Commissioners for depositing the same, upon pain of forfeiting any Sum not exceeding Five Pounds for every Offence or Neglect therein.

Scavengers
Duty.

XL. And be it further enacted, That if any Person other than the Person employed by or contracting with the said Commissioners for cleansing the Squares, Roads, Streets, Lanes, Ways, Passages, and other public Places within the said Town and Parishes, or those employed under the Person so employed or contracting as aforesaid, shall on any Pretence whatsoever collect or gather, or ask for, receive, or carry away, any Dust, Dirt, Dung, Cinders, or Ashes from any Street or other public Way, Passage, or Place, or any Dust, Dirt, Cinders, or Ashes from any House or other Premises, within the said Town and Parishes, he shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Penalty on
Persons other
than Scaven-
gers collect-
ing Dust,
Dirt, &c.

XLI. And be it further enacted, That if any Person shall empty or begin to empty any Privy or Water-closet, or to take away any Night Soil, or other noisome or offensive Materials, Matters, or Things (except Horse and Cow Dung), from any House, Building, or Place within the said Town and Parishes, or shall carry or convey, or cause to be carried or conveyed, any Night Soil, or other noisome or offensive Materials, Matters, or Things, in or through any of the said

Time ap-
pointed for
emptying
Privies.

[*Local.*]

13 X

Streets,

Streets, Roads, Lanes, Ways, Passages, or Places, except between the Hours of Twelve of the Clock at Night and Five of the Clock in the Morning, or such other Time as the said Commissioners shall direct or appoint, or if any Person shall wilfully or negligently put, cast, or spill, or cause or suffer to be put, cast, or spilled, any Night Soil, or other noisome or offensive Materials, Matters, or Things, in or on any of the said Streets or Places, or into any of the Sewers, Sinks, Drains, Gratings, or Watercourses within the same, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Footways to
be swept
daily during
Frost and
Snow.

XLII. And be it further enacted, That every Owner or Occupier of any House, Tenement, Warehouse, Shop, Shed, Coach-house, Stable, Chapel, Meeting House, or other public or private Building, Garden, Yard, Backside, Land, or Ground now or hereafter to be situate in any of the Squares, Roads, Streets, Ways, Passages, or other public Places within the said Town and Parishes, and along which any Footway or Foot Pavement now is or shall be made or laid, shall from Time to Time and at all Times hereafter in every Day (*Sunday* excepted), and also on *Sundays* during the Continuance of Frost or after or during any Fall of Snow, before the Time of Nine of the Clock in the Forenoon of each Day, sweep and cleanse, or cause to be swept and cleansed, the Footway all along the Front Side and Back Walls of their respective Houses, Tenements, Warehouses, Shops, Sheds, Coach-houses, Stables, Chapels, Meeting Houses, or other public or private Buildings, Gardens, Backsides, Land, or Ground; and every Owner or Occupier who shall neglect so to do shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; and the Owner or Owners of any House or other Tenement within the said Town and Parishes which may be let furnished or in divided Apartments shall be deemed and taken, for the Purposes of this Provision, to be the Occupier or Occupiers of every such House or other Tenement respectively.

Power to
make any
Common
Sewers,
Drains, &c.

XLIII. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and required, from Time to Time and at all Times hereafter to cause any public Sewers to be made through or under any of the said Squares, Roads, Streets, Lanes, Ways, Passages, or other public Places, for carrying off or discharging Filth, Mud, or Water, and from Time to Time to alter, change, stop, or renew the same, as they may think proper; and also to cause any of the present or future public Drains, Gutters, or Watercourses therein to be enlarged, altered, arched or covered over, tunnelled or cleansed, or stopped up or opened, or the Form or Course thereof to be altered, turned, varied, changed, or diverted, in such Manner as the said Commissioners shall think expedient; and also from Time to Time to cause Grates to be placed on or over any of the said Sewers, Gutters, Drains, or Watercourses, and to remove, alter, or vary the Situations of the present or any future Grates placed or to be placed in or over the same, in such Manner as the said Commissioners shall think proper.

The Com-
missioners

XLIV. And be it further enacted, That it shall and may be lawful for the said Commissioners to order their Surveyor or Sur-
veyors

veyors for the Time being, or any other Person or Persons employed by the said Commissioners, and such Surveyor or Surveyors, or other Person or Persons, are hereby respectively authorized and empowered, from Time to Time to open, scour, cleanse, widen, straighten, make deeper, turn, alter, or vary any of the present or future private Tunnels, Gutters, Sinks, Drains, Ditches, Sewers, or Watercourses running into, over, under, through, or upon any of the Squares, Roads, Streets, Lanes, Ways, Passages, or other public Places within the said Town and Parishes, or to make or cause to be made any new private Tunnels, Gutters, Sinks, Drains, Ditches, Sewers, or Watercourses in, through, under, over, or adjoining to any such Squares, Roads, Streets, Lanes, Ways, Passages, or other public Places within the said Town and Parishes, for the Purpose of conveying, draining, and taking away any Sink-float or other Refuse Water, and preventing the same from running over the Surface of the Squares, Roads, Streets, Lanes, Ways, Passages, and other public Places, in case the Owner or Owners or Occupier or Occupiers of the Messuages, Buildings, Lands, or Tenements adjoining the same shall neglect or refuse so to do for Ten Days next after Notice in Writing, signed by the said Commissioners or any Three or more of them, delivered to or left at the last or usual Place or Places of Abode of such Owners or Occupiers, requiring them so to do; and the Costs, Charges, and Expences of such Works so to be done or made by or by the Order of the said Commissioners in manner aforesaid (such Costs, Charges, and Expences being first settled and ascertained by the said Commissioners at some public Meeting,) shall be reimbursed to them or their Treasurer by such Owner or Owners or Occupier or Occupiers, on Demand, or within Ten Days next afterwards; and in case of Nonpayment of such Costs, Charges, and Expences, the same shall be levied by Distress and Sale of the Goods and Chattels of such Owner or Owners or Occupier or Occupiers, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace, together with the Expences of such Distress and Sale, returning the Overplus (if any) to such Owner or Owners or Occupier or Occupiers, on Demand.

may cleanse
and deepen
private
Drains, &c.
in case of
Neglect by
the Owners,
&c.

The Costs
and Charges
thereof to be
paid by the
Owners.

XLV. And be it further enacted, That it shall be lawful for the said Commissioners to authorize and empower any Person or Persons whomsoever, at any Time or Times hereafter, at his or their own Expence, to turn or carry any new, private, or Branch Drain into any Common Sewer, Drain, Vault, Culvert, or Watercourse already made, or which shall be made by virtue of this Act; but if any Person or Persons shall at any Time hereafter turn or carry any such new, private, or Branch Drain into any such Common Sewer, Drain, Vault, Culvert, or Watercourse, without the Licence and Consent of the said Commissioners first had and obtained, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Power to
authorize
Parties to
carry Branch
Drains into
Common
Sewer.

XLVI. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, to cause any Privy, or any Drain from any Privy, Water-closet, or Cesspool,

Power to
stop up
Drains from
any Privy
communi-

cating with
Common
Sewer.

Cesspool, within the said Town and Parishes, which shall communicate with any Common Sewer or Drain within the said Town and Parishes, to be removed, altered, diverted, or stopped up, and to pay the Expences attending the same; and if any such Privy or Drain shall hereafter be made to communicate with any such Common Sewer or Drain, or the Soil from such Privy, Water-closet, or Cesspool shall be suffered to run in any other Part of the said Town and Parishes, the Owner or Occupier of the House or Premises to which such Privy, Water-closet, or Cesspool shall belong shall forfeit and pay for every Day the same shall continue any Sum not exceeding Five Pounds.

Commis-
sioners may
cause Lamp
Irons and
Lamps to be
put up, and
to be lighted
with Gas,
Oil, &c.

XLVII. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered, from Time to Time to cause such Lamp Irons or Lamp Posts, or other Posts, Chains, or Rails, to be set up or affixed upon or against the Walls, Palisadoes, or Iron Railings, or any other Part of any Houses, Tenements, Buildings, or Inclosures, doing no Damage or Injury thereto, or in such other Manner, within all or any of the present or future Streets or Places within the said Town and Parishes, as they shall think proper, and also to cause such Number of Lamps of such Sizes and Sorts to be provided, and affixed and put upon such Lamp Irons or Lamp Posts, as they shall think necessary for lighting all or any of such Streets and Places, and to cause the same to be lighted with Gas, Oil, or otherwise, at such Times or Seasons as they shall think necessary: Provided always, that it shall not be lawful for the said Commissioners or any Persons whomsoever to carry, lay, place, or fix any Lamp Iron or Lamp, or any Pipe, or other Matter or Thing for lighting all or any such Streets or Places with Gas, Oil, or otherwise, against or on any Dwelling House or private Building, or to continue the same, without the Consent of the Occupier thereof in Writing.

Penalty for
wilfully injur-
ing Lamps,
&c.

XLVIII. And be it further enacted, That if any Person shall wilfully deface, break, throw down, displace, spoil, or injure any Lamp, or the Irons, Posts, or other Furniture thereof, the Property of the said Commissioners or any Person contracting with them, or wilfully extinguish the Light of any such Lamp, he shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, and also shall make full Satisfaction to the said Commissioners or the Party injured for the Damage which shall have been done thereby.

Persons ac-
cidentally
damaging
Lamps to
make good
the same.

XLIX. And be it further enacted, That if any Person shall carelessly or accidentally break, throw down, destroy, or otherwise injure or damage any of the Lamps, Lamp Irons, Lamp Posts, or Gas Pipes belonging to the said Commissioners or any Person contracting with them, or any other Article, Matter, or Thing belonging to the said Commissioners, and shall not immediately, upon Demand, make Satisfaction to the said Commissioners or to such Contractor (as the Case may be) for the Damage so done, it shall be lawful for any Justice, upon Complaint made, to summon the Party complained of, and upon hearing the Parties on both Sides, or on the Confession, or on the Nonappearance of the Party complained of, to examine the Matter of Complaint, and award such Sum of Money, by way of Satisfaction

faction to the said Commissioners or to such Contractor (as the Case may be) for such Damage, as such Justice shall think reasonable; and in case of Refusal or Neglect forthwith to pay such Money, then the same, and all Expences attending the Recovery thereof, may be levied and recovered as any Penalty or Forfeiture is by this Act directed to be levied and recovered.

L. And be it further enacted, That all and every the Pipes or other Conduits to be laid for the Conveyance of Gas in, under, through, along, or across any Streets, Passages, or Places within the said Town and Parishes, shall be so laid at the greatest practicable Distance, and whenever the Middle of the Carriageway in such Streets, Passages, or Places will allow thereof, at the Distance of Four Feet at least from the nearest Part of any Water Pipe which may be hereafter laid down for the Conveyance of Water in, under, through, along, or round any of the said Streets, Passages, or Places, except in Cases where it shall be unavoidably necessary to lay the Gas Pipes across any of the said Water Pipes, in which Case the said Gas Pipes shall be laid over and above the said Water Pipes at the greatest practicable Distance therefrom, and shall form therewith a Right Angle; and in such Case the said Gas Pipes so crossing the said Water Pipes shall be at least Nine Feet in Length, so that no Joint of any of the said Gas Pipes shall be nearer to any Part of the said Water Pipes than Four Feet at least; and the said Commissioners, or any Company of Contractors, or other Persons supplying Gas, in laying down the Pipes or other Conduits to be laid for the Conveyance of Gas in, under, through, along, across, or round the said Streets, Passages, or Places by virtue of this Act or any other Act now in force, shall in no Case join Two or more Pipes together previous to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall in such Trench properly form the Jointing with the other Pipes to be added thereto with proper and sufficient Materials, and shall also make and keep all and every such Pipe, and all Pipes connected and communicating therewith, and all the Screws, Joints, Inlets, Apertures, and Openings therein respectively, air-tight, and in all and every respect prevent the said Gas from escaping therefrom and from any Part thereof, upon pain of forfeiting for each Default in every Case the Sum of Fifty Pounds, to be recovered, with full Costs of Suit, by Action of Debt, Bill, Complaint, or Information, in any of His Majesty's Courts of Record at *Westminster*.

Gas Pipes to be laid at a Distance from Water Pipes.

LI. 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 said Town and Parishes, the said Commissioners, or any Company or Companies, or other Person or Persons, so laying down or setting up, or causing to be laid down or set up, such Gas Pipes or any of them, or making, furnishing, or supplying any Gas used or burnt for lighting any Highway, Street, or Place, or any House, Manufactory, Building, or other Premises, within the Limits of this Act, shall, immediately after Notice given to them or him by Parol, or in Writing to be given or left at their Office or usual Place of transacting Business, by any Inhabitant or Inhabitants, or other Person or Persons whomsoever, of any such Escape of Gas, cause the

For preventing the Escape of Gas.

[*Local.*]

13 Y

most

most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the said Commissioners, or any Company or Companies or other Person or Persons as aforesaid, shall not, within Twenty-four Hours next after such Notice given, effectually stop and prevent any future Escape, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the said Commissioners, or the Company or Companies or other Person or Persons as aforesaid, shall for every such Default forfeit and pay the Sum of Five Pounds for each Day after the Expiration of Twenty-four Hours from the Time of giving any such Notice during which the Gas shall be suffered to escape as aforesaid; which Penalty or Penalties shall from Time to Time be recoverable in a summary Way, on the Oath or Affirmation of some credible Witness or Witnesses, by Information to be laid before some Justice or Justices of the Peace, and shall and may be recovered and levied, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the Treasurer of the said Commissioners, or of the Goods and Chattels of such Company or Companies or other Person or Persons as aforesaid.

For prevent-
ing Conta-
mination of
Water.

LII. And be it further enacted, That whenever the Water of any Company, or of any Person whosoever, for supplying the Inhabitants of any Houses within the said Town and Parishes with Water, shall be contaminated by any Gas used or burnt for lighting any Street, or any House, Manufactory, or Building, or other Premises, within the said Town and Parishes, the said Commissioners, or the Company or Companies, Person or Persons, making, furnishing, or supplying such Gas, shall forfeit and pay the Sum of Twenty Pounds, to be sued for and recovered as any Penalty is hereby directed to be sued for and recovered, and shall be applied to and for the Use and Benefit of the said Company or Person supplying Water as aforesaid; and in case any such Water shall be contaminated or affected by Gas in any way whatsoever, then and in every such Case the said Commissioners, Company or Person making, furnishing, or supplying such Gas, shall, within Twenty-four Hours next after Notice thereof in Writing, signed by the Treasurer or other Officer of and for such Water Company as aforesaid, or by any Person supplying or making use of such Water, to be left at the usual Office or Place of transacting Business of the said Commissioners, Company, or Person, cause the most proper and effectual Measures to be taken to stop and prevent Gas from escaping from their Mains, Works, or Pipes, contaminating or affecting the Water of such Company or Person as aforesaid; and in case the said Commissioners, Company, or Person making, furnishing, or supplying Gas shall not, within Twenty-four Hours next after each and every such Notice so left as aforesaid, effectually stop and prevent the Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent all and every such Contamination whereof Notice shall be given as aforesaid, then the said Commissioners, Company, or Person as aforesaid shall on each and every Complaint forfeit and pay to the Treasurer or other Officer for the Time being of such Water Company, or to such Person as aforesaid, for the Use and Benefit of the said Company or Person, over and above the before-mentioned Penalty of Twenty Pounds, the Sum of Ten Pounds for each and every Day during which the Water of the said

last-

last-mentioned Company or Person shall be and remain contaminated or affected by such Gas; and in default of Payment thereof as aforesaid such Penalty or Penalties shall and may be recovered, by Information to be exhibited on the Oath of One credible Witness, by and in the Name of the Treasurer or other Officer for the Time being of the said Water Company, or of such Person as aforesaid, against the said Commissioners, Company, or other Person making, furnishing, or supplying Gas, before any Justice of the Peace, with Costs to be assessed by such Justice, and to be levied by Distress and Sale of the Goods and Chattels of the said Commissioners, Company, or other Person making, furnishing, or supplying such Gas, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of such Justice, which Warrant such Justice is hereby empowered to grant; and such Penalty or Penalties, when so levied, shall be paid to the Treasurer or other Officer for the Time being of such Water Company, or to such Person as aforesaid, for the Use of such Water Company or Person.

LIII. And whereas it may be or become a Question whether the said Water be contaminated or affected by the said Gas; be it therefore enacted, That in every such Case it shall and may be lawful to and for the Proprietors of any Waterworks now established or to be established, or any Company or Person or Persons interested in any such River, Brook, Stream, Reservoir, Canal, Aqueduct, Pond, or Springhead as aforesaid, to dig to and about and search and examine the Gas Pipes, Conduits, and Apparatus, for the Purpose of ascertaining whether such Contamination proceed from or be occasioned by such Gas; and if it shall appear that the said Water has been contaminated or affected by any Escape of such Gas, the Costs and Expences of such Digging, Search, and Examination, and Repair of the Pavement of the Street or Streets which shall be taken up or disturbed, shall be borne and paid by the said Commissioners, or any Company or Companies or other Person or Persons whomsoever making, furnishing, or supplying any Gas used or burnt for lighting any Highway, Street, or Place, or any House, Manufactory, Building, or other Premises, within the Limits of this Act; which Costs and Expences shall be ascertained and settled, if necessary, by any Justice or Justices of the Peace, and be recovered in like Manner as any Penalty may be recovered by virtue of this Act: Provided always, that if upon such Examination it shall appear that such Contamination has not arisen from any such Escape of Gas, then and in such Case the Proprietors of any such Canals or Waterworks, or Person or Persons interested as aforesaid, causing such Search, as the Case may be, shall bear and pay all the Costs and Expences of such Examination, Repair, and Search, and shall also make good to the said Commissioners, or Company or Companies, or other Person or Persons as aforesaid, any Loss, Injury, or Damage which may be occasioned to the said Mains, Pipes, Conduits, or Apparatus in and by such Search and Examination, and also to the Pavement of the said Streets and Places broken up or disturbed in such Search or Examination, the Amount of such Injury, Loss, or Damage to be ascertained and determined, if necessary, by such Justice or Justices of the Peace as aforesaid.

For ascertaining if the Water is contaminated.

LIV. And

Penalty for
conveying
Washings
into any
River, Sewer,
&c.

LIV. And be it further enacted, That if the said Commissioners, or any Company or Companies, or any other Person or Persons whosoever, making, furnishing, or supplying any Gas used or burnt for lighting any Highway, Street, or Place, or any House, Manufactory, Building, or other Premises within the Limits of this Act, shall at any Time drain or convey, or cause or suffer to be drained or conveyed, or to run or flow, any Washings, or other waste Liquids, Substances, or Things whatsoever, which shall arise or be made in the Prosecution of the said Gas Works, into any River, Brook, or running Stream, Canal, Reservoir, Aqueduct, Feeder, Pond, or Springhead, or into any Drain, Sewer, or Ditch communicating with any of them, or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any of them, whereby the Water contained therein, or any Part thereof, shall or may be spoiled, fouled, or corrupted, then and in every such Case the said Commissioners, or any such Company or Companies or other Person or Persons as aforesaid, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty and Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Complaint, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than One Imparlance shall be allowed; and such Penalty 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 if the same be sued for after the Expiration of Six Calendar Months from the Time when such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased: Provided also, that above and in addition to the said Penalty of Two hundred Pounds, (and whether such Penalty shall or shall not be sued for or recovered,) in case any of the said Washings, or other waste Liquids, or noisome or offensive Substances or Things, shall be drained, conducted, or conveyed, or caused or suffered to run or flow, in manner aforesaid, into any River, Brook, or running Stream, or any Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, or Springhead, or into any Drain, Sewer, or Ditch communicating with any of them, or any such Annoyance, Nuisance, Injury, Damage, 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 whomsoever to the said Commissioners, or to the Company or Companies, or any of them, or other Person or Persons as aforesaid, and the said Commissioners, or Company or Companies, or other Person or Persons, shall not, within Twenty-four Hours after such Notice given, stop and prevent all and every such Washings, waste Liquids, noisome or offensive Substances or Things from being drained, conducted, or conveyed, or from running or flowing in 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 said Commissioners, Company or Companies, or other Person or Persons so offending shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, waste Liquids, or noisome or offensive Substances or Things shall be so done, or caused or suffered to run or flow in manner aforesaid, or such other Annoyance, Nuisance, Injury, or Damage, Act or Thing, shall be so done or caused to be done as afore-

said; and such last-mentioned Penalty shall and may be recovered and levied in like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered and levied, and shall be paid to the Informer, or to the Person or Persons who, in the Judgment of the Justice or Justices before whom the Conviction shall take place, shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed.

LV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent any Person from proceeding by Indictment or otherwise against the said Commissioners, or any Company, or other Person or Persons, making, furnishing, or supplying Gas used, burnt, or consumed for lighting any Streets, Squares, Roads, Ways, Passages, or other public Places, or any House, Manufactory, Building, or other Premises, within the said Town and Parishes, or against any of the Officers, Servants, or Workmen, in respect of any Works, or the Means which shall be employed by them or any of them in making the said Gas, and using the same in furnishing such Light as aforesaid, as a public or private Nuisance, or from bringing any Action against the said Commissioners, Company, or Person or Persons as aforesaid, or any of their Officers, Servants, or Workmen, for any Injury sustained by reason of any such Works, or the Use of the said Gas, or the Method of lighting therewith, whether such Injury shall proceed from the Preparation or the Use of the same Gas, or Method of lighting, or the Carelessness or Want of Skill of any of the Persons employed therein, or from any other Cause whatsoever.

Nothing herein to prevent the Commissioners from being indicted for a Nuisance.

LVI. And be it further enacted, That the said Commissioners shall from Time to Time, with the Consent and Approbation of the Mayor and other Magistrates of the Corporation of *Gravesend* and *Milton* for the Time being, appoint and employ such Number of Street-keepers and Watchmen, and other Officers and Persons, as they the said Commissioners shall deem necessary for the proper Protection of the Inhabitants and Visitors, and Houses and Property, Streets and Places, within the said Town and Parishes, by Day and by Night, and shall likewise, by and with such Consent and Approbation as aforesaid, direct and appoint how and where they shall be stationed, how long they shall continue upon Duty, and what Wages shall be paid or allowed them for their Services, and shall from Time to Time pay such Wages, and make all such Rules, Orders, and Regulations as the Nature of those Services shall appear to require.

For appointing Street-keepers and Watchmen.

LVII. And be it further enacted, That the Street-keepers and Watchmen who shall from Time to Time, by and with such Consent and Approbation as aforesaid, be appointed by the said Commissioners, shall, during the Time they shall be stationed in the said Squares, Roads, Streets, Lanes, Ways, and other public Passages and Places, and at all Times coming or going to or from their Duty or Stations, use their best Endeavours to assist all and every Person or Persons passing along the said Squares, Roads, Streets, Lanes, Ways, or other public Passages or Places, who shall be assaulted, attacked, or ill-treated, and to prevent all Mischiefs by Fire, and all Murders, Burglaries,

Powers and Duties of Street-keepers and Watchmen.

[*Local.*]

13 Z.

Burglaries,

Burglaries, Robberies, and all other Felonies, Outrages, Disorders, and Misdemeanors, as well in the said Squares, Roads, Streets, Lanes, Ways, and all public Passages and Places, as in all Houses and other Buildings or Grounds contiguous thereto; and for that Purpose it shall be lawful for the said Watchmen and Street-keepers, or any of them, to apprehend and secure all Malefactors, Rogues, and Vagabonds, idle and disorderly Persons, Disturbers of the public Peace, Prostitutes, and Thieves, who shall be found loitering, wandering, or misbehaving themselves, or committing any Disorder or Offence in the said Squares, Roads, Streets, Lanes, Ways, or other public Passages or Places, or any of them, or who shall refuse to give a good Account of themselves, or whom the said Watchmen and Street-keepers shall have Reason to suspect of any evil Intentions or Designs, and to search every such Person, or the Loading of any Horse, Ass, Mule, Cart, or other Carriage which they shall suspect to have any stolen Goods thereon or therein, and shall and may confine and secure every such Person, and every such Horse, Ass, Mule, Cart, or other Carriage, until such Person can be conveniently conveyed before some Justice or Justices of the Peace, to be examined and dealt with according to Law; and all Persons are hereby authorized and required to aid and assist any such Watchmen or Street-keepers in securing any such Offender or Person as aforesaid; and in case any such Watchman or Street-keeper shall neglect to keep watch in manner or during the Time which shall be so appointed by the said Commissioners, or shall depart from or leave his Station (except for any of the Purposes aforesaid), or shall otherwise neglect his Duty, or wilfully misbehave himself, or shall at any other Time than when he shall be on actual Duty wear or make use of, or at any Time lend or suffer to be worn or made use of, (except to or by the Person who shall by Permission of the said Commissioners watch in his Stead,) the Clothes, Arms, or Accoutrements intrusted to him as such Watchman or Street-keeper, he shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds; and if any such Watchman or Street-keeper shall unnecessarily hurt, damage, spoil, or destroy, or negligently lose, any of his Clothes, Arms, or Accoutrements, he shall pay to the Treasurer of the said Commissioners all such Costs and Charges as shall be occasioned thereby.

Watchmen,
&c. to be
sworn in, and
to have the
Power of
Constables.

LVIII. And be it further enacted, That all Watchmen and Street-keepers appointed and to be appointed as aforesaid shall be sworn in as Constables before any Justice or Justices of the Peace, and act as such while in the Execution of the Powers and Authorities of the said recited Acts and this Act, and they are hereby invested with, and shall have and enjoy, the like Powers and Authorities, Privileges and Immunities, and shall be subject to such and the like Duties and Responsibilities, as any Constable or Constables is or are or shall be subject to and shall be liable to such and the like Penalties as any Constable or Constables is or are or shall be liable to by Law.

Penalty on
Publicans
harbouring
Watchmen.

LIX. And be it further enacted, That if any Victualler, Publican, Retailer of Beer, or other Person selling spirituous or other Liquors, shall knowingly entertain or harbour any such Watchman, Street-keeper, or other Officer or Person, during the Time he ought to be

on Duty, such Victualler, Publican, Retailer of Beer, or other Person selling such Liquors as aforesaid shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

LX. And be it further enacted, That when any House or Building, the Front, Foundation, or any Part of which now stands or projects beyond the regular Line of the Street or Place in which the same is situate, or beyond the Front of the Houses or Buildings on each Side, or of the House or Building on either Side thereof, in any of the Streets or public Places within the said Town and Parishes, shall be taken down to be rebuilt, altered, or amended, whether wholly or in part, the same shall be set back to the Line of the Street or Place aforesaid, or to the Line of the adjoining Houses or Buildings or adjoining House or Building, in such Manner as shall to the said Commissioners appear most convenient and expedient for the Improvement of such Street or Place; and in Cases where the next Houses or House, Buildings or Building, shall not adjoin the House or Building to be so taken down, but shall be separated therefrom by any Street, Way, or Ground, then the same shall be set back to the Line of such Street or Place, or of such House or Building on either Side thereof, as the said Commissioners shall direct; and it shall be lawful for the said Commissioners to order and cause any House or Building which shall be rebuilt or erected contrary to the Provisions of this Act to be taken down, altered, or regulated at the Expence of the Owner or Proprietor thereof, to be recovered in manner in this Act mentioned for the Recovery of Damages and Expences; and that where any House or Building shall be in the whole or in part altered, amended, or rebuilt pursuant to the Provisions herein contained, and by reason whereof the Owner or Proprietor of such House or Building shall have suffered Loss or Damage, it shall be lawful for the said Commissioners, and they are hereby required, to tender and make full Compensation to such Owner or Proprietor for such Loss or Damage; and in case the Amount of the Compensation for any such Loss or Damage tendered by the said Commissioners shall be disputed, and be alleged by the Parties claiming the Compensation to amount to any Sum under Twenty Pounds, then the Amount of the Compensation for such Loss or Damage shall or may be ascertained and settled by any Two Justices of the Peace, and shall and may be levied and recovered by Warrant under the Hands and Seals of such Justices, together with such reasonable Costs and Charges as shall be awarded and allowed by such Justices, by Distress and Sale of the Goods of the Treasurer of the said Commissioners, unless such Treasurer shall pay and discharge the same, which he is hereby authorized to do, out of any Monies received or to be received by him as such Treasurer as aforesaid; and in case the Amount of such Compensation shall be alleged to amount to the Sum of Twenty Pounds or upwards, then the Amount of the Compensation for such Loss or Damage shall be assessed and ascertained by a Jury in manner herein-after mentioned: Provided always, that it shall be lawful for the said Commissioners, and they are hereby empowered, to admit any Buildings to be advanced and brought forward for the Purpose of improving and conforming to the general Line of the Street or Place in which such Buildings

Regulations
relative to
rebuilding
Houses, &c.

Power to
compensate
Owners of
Buildings set
back to im-
prove Streets.

When Com-
pensation is
under 20l.,
to be deter-
mined by
Justices.

When
amounting
to 20l. or
upwards, a
Jury to de-
termine.

Buildings shall be situate, or of the Building or Buildings adjacent thereto.

Jury how
to be sum-
moned, &c.

By the
Sheriff.

In default of
Attendance
by Jurymen,
Standers-by
may be
returned.

Witnesses
may be sum-
moned.

Jury may
view the
Place or
Matter in
question.

LXI. And be it further enacted, That if any Person or Persons, Body Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Committees, Executors and Administrators, or other Persons entitled to such Compensation for and on behalf of himself or themselves, or for and on behalf of their respective Cestuique Trusts, or of the Person entitled in Remainder after them as aforesaid, shall, for the Space of Twenty-one Days next after Tender of the Money proposed to be paid by the said Commissioners, and after Ten Days Notice in Writing signed by the Clerk of the said Commissioners for the Time being shall have been given to him or them, or left at the Dwelling House or Houses or usual or last Place or Places of Abode of him, her, or them, or of the principal or head Officer or Officers of such Bodies Politic or Corporate, or Corporation, specifying the Intention of the said Commissioners to have the Amount of the Compensation for such Loss or Damage assessed by a Jury, neglect or refuse to accept the same, or to treat and agree or shall not agree with the said Commissioners, or by reason of Absence or Disability shall be prevented from treating and agreeing, or cannot be found or known, then and in every such Case the said Commissioners, or any Seven or more of them, shall and they are hereby empowered from Time to Time to issue their Warrant or Warrants to the Sheriff of the said County of *Kent*, commanding such Sheriff to impanel, summon, and return an indifferent Jury of Twenty-four Persons, qualified according to the Laws of this Realm for the Trial of Issues joined in His Majesty's Courts of Record at *Westminster*, to appear before the said Sheriff at such Time and Place as in such Warrant or Warrants shall be appointed; and out of the Persons so to be impanelled, summoned, and returned, a Jury of Twelve Men shall be drawn by the said Sheriff; and in case a sufficient Number of Jurymen shall not appear, the said Sheriff shall return other honest and indifferent Men of the Standers-by, or that can be speedily procured to attend that Service (being so qualified as aforesaid), to make up the said Jury to the Number of Twelve; and all Persons concerned shall have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and such Sheriff is hereby empowered and required, by a Summons or Notice to be signed by him either previous to or at the Time of such Meeting or Meetings, to summon and call before him every Person who shall be thought necessary to be examined as a Witness or Witnesses concerning the Premises; and the said Sheriff may order and authorize the said Jury, or any Five or more of them, to view the Place or Places or Matter in question; and such Jury, upon their Oaths, (which Oaths, as well as the Oaths to such Persons as shall be called upon to give Evidence, the said Sheriff is hereby empowered and required to administer,) shall inquire of, assess, and ascertain the Sum or Sums of Money to be paid by the said Commissioners, or what Loss or Damage has been or will be sustained by, and what Compensation, Recompence, and Satisfaction shall be made to, such Persons or Parties interested as aforesaid for or on account

account of such Loss or Damage as aforesaid; and the said Sheriff shall accordingly give Judgment for such Compensation, Recompence, and Satisfaction as shall be assessed by such Jury; which said Verdict, and the Judgment to be thereupon pronounced as aforesaid, shall be signed by the Sheriff before whom the same shall be taken, and shall be final, binding, and conclusive, to all Intents and Purposes, against all such Bodies Politic, Corporate, and Collegiate, and all other Persons whomsoever, and shall not be removed by Certiorari or other Process into any of His Majesty's Courts of Record at *Westminster*, or any other Courts, any Law or Statute to the contrary notwithstanding.

Verdict and Judgment thereon to be conclusive.

LXII. And be it further enacted, That if any Person so to be impannelled, summoned, and returned as aforesaid upon such Jury shall not appear, without reasonable Excuse, or appearing shall refuse to be sworn on the said Jury, or being so sworn shall refuse to give or shall not join in giving his Verdict, or shall in any other Manner wilfully neglect his Duty therein, contrary to the true Intent of this Act, or if any Person so to be summoned to give Evidence as a Witness as aforesaid shall neglect or refuse to appear, after having been paid or tendered a reasonable Sum for his Costs and Expences, without a sufficient Excuse, or appearing shall refuse to be sworn or give Evidence, then and in such Case every Person so offending shall for every such Offence forfeit and pay, for the Benefit of the Party for whom or on whose Account such Jury or Witness shall be summoned, any Sum not exceeding Ten Pounds.

Jurors and Witnesses to be fined for Nonattendance.

LXIII. And be it further enacted, That every Jurymen who shall be sworn for the Purposes of this Act shall be allowed the Sum of Ten Shillings, and no more, for each Day's Attendance and Expences, notwithstanding such Jurymen shall be sworn on several Inquiries and Assessments in the same Day; and the Sheriff, for summoning, impannelling, and returning of such Jury or Juries, and taking and recording their Verdict or Verdicts, and for attending on the first Day, shall be allowed the Sum of Three Pounds, and no more, and for each Day's Attendance beyond the first the Sum of Two Pounds, and no more, whether such Jury or Juries shall be impannelled for the Purpose of One or several Inquiries.

Allowance to the Sheriff and Jury.

LXIV. And be it further enacted, That in every Case where a Verdict shall be given for more Money than shall have been previously offered by or on behalf of the said Commissioners as a Compensation, Recompence, or Satisfaction for any such Loss or Damage as aforesaid, all the Costs and Charges incurred in impannelling, summoning, and returning such Jury, taking such Verdict, and the Attendance of Witnesses, and recording the Verdict or Judgment thereon, and all other reasonable Expences, shall be borne by the said Commissioners out of the Monies to be raised by virtue of this Act respectively, and shall and may be recovered by the Person entitled thereto by Distress and Sale of the Goods and Chattels of the said Commissioners or of their Treasurer, unless such Treasurer shall pay the same, which such Treasurer is hereby authorized and empowered to do, under a Warrant to be issued for that Purpose by

Expences of Jury, by whom to be borne.

[*Local.*]

14 A

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any Justice of the Peace, which Warrant any such Justice is hereby authorized and required to issue on Application made to him for that Purpose by the Party entitled or claiming to receive such Costs and Charges; and in every Case where a Verdict shall be given for no more or for less Money than shall have been previously offered by or on the Behalf of the said Commissioners as such Compensation, Recompence, or Satisfaction as aforesaid, all the Costs and Charges incurred as aforesaid shall be borne in equal Proportions by the Party neglecting or refusing to treat or not agreeing as before mentioned, and the said Commissioners; but in Cases where any Person or Party shall have been prevented by Absence, or other Impediment or Disability as aforesaid, from entering into any Treaty with the said Commissioners, the Costs and Charges so incurred shall be borne by the said Commissioners in manner aforesaid; and in all Cases where any Difference shall arise touching the Amount of the said Costs and Charges, the same shall be settled and ascertained by any Justice of the Peace not interested in the Matter in question, who is hereby authorized and required to examine into and settle the same, and to appoint a Time and Place for Payment thereof; and when the Costs shall be payable by the Party having had any such Disagreement or Dispute with the said Commissioners as aforesaid, the Amount thereof, having been first paid by the said Commissioners, may be deducted by them out of the Monies awarded to be paid to such Party as so much Money advanced for his Use, and the Payment or Tender of the Balance of such Money shall be deemed and taken to all Intents and Purposes to be a Payment or Tender of the whole Money awarded and adjudged to such Party; or otherwise, if such Costs and Charges be not paid upon Demand, the same may be recovered by the said Commissioners from the Party liable to the Payment thereof, on Complaint made by them or their Clerk to some Justice of the Peace, who is hereby empowered to levy the same by such Ways and Means as Penalties are by this Act directed to be recovered.

Verdicts of
Juries to be
recorded, and
to be good
Evidence.

LXV. And be it further enacted, That the said Judgments and Verdicts so given shall be transmitted to and be kept by the Clerk of the Peace for the County of *Kent*, or other Person having the Custody of the Records of the Quarter Sessions held for the Western Division of the County of *Kent*, and the same or true Copies thereof shall be allowed to be good Evidence in all Courts and Places whatsoever; and all Persons shall have Liberty to inspect the same, paying for each Inspection the Sum of One Shilling, and also to take Copies thereof, paying for every Copy after the Rate of Sixpence for every One hundred Words.

Power to purchase Land,
&c. for the
Purposes of
the Act.

LXVI. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to contract and agree with the Proprietors of and Persons interested in any Lands, Tenements, or Hereditaments which the said Commissioners shall adjudge necessary to be purchased for the Purpose of widening, altering, or improving the Roads, Streets, Ways, and other public Passages and Places in the said Town and Parishes, and who shall be willing to sell the same, for the Purchase of such Lands, Tenements, and

Hereditaments, and to pay the Purchase Monies out of the Monies to be by them received by virtue of this Act; and it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, and Feoffees in Trust of Charity Estates, or for other Purposes, Committees, Executors, Administrators, and all other Trustees or Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, Femes Covert, or other Person or Persons, and to and for all Femes Covert who are or shall be seised or interested in their own Rights, and to and for all and every other Person and Persons whomsoever, who are or shall be seised, possessed of, or interested in any such Lands, Tenements, or Hereditaments, to contract for the Sale of and to sell and convey unto the said Commissioners any Lands, Tenements, or Hereditaments for the Purposes aforesaid; and all such Contracts, Sales, Conveyances, and Agreements shall be valid and effectual in Law to all Intents and Purposes whatsoever, any Law, Statute, Usage, or Custom to the contrary notwithstanding; and all Bodies Politic, Corporate, or Collegiate, and all Persons whomsoever, are hereby indemnified for what they or any of them shall do in pursuance of this Act.

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

<p>‘ I [or We] ‘ Sum of ‘ tion of an Act made in the Third Year of the Reign of King ‘ William the Fourth, intituled [<i>here set forth the Title of this Act</i>], ‘ do hereby grant and convey to the said Commissioners all [<i>here</i> ‘ describe the Premises to be conveyed], and all my [or our] Right, ‘ Title, and Interest in and to the same and every Part thereof, to ‘ hold to the said Commissioners, for the Purposes of the said Act, ‘ for ever. In witness whereof I [or we] have hereunto set my ‘ Hand and Seal [or our Hands and Seals] this ‘ in the Year of our Lord</p>	<p>of paid by the Commissioners acting in execu- tion of an Act made in the Third Year of the Reign of King William the Fourth, intituled [<i>here set forth the Title of this Act</i>], do hereby grant and convey to the said Commissioners all [<i>here</i> describe the Premises to be conveyed], and all my [or our] Right, Title, and Interest in and to the same and every Part thereof, to hold to the said Commissioners, for the Purposes of the said Act, for ever. In witness whereof I [or we] have hereunto set my Hand and Seal [or our Hands and Seals] this in the Year of our Lord</p>	<p>in consideration of the paid by the Commissioners acting in execu- tion of an Act made in the Third Year of the Reign of King William the Fourth, intituled [<i>here set forth the Title of this Act</i>], do hereby grant and convey to the said Commissioners all [<i>here</i> describe the Premises to be conveyed], and all my [or our] Right, Title, and Interest in and to the same and every Part thereof, to hold to the said Commissioners, for the Purposes of the said Act, for ever. In witness whereof I [or we] have hereunto set my Hand and Seal [or our Hands and Seals] this in the Year of our Lord</p>	<p>Form of Conveyance.</p>
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And every such Sale, Conveyance, and Assurance so made shall be good, valid, and effectual to vest the Premises so conveyed in the said Commissioners, freed and absolutely acquitted and discharged of and from all Claims, Rights, Interests, Charges, and Incumbrances of all Persons whomsoever, to all Intents and Purposes whatsoever, any Law, Statute, Usage, or Custom to the contrary notwithstanding.

<p>LXVIII. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money as shall have been contracted or agreed for between the Parties for the Purchase of any such Lands, Tenements, or other Hereditaments, or as a Compensation for Damages, as herein-before mentioned, to the Person entitled to receive such Money, or his Agent or Agents, within Thirty Days after</p>	<p>On Payment of Money, Property to vest in the Commissioners.</p>
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after the same shall have been so agreed for, assessed, or ascertained, or on the same being deposited in the Bank of *England* in manner by this Act directed, (as the Case may be,) it shall be lawful for the said Commissioners, and their Agents, Workmen, and Servants, thereupon, and not before, to enter upon and take and use such Lands, Tenements, or Hereditaments respectively, and then and thereupon the same Lands, Tenements, or Hereditaments, with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person therein, shall from thenceforth be absolutely vested in the said Commissioners for the Purposes of this Act, whether such Conveyance as aforesaid shall or shall not be made; and such Payment, Tender, or Deposit shall not only bar all Right, Title, Interest, Claim, and Demand of the Person to whom the same shall or ought to have been made, but also shall extend to and be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates, Rights, Titles, and Interests of all other Persons whomsoever therein.

Application
of Money be-
longing to
Bodies Poli-
tic, &c. when
amounting to
200*l*.

1 G. 4. c. 35.

LXIX. And be it further enacted, That all Sum and Sums of Money which are to be paid to any Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Committees, Executors, Administrators, Femes Covert, and all other Persons under any Disability or Incapacity whatsoever, for the Purchase of or the Damages to be done to any Lands, Tenements, or Hereditaments, or otherwise, by virtue of this Act, shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there *ex parte* the Commissioners for executing this Act, pursuant to the Method prescribed by an Act made in the First Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suits of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court; and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Corporation or other Person who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or Discharge of any Debt or Debts, or other Incumbrances, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith, or to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands, Tenements, and Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them

as

as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking effect ; and in the meantime and until such Purchase shall be made the said Money shall, by Order of the said Court upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities ; and in the meantime, and until the Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Corporation or Person who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so hereby directed to be purchased, taken, or used, if any such Purchase or Settlement were made.

LXX. And be it further enacted, That if any such Money so to be paid to any Corporation, or to any Person under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or amount to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments in respect of which the same is so to be paid, or of his Guardian or Guardians, Committee or Committees, in case of Infancy, Idiocy, Lunacy, or other Incapacity, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed ; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person making such Option as aforesaid, and approved of by the said Commissioners or any Five of them, such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties, in order that the said Principal Money and the Dividends arising thereon may be applied in any Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction, Approbation, or Order of the said Court of Exchequer.

Application when less than 200*l.* and amounting to 20*l.*

LXXI. And be it further enacted, That when any such Money so to be paid shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments in respect of which the same is so to be paid, for his own Use and Benefit, or in case of Infancy, Idiocy, Lunacy, or other Incapacity, then such Money shall be paid to his Guardian or Guardians, Committee or Committees, Trustee or Trustees, to and for the Use and Benefit of such Person so entitled thereto.

Application of Money when less than 20*l.*

LXXII. And be it further enacted, That in case the Corporation or Person to whom any such Sum or Sums of Money ought to be paid as aforesaid shall refuse to accept the same, or shall not be able to

If Titles cannot be made or Persons found, &c.

[*Local.*]

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Money to be
paid into the
Bank.

evinced a good Title to the same, to the Satisfaction of the said Commissioners, or in case any such Person cannot be found, or be not known or discovered, then and in every such Case it shall be lawful for the said Commissioners to order such Sum or Sums of Money to be paid into the Bank of *England* in the Name and with the Privy of the Accountant General of the said Court of Exchequer, to be placed to his Account, to the Credit of the Parties or unknown Persons, as the Case may be, interested in the Lands, Tenements, or Hereditaments in respect of which such Monies ought to be paid, subject to the Order, Controul, and Disposition of the said Court; which said Court, on the Application of any Corporation or Person making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, or otherwise, according to the Practice of the said Court, shall be and is hereby empowered, in a summary Way of proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, or to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title, or Interest of the Corporation or Person making claim thereto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for the same, mentioning and specifying for what and for whose Use the same is or are received, to such Person as shall pay any such Sum or Sums of Money into the said Bank as aforesaid.

If Title dis-
puted, the
Person in
possession to
be deemed
entitled.

LXXIII. And be it further enacted, That where any Question shall arise touching the Title of any Corporation or Person to any Money to be paid into the Bank of *England* in the Name and with the Privy of the Accountant General of the said Court of Exchequer, in pursuance of this Act, for the Purchase of or for any Damage to be done to any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest therein, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Corporation or Person who shall have been in possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, or at the Time when such Loss or Damage shall arise, and all Persons claiming under such Corporation or Person, or under the Possession of such Corporation or Person, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Corporation or Person was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

The Court of
Exchequer
may order

LXXIV. And be it further enacted, That where, by reason of any Disability or Incapacity of any such Person or Parties, any Purchase
or

or Compensation Money shall be required to be paid into the said Court of Exchequer, or to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses, in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Commissioners out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Expences of Purchases to be paid by the Commissioners.

LXXV. And be it further enacted, That it shall be lawful for the said Commissioners to sell and dispose of to any Person or Persons whomsoever so much or such Part or Parts of the Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments to be purchased by or vested in them by virtue of this Act as shall at any Time or Times be found by them to be unnecessary, or more than sufficient for the Purposes of this Act; and for completing and carrying any such Sales into effect, the said Commissioners, or any Five or more of them, are hereby authorized and empowered to make and execute any Conveyances of such of the said Premises as shall be so sold and disposed of unto the Purchasers thereof, and such Conveyances shall in all Cases be deemed sufficient in Law to vest such of the said Premises as shall be expressed and intended to be granted by such Conveyances in the Purchasers thereof, and his, her, or their respective Heirs and Assigns.

Power to re-sell Premises not wanted.

LXXVI. And be it further enacted, That all Conveyances, Assignments, and Assurances to be made by the said Commissioners on any Re-sale or Re-sales by them of any of the said Lands, Tenements, or Hereditaments which shall be found by them unnecessary or more than sufficient for the Purposes of this Act, or any of them, or any Part or Parts thereof, or any Estate, Term, or Interest therein, may be made in the Form or to the Effect following; (that is to say,)

Form of Conveyance on Sale by the Commissioners.

WE of the Commissioners acting under the Authority of an Act passed in the Third Year of the Reign of King William the Fourth, intituled [*here insert the Title of this Act*], in consideration of the Sum of of lawful Money paid to the Treasurer of the said Commissioners by of [*here set forth the Name, Quality, and Residence of the Purchaser*], do hereby grant and convey [*or grant and assign, as the Case may be,*] unto the said his [*her or their, as the Case may be,*] Heirs and Assigns, [*or Executors, Administrators, and Assigns, according to the Nature of the Estate, and as the Case may be,*] all [*here describe the Premises to be conveyed*], and all our Right, Title, and Interest of, in, and to the same, to hold the same unto the said his [*or her and their, as the Case may be,*] Heirs and Assigns for ever; [*or, as the Case may be, to hold the same unto the said his [or her or their] Executors, Administrators, and Assigns, from henceforth, for and during all the Estate, Term, and Interest of the said Commissioners of, in to, and out*]

And every such Re-sale, Conveyance, Assignment, and Assurance made in manner aforesaid shall be valid and effectual to all Intents and Purposes whatsoever, and shall be sufficient in Law to vest the Property of and in any such Lands, Tenements, or Hereditaments, Estate, Term, and Interest, to be sold, granted, assigned, and conveyed as aforesaid, in the Person or Persons who shall purchase the same, and in his, her, and their Heirs, Executors, Administrators, and Assigns respectively; any Law, Statute, Usage, or other Matter or Thing to the contrary thereof notwithstanding

LXXVII. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered, from Time to Time to cause the several Houses and other Buildings in the said several Streets and Places to be numbered, and also to cause to be affixed or painted on a conspicuous Part of One or more House or Houses, Building or Buildings, Place or Places, at or near each End, Corner, or Entrance of such Streets and Places respectively, the Names by which the same are respectively to be called or known, in such Manner as they shall judge most proper for distinguishing the same ; and if any Person shall wilfully or maliciously destroy, pull down, or deface any such Number or Name, or any Part thereof, or shall fix or put any Number or Name different to the Number or Name fixed or put by or by the Order of the said Commissioners, or shall cause or procure the same to be done, every such Person shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings ; and if the Occupier of any such House or Building shall not restore such Number within Seven Days after Notice signed by the Clerk to the said Commissioners, and left at the usual Place of Abode of such Person, every such Person shall forfeit and pay any Sum not exceeding Twenty Shillings for every such Offence.

LXXVIII. And be it further enacted, That it shall be lawful for the said Commissioners, or their Surveyor or Surveyors, during such Time as any of the Squares, Roads, Streets, Lanes, Ways, Passages, or other public Places within the said Town and Parishes shall be under Repair, or during the making or repairing of any Sewers or Drains therein, to cause such and so many Bars, Posts, Rails, and Chains to be fixed, set up, and placed across or in any of the said Squares, Streets, Lanes, Ways, Passages, or other public Places, to prevent the passing of Carriages, Horses, and Cattle whilst such Works and Repairs are in progress, as to the said Commissioners shall seem proper; and if any Person or Persons shall throw down, break, remove, damage, or injure any of the said Bars, Posts, Rails, or Chains, without the Authority or Consent of the said Commissioners, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

LXXIX. And be it further enacted, That if any Person or Persons shall, in any of the present or future Squares, Roads, Streets; Lanes,

Lanes, Ways, Passages, or other public Places in the said Town and Parishes, fodder any Cattle; or shoe, bleed, or farry any Horse or Beast, (except in Cases of Accident,) or clean or dress any Horse or Beast, or turn loose or suffer to be at large any Horse or Beast, or any Bull Dog, Mastiff, or other ferocious Dog of any other Species, (not being closely muzzled,) or permit or suffer any Dog whatsoever to go at large in the said Town and Parishes after any public Notice given by the Town Crier or Bellman of the said Town and Parishes, by Order of the Mayor or Deputy Mayor, or any other Justice or Justices of the Peace acting for the said Town and Parishes, during such Time as such Notice shall direct Dogs to be confined on account of any Suspicion of the Existence of Canine Madness; or if any Person being or acting as the Driver of any Waggon, Dray, Cart, Sledge, or other such like Carriage shall ride upon any such Carriage in any of the Squares, Roads, Streets, Lanes, Ways, Passages, or other public Places within the said Town and Parishes, not having some other Person on Foot or Horseback to guide the same, (such light Carts or other Carriages as are usually driven with Reins, and are then conducted by some Person holding the Reins of the Horse or Horses, not being more than Two, drawing the same, excepted,) or shall be at such Distance from such Carriage, or in such a Situation, when it shall be passing in any of the said Squares, Roads, Streets, Lanes, Ways, Passages, or other public Places, so that he cannot have the Direction and Government of the Horses or Cattle drawing the same; or if any Person being or acting as the Driver of any empty or unloaded Waggon, Dray, Cart, Sledge, or other such like Carriage shall refuse or neglect to turn the same aside or make way for any Coach, Chaise, or loaded Carriage of any Description; or if any Person on Horseback, or driving any Coach, Wain, Waggon, Dray, Cart, Sledge, or other Carriage, and meeting another Horse, Coach, Waggon, Wain, Dray, Cart, Sledge, or other Carriage, shall not keep on the Left or Near Side of the said Squares, Roads, Streets, Lanes, Ways, Passages, or other public Places, so as to leave proper and sufficient Quarter or Space for such Horses and Carriages; or if any Person shall in any Manner wilfully prevent any other Person or Persons from passing him or her, or any Carriage under his or her Care; or when riding any Horse or Beast, or driving, drawing, or propelling any Carriage of any sort or kind, shall ride, drive, draw, or propel the same furiously; or so as to endanger the Life or Limb of any Person; or drive, draw, or propel the same against, injure, or damage any Curb Stone or Foot Pavement or Causeway; or suffer any Waggon, Wain, Dray, Cart, Sledge, or other Carriage, with or without Horses, to stand or remain longer than may be necessary for loading or unloading thereof, or suffer the same during such Time of loading or unloading to be placed or remain so as to interrupt the public Passage more than necessary; or suffer to stand or remain any Waggon, Cart, or other Carriage, with Hay, Straw, Vegetables, or other Matter or Thing therein for Sale, or any Waggon, Cart, Coach, Post Chaise, or other Carriage intended to be let out or worked for Hire (except in such Places as shall be appointed by the said Commissioners for that Purpose); or suffer any Stage Coach, Diligence, Chaise, or other Carriage to remain longer

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Nuisances of
all kinds.

than may be necessary for the taking up or setting down of any Passenger or Passengers, or for loading or unloading their Baggage; or shall wash, cleanse, or clean any Coach, Chaise, Gig, Waggon, Wain, Cart, or any other Carriage whatsoever, in any of the Squares, Roads, Streets, Lanes, Ways, Passages, or other public Places within the said Town and Parishes; or draw or haul any Tree or Piece of Timber, Block or Blocks of Wood or Stone, Metal, or other heavy Materials, or the Wheel of any Cart or Carriage separated therefrom (except in, on, or suspended under some Carriage); or suffer any Part of any Tree or other Piece of Timber to drag upon any Part of the said Squares, Roads, Streets, Lanes, Ways, Passages, or other public Places, so as to injure or obstruct the same; or wantonly let off or fire any Musket, Gun, or Pistol, or other Fire-arms; or wantonly or vexatiously blow any Horn, so as to collect an Assemblage of Persons, or to be a public Nuisance, Annoyance, or Obstruction; or make or assist in making any Bonfire; or set fire to, or let off, or throw any Crackers, Squibs, Rockets, or other Fireworks, or be aiding or assisting therein; or, having a Smith's Shop with a Window or Windows fronting any of the said Squares, Roads, Streets, Lanes, Ways, Passages, or other public Places, shall not, by good and close Shutters, every Evening after it becomes Twilight, and every Morning until after Twilight, bar and prevent the Light from shining into or upon the said Squares, Roads, Streets, Lanes, Ways, Passages, or other public Places; or wilfully break, or aid or abet or assist in wilfully breaking, any Glass or Window Panes or Windows; or burn, dress, or cleanse any Cask, or hoop, fire, cleanse, wash, or scald any Cask or Tub, or hew, saw, bore, or cut any Timber or Stone, or beat or shake any Carpet or Mat, in or over any Street or Thoroughfare; or throw, cast, lay, or place any Coals, Stones, Slates, Lime, Bricks, Timber, Boards, Iron, or other Materials or Substances, and continue the same for a longer Time than may be absolutely necessary for the removing or housing thereof; or sift, throw, cast, or lay any Ashes, (except in Times of Frost, so as to prevent Accidents,) or any Dust, Dirt, Dung, Soil, Sink-float, or other Filth, Carrion, Blood, Offal, or any sort of Rubbish, or permit the same to flow or be washed from their Yards or Sinks; or throw or cast any such Matters or Things, or any Rubbish, into any Common Sewer, Drain, Sink, or Watercourse; or sell or assist in selling, by Auction or public Sale, any Goods, Wares, or Merchandize, or Thing or Things whatsoever, in any of the said Squares, Roads, Streets, Lanes, Ways, Passages, or other public Places, without the Leave of the said Commissioners, or their Clerk or Surveyor for the Time being, for that Purpose first had and obtained; or hang out, place, or expose to Sale, or otherwise, the Carcase of any Calf, Sheep, Swine, Cattle, or Beast, or any Part or Parts thereof, or any Linen, Cloth, Wearing Apparel, Goods, Wares, or Merchandize whatsoever, or any Fruit, Vegetables, or Garden Stuff, or other Matter or Thing, in or upon or so as to project over or upon any Footway or Carriageway, or beyond the Line of or on the Outside of any House or Shop at which the same shall be so hung or placed or exposed to Sale; or kill or slaughter, or singe, scald, or dress, any Beast, Swine, Ox, Cow, Calf, Sheep, Lamb, or other Cattle, either wholly or in part, in any of such Squares, Roads, Streets, Lanes, Ways, Passages, or other public Places; or cause or

permit any Offal, Blood, Filth, or other offensive Matter, to run from any Slaughter House, Butcher's Shop, or Dunghill, into any of the said Squares, Roads, Streets, Lanes, Ways, Passages, or other public Places; or shall land or deposit, or cause to be landed or deposited, on any of the Wharfs, Quays, or Landing Places, or in any of the Streets, Ways, and Places, or near thereto, any Fish, and permit the same there to remain and become putrid, or shall therein or near thereto land or deposit any putrid Fish, without forthwith removing and carrying the same away by Waggons, Carts, or other Carriages; or fix up or place any Flower Pot, Basket, or Box at any Window or Windows, without sufficiently guarding the same so as to prevent their falling; or place or erect any Pole or Poles, Line or Lines, projecting from any Window or Windows, Parapet, or other Part of any Dwelling House or other Place, and extending into or over or across any of the said Squares, Roads, Streets, Lanes, Ways, Passages, Footways, or Causeways, or other public Places, in the said Town and Parishes, or shall suspend or hang thereon or therefrom any Bed Clothes, Linen, Woollen, Wearing Apparel, or any other Thing; or leave open after Sunset or before Sunrise, or leave defective, or without being properly secured, the Door, Hatchway, or Flap, Window, Grate, Stone, Plate, Board, or other Covering giving Light or Air to or securing any Cellar, Coalhole, Vault, Office, or other under-ground Room or Apartment, or of any Area, without having placed or kept a sufficient Light to warn and prevent Persons from falling into such Cellars or other under-ground Rooms or Apartments or Areas; or run, draw, drive, or carry any Truck, Wheel Sledge, Wheelbarrow, Bier, Handbarrow, or other Carriage whatsoever, or any Furniture, Goods, or Merchandize, upon any Footway or Causeway (except only for the Purpose of crossing such Footway or Causeway), or set or place thereon any Furniture, Goods, or Merchandize, or any Cask, Tub, Barrel, Box, Basket, Bucket, Bench, or Stall; or erect, set up, or place any Blind, Shade, Coverlid, or Awning, or any other Matter or Thing, in the Front of or before any House, Shop, or other Building, so as in any way to cause any Obstruction or Annoyance in any such Footway; or cause or erect, or continue to use any Scraper which shall project into or over any such Footway or Causeway; or in any Manner wilfully obstruct or prevent the free Passage of any such Footway or Causeway, or to annoy any Person or Persons passing or going there, or residing in the immediate Neighbourhood; or if any Person or Persons shall indecently expose themselves in bathing, or otherwise, in or near any public Street, Highway, or other public Place within the said Town and Parishes, or upon or near the Shore of the River *Thames* there; or shall suffer any Ass, Hogs, or Swine to go at large; or wilfully ride, lead, or drive, or suffer to stray, on any Footway or Causeway, any Horse, Beast, or Cattle of any kind whatsoever; or tie or fasten any Horse or other Beast or Cattle to any Door, Wall, Post, Tree, or other Thing whatsoever, so as that such Horse, Beast, or Cattle can go or stand across or upon any Footway or Causeway; or shall drive any Carriage or Carriages for the Purpose of breaking or exercising any Horse or Horses; or shall ride or lead any Horse for the Purpose of exercising, airing, trying, showing, or exposing such Horse for Sale (otherwise than

than by passing through such Streets or other public Places), or commit any public Nuisance or Annoyance whatsoever; each and every Person so offending in any of such Cases within the said Town and Parishes, or the Owner or Proprietor of any such Horse, Beast, Cattle, Carriage, Goods, Matter, or Thing aforesaid, as the Case may be (in any of such Cases where the Person actually offending cannot be found or discovered), or the Person causing any such Offences, Matters, or Things to be committed or done, shall for each and every such Offence respectively forfeit and pay any Sum not exceeding Forty Shillings; and it shall be lawful for any Commissioner, Constable, Street-keeper, or Watchman to take away and remove any of the before-mentioned Obstructions, in case the Party occasioning the same shall not remove the same within a reasonable Time after being required so to do by any Person or Persons whomsoever; and it shall be lawful for any Constable, or any one of the said Commissioners, or any Officer or other Person acting by or under their Authority, by virtue of this Act, and without any Warrant whatsoever, to seize and apprehend any such Offender or Offenders as aforesaid, and forthwith to convey and deliver him into the Custody of a Peace Officer, in order to the conveying him, her, or them before some Justice or Justices of the Peace acting in and for the said Town and Parishes, in order to his, her, or their being dealt with according to the Directions of this Act.

Penalty for boiling Offal of Fish on Vessels on the River or on Shore, within certain Limits.

LXXX. And be it further enacted, That if any Person or Persons shall use any Vessel, or Hull of any Vessel, as or for a Boiling Place of the Offal of Fish, on the Water or on the Shore of the River *Thames*, within the said Town and Parishes or opposite thereto, so as to become a Nuisance or offensive to the Inhabitants of the said Town and Parishes, or the Public resorting thereto, every Person so offending shall, upon Conviction thereof before the Lord Mayor of the City of *London*, Conservator of the said River *Thames*, or before any Justice of the Peace whomsoever, on Complaint for that Purpose exhibited, forfeit and pay for every such Offence any Sum not exceeding Five Pounds, to be levied and recovered, as well as the Costs of such Proceedings, by Distress and Sale of the Goods and Chattels of the Offender or Offenders, or Person liable to pay the same, by Warrant under the Hand and Seal of the said Lord Mayor or such Justice, which Warrant they are hereby respectively authorized and empowered to grant; and such Penalty or Penalties, when so levied, shall be paid to the Chamberlain of the City of *London*, to be applied for the general Improvement of the River *Thames*.

For preventing the spreading of Canine Madness.

LXXXI. And be it further enacted, That it shall be lawful for any Two Justices, in case of Suspicion of the Existence or Prevalence of Canine Madness in the said Town and Parishes, or the Neighbourhood thereof, by an Order under their Hands and Seals, to order or authorize any Person or Persons to be named in such order, and such Person or Persons is and are hereby authorized accordingly to destroy all Dogs which shall be found at large in any of the Streets or Places within the said Town and Parishes on the Expiration of Twelve Hours after Notice thereof shall have been given by the public Crier in the said Town and Parishes, and after a

Notice

Notice shall have been posted up in the said Town and Parishes by Direction of the said Justices, setting forth the Order of such Justices, and requiring all Persons to confine their Dogs.

LXXXII. And be it further enacted, That in case any Foundry, Candle House, Melting House, or Melting Place, Soap House, Slaughter House, Hogstye, Boiling House for Offal, or uninclosed or uncovered Yard or Place for the Deposit or screening or sifting of any Lime or Ash Dust, or any Necessary House, Dunghill, Manure Heap, or other noisome or offensive Depository or Building, Place, or Matter whatsoever, in or near any of the said Squares, Roads, Streets, Lanes, Ways, Passages, or other public Places within the said Town and Parishes, shall in the Judgment of the said Commissioners be a Nuisance to the Inhabitants of the said Town and Parishes, it shall and may be lawful to and for any such Justices as aforesaid, upon Complaint thereof to them made by the said Commissioners, and after due Investigation of such Complaint, by Notice in Writing under their Hands to order that every or any such Foundry, Candle House, Melting House, or Melting Place, Soap House, Slaughter House, Boiling House, or uninclosed and uncovered Yard or Depository, Hogstye, Necessary House, Dunghill, Manure Heap, or other Nuisance or offensive Matter, be remedied or removed; and in case the same shall not be remedied or removed within Ten Days after such Notice given to such Owner or Owners, Occupier or Occupiers of the Premises wherein such Nuisance or Annoyance shall be situate or arise, or to the Person or Persons on whose Behalf the same is carried on, kept, or made, or left at his, her, or their last or usual Place of Abode, or on the said Premises, then every such Owner or Occupier or other Person so neglecting to remedy or remove such Nuisance or Annoyance pursuant to such Notice, and to the Satisfaction of the said Commissioners, shall forfeit and pay any Sum not exceeding Five Pounds for every Day the same shall continue unremedied or unremoved after the Expiration of the Time mentioned in such Notice: Provided always, that where any Person or Persons thinking himself, herself, or themselves aggrieved by such Order as aforesaid shall give Notice to the said Commissioners or their Clerk of his, her, or their Intention to appeal against the said Order, and shall enter into a Recognizance within the Time and in the Manner directed by this Act for or in respect of Appeals against any Matter or Thing to be done in pursuance of the said Act, such Person or Persons shall not be subject to or liable to pay any such Penalty or Forfeiture until the Expiration of Seven Days next after the Hearing and Determination of such Appeal, and the Confirmation thereupon of the said original Order of the said Justices: Provided always, that nothing herein contained shall extend or be construed to extend to any Foundry, Candle House, Melting House, or Melting Place, Soap House, or Slaughter House which shall have been erected or set up before the passing of this Act: Provided always, that nothing herein contained shall extend to make any Dunghill, or Manure Heap, or the depositing any putrid Fish on the Banks of the *Thames* and *Medway* Canal, and the Basin thereof, a Nuisance to the Inhabitants of the said Town and Parishes within the Meaning of this Act, unless Two Justices of the County of *Kent* shall,

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shall, on the Complaint of any of the said Commissioners or Inhabitants of the said Town and Parishes, (and of which Complaint Three Days Notice shall be given to the *Thames* and *Medway* Canal Company or their Clerk by an Order under the Hands of such Justices, which they are hereby authorized and empowered to make if they shall think fit,) declare that any Dunghill or Manure Heap, or the depositing of any putrid Fish at any Place on the said Banks or Basins, is a Nuisance to the Inhabitants of the said Town and Parishes, or any of them.

Justices, on hearing Complaint that Manure Heaps or putrid Fish are a Nuisance, may award Costs.

LXXXIII. And be it further enacted, That on the hearing of any Complaint of the said Commissioners or the said Inhabitants of any Dunghill or Manure Heap, or the depositing of any putrid Fish on the Banks or Basin of the said *Thames* and *Medway* Canal, being a Nuisance as aforesaid, it shall be lawful for the said Justices to award such Costs and Charges to either Party as to them shall appear right and proper, to be levied and recovered in like Manner as by this Act directed for the levying and recovering of any Penalties or Forfeitures.

Carriages not to remain in the Streets longer than necessary.

LXXXIV. And be it further enacted, That if any Waggon, Cart, Carriage, Coach, Sledge, Dray, or any other Carriage or Vehicle shall at any Time be left, or suffered to be or remain, stay, stand, or continue, either with or without a Horse or Horses or other Cattle, in any of the Streets or Places within the said Town and Parishes, for any longer Time than shall be necessary or reasonable for taking up or setting down Passengers or other Persons, or the loading or unloading thereof, or in case the same shall not during such Time be standing as near to that Side of the Street or Place at which the loading or unloading is to be performed as conveniently may be, or shall be set, placed, left, or be upon any Part of the Footways, Foot Pavements, or Crossings of any such Street or Place, or shall stand, be set, or placed athwart or across (although for the Purpose of loading or unloading the same) any Part of any such Street or Place, so that there shall not be sufficient Room left for another Carriage to pass, or if any Timber, Stone, or other weighty or heavy Article or Material whatsoever, shall be drawn in or over any such Street or Place, without being placed upon or suspended from a Sledge or Carriage proper for that Purpose, or if any Tree or Piece of Timber shall be hauled or drawn upon any Part of such Street or Place, being placed upon or suspended from a Wheel Carriage, but without being attended by some Person beside the Carter, in order to prevent such Tree or Timber doing any Injury or Damage, or if any Goods, Wares, or Merchandize, Materials or Things whatsoever, shall be or remain in such Street or Place for a greater Space of Time than shall be necessary for housing or removing thereof, then and in every such Case the Owner or the Driver of every such Carriage as aforesaid, and the Owner of such Goods, Wares, or Merchandizes, Materials or Things as aforesaid, or the Person causing such Annoyance, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; and any one of the said Commissioners, or their Surveyor, Street-keeper, Beadle, or other their Officer, shall and may, either in the Day or by Night, seize or cause to be seized any

such Carriage so suffered to be or remain, stay, stand, or continue as aforesaid, together with the Horses or Cattle in or drawing the same, or the Goods, Wares, or Merchandize, Materials or other Things as aforesaid, and remove or cause the same to be removed, together with the Person having the Custody thereof, if he shall refuse to quit the same, to such secure Pound or other Place as shall be appointed by the said Commissioners for that Purpose, and the same (except the Person having the Custody thereof and refusing to quit as aforesaid) there to be kept and detained until the Owner thereof shall pay or cause to be paid to the Person in whose Custody the same shall then be the Penalty in which such Person shall be convicted for the said Offence, together with the Costs and Charges of seizing, removing, and keeping the same; and in case the Carriage, Cattle, or other Articles so seized shall not be claimed, and the said Forfeiture, Costs, and Charges paid, within the Space of Twenty-four Hours next after such Penalty shall have been adjudged, the same shall be sold; and the Money arising from such Sale, after deducting the said Penalty, Costs, and Charges, and the Expences of such Sale, shall be paid to the Owner, on Demand.

LXXXV. And be it further enacted, That if any Horse, Ass, Sheep, Cattle, Swine, Goat, or other Beast shall at any Time be found straying or at large in any of the Squares, Roads, Streets, Lanes, Ways, Passages, or other public Places which already have been or hereafter shall be made, laid out, or formed within the said Town and Parishes, it shall be lawful for any Officer or Officers, or other Person or Persons appointed by the said Commissioners, or for any other Person or Persons whomsoever, to seize and impound any and every such Horse, Ass, Sheep, Cattle, Swine, Goat, or other Beast in the Common Pound (if any) of the said Town and Parishes, or in such other Place as the said Commissioners shall have provided or shall provide for that Purpose, and the same there to detain until the Owner or Owners thereof shall, for every such Horse, Ass, Sheep, Cattle, Swine, Goat, or other Beast so impounded, have paid any Sum not exceeding Five Shillings, at the Discretion of any One or more Justice or Justices of the Peace, together with the reasonable Charges and Expences of impounding and keeping such Horse, Ass, Sheep, Cattle, Swine, Goat, or other Beast, to the Treasurer, Clerk, or Surveyor of the said Commissioners; and in case the said Penalty, Charges, and Expences shall not be paid within Three Days after such Horse, Ass, Sheep, Cattle, Swine, Goat, or other Beast shall be so impounded, it shall be lawful for any Two or more Justices of the Peace to order every such Horse, Ass, Sheep, Cattle, Swine, Goat, or other Beast to be sold, and the Money arising from such Sale, after deducting the said Penalty and Charges, and Expences of impounding, keeping, and selling every such Horse, Ass, Sheep, Cattle, Swine, Goat, or other Beast, shall, on Demand, be paid to the Person or Persons whose Property the same so sold shall appear to have been; and in case the Owner or Owners thereof shall not be known, and no Application shall be made for the Money arising by such Sale over and above the said Penalty, Costs, and Charges, within Seven Days after such Sale shall have taken place, the said Money shall, after deducting the said Penalty, Charges, and Expences, be paid

Cattle straying in the Streets to be impounded.

paid to the Treasurer to the said Commissioners, and be applied to the Purposes of this Act.

For punish-
ing Persons
guilty of
Pound-
breach.

LXXXVI. And be it further enacted, That in case any Person or Persons shall release or attempt to release any Horse, Ass, Sheep, Cattle, Swine, Goat, or other Beast which shall be seized for the Purpose of being impounded under the Authority of this Act, or from the Pound or Place where or in which the same shall be so impounded, or shall pull down, break, damage, or destroy the same Pound or Place, or any Part thereof, or any Lock, Bolt, or other Fastening belonging thereto, or with which the same shall be fastened, or shall rescue or release, or attempt to rescue or release, any Distress or Levy which shall be made under the Authority of this Act, until or before such Horse, Ass, Sheep, Cattle, Swine, Goat, or other Beast so seized or impounded, or such Distress or Levy so made, shall be discharged by due Course of Law, every Person so offending shall, upon Conviction thereof before any Two or more of His Majesty's Justices of the Peace, either upon the Confession of the Party or Parties offending, or upon the Oath of One credible Witness, be committed by such Justices, by Warrant under their Hands and Seals, to the Common Goal or House of Correction of the said Town and Parishes, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months.

Penalty on
Parties ob-
structing
Commis-
sioners and
their Officers
&c.

LXXXVII. And be it further enacted, That if any Person or Persons shall at any Time or Times hereafter obstruct, hinder, or molest the said Commissioners, or their Collector or Collectors, Treasurer, Surveyor, or other Officer or Officers, or any Workmen or other Person or Persons whosoever who shall be employed by virtue of this Act, or in any Manner concerned in the Execution thereof, in the Performance of his or their Duty or Work, every Person so offending shall upon Conviction for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Water from
Roofs of
Houses and
Buildings to
be carried off
by Trunks or
Pipes.

LXXXVIII. And be it further enacted, That the Owner or Owners, or Proprietor or Proprietors, or Occupier or Occupiers for the Time being of each House or Building fronting or next adjoining any Square, Road, Street, Lane, Way, Passage, or other public Place in the said Town and Parishes, shall, when thereunto required by the said Commissioners, or any Three or more of them, for the Time being, and within Ten Days after Notice in Writing signed by such Commissioners, and left upon the Premises specified in such Notice, put up and place and for ever afterwards keep in repair and good Condition a Gutter, Spout, or Trough of the whole Length of such House or Building, with a Pipe or Trunk to be fixed at the Front or Side of such House or Building from the Roof down to the Ground, to carry off or conduct off all the Water from the Roof of such House or Building, in such a Manner that such Water shall pass from the said Roof down to and under the Flagging of the Foot Pavement or Footway through and into the common Channel, so as that the same may not fall or drip from the Eaves of such House or Building upon or to incommode any Person passing such House or Building, or passing over or along any Footpath; and every Tenant or Occupier of any such House or Building who shall put up
or

or place any such Gutter, Spout, Trough, Pipe, or Trunk, shall be entitled to deduct and retain out of the Rent payable to the Owner or Proprietor or Owners or Proprietors of such House or Building so much Money as such Tenant or Occupier shall have expended in putting up or placing any such Gutter, Spout, Trough, Pipe, or Trunk; and the Payment of such Expences by any such Tenant or Occupier shall be a sufficient Discharge for him, her, or them for so much of his, her, or their Rent as the Amount of such Expences shall be equal to, and shall be abated and allowed to him, her, or them by the Owner or Owners, or Proprietor or Proprietors, or Occupier or Occupiers of such House or Building, out of such Rent; and if any such Owner or Owners, Proprietor or Proprietors, or Occupier or Occupiers shall for the Space of Ten Days after such Notice to be given as aforesaid neglect to put up or place, or neglect to prevent the Water from dripping from the Eaves of such House or Building as aforesaid, then and in any and in every such Case such Owner or Owners, Proprietor or Proprietors, Occupier or Occupiers, so neglecting, shall forfeit and pay the Sum of Twenty Shillings for each and every Week during the Continuance of such Neglect, to be recovered in like Manner as other Penalties or Forfeitures are by this Act authorized to be recovered, and when received the same shall be paid to the Treasurer or Treasurers of the said Commissioners, to be applied for the Purposes of this Act.

LXXXIX. And be it further enacted, That where any Opening is now or may hereafter be made in the Paving of any Footpath in the said Squares, Roads, Streets, Lanes, Passages, or other public Places within the said Town and Parishes, as an Entrance into or for the Purpose of carrying Coals or other Articles into any Vault or Cellar, whether such Vault or Cellar be inhabited or uninhabited, or for the Purpose of carrying Light into any Room or Cellar, or for any other Purpose, the Door, Lid or Lids, Flap or Flaps, Covering, or Grating to such Opening shall be made (at the Expence of the Occupier of the Cellar, Kitchen, Building, or other Premises to which such Opening shall communicate,) of Iron, or such other Materials, and of such Dimensions, and in such Manner and Form, as the said Commissioners shall direct and approve of; and every such Door, Lid, Flap, Grating, or Covering shall from Time to Time be repaired, varied, and altered at the Expence of the Person or Persons for whose Use and Benefit the same shall be possessed and enjoyed, and in such Manner and Form as the said Commissioners shall direct or appoint; and in case any Person or Persons shall cause any such Grating or Covering to be made, repaired, varied, or altered, or shall neglect or refuse to make, repair, vary, or alter such Grating or Covering, contrary to such Directions or Appointment as aforesaid, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Regulating
Cellar Doors
or Flaps.

XC. And be it further enacted, That the several Owners or Occupiers of Houses, Buildings, Yards, and Gardens within the said Town and Parishes, and every of them, are hereby respectively authorized and required, at their own Costs and Charges, within Twenty-one Days next after receiving Notice in Writing from the said Commis-

Doors open-
ing outwards
to be altered.

[Local.]

14 E

sioners

sioners in that Behalf, to cause all such of the Doors, Gates, and Bars leading into the several Houses, Buildings, Yards, and Gardens in their respective Occupations, and all Gates or Bars which do or shall open outwards upon or over any Footpath or public Way within the said Town and Parishes, to be altered, so as that the same Doors, Gates, or Bars shall thenceforward open inwards or into their respective Premises, or so as to cause no Obstruction to the public Passage ; and if any such Owner or Occupier of the aforesaid Premises shall neglect or refuse to make the Alteration required by the said Commissioners in any such Door or Gate within the Period specified in such Notice, such Owner or Occupier making Default therein shall forfeit and pay any Sum not exceeding Twenty Shillings a Day for every Day during which such Door, Gate, or Bar shall be suffered to remain opening outwards as aforesaid after the Expiration of the Time specified in such Notice : Provided nevertheless, that when the Occupier of any such House, Building, Yard, or Garden, being a Tenant at Rack Rent, shall cause any such Door or Gate to be duly altered in pursuance of such Notice as aforesaid, it shall be lawful for him to deduct and retain out of his Rent the necessary Charges of altering the same, and the Proprietor or Landlord of every such House, Building, Yard, or Garden so held at Rack Rent is hereby required to allow the same accordingly, except only in Cases where such Door or Gate opening outwards and so altered shall have been originally put up by or under the Authority of the Person occupying the Premises at the Time the Alteration is made, in which Case such Occupier shall bear the Expence of altering the same.

Commis-
sioners may
provide Fire
Engines.

XCI. And be it further enacted, That it shall be lawful for the said Commissioners (if they shall think proper) to purchase or provide Fire Engines, Pipes, and other necessary Apparatus for extinguishing Fires, and to hire such Horses for the Use of the same as they the said Commissioners shall think fit, and to erect, hire, or rent a proper Place or Places for keeping such Engines, and to employ during Pleasure a proper Number of Persons as Firemen to attend the same, and with such Wages or Salaries, and also to give such Firemen or other Persons such Rewards for their Exertions in Cases of Fire, and to make such Rules and Orders for the Regulation of such Firemen for working such Engines occasionally, and keeping the same in Order, as the said Commissioners shall think fit.

Commis-
sioners may
provide
Buildings for
Watch-
houses, &c.

XCII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to purchase, or to take or hire on Lease, and hold to them and their Successors, any Plot or Plots of Ground, and thereon to erect and build all proper Watch-houses or Lock-up Houses for the safe Custody of such Persons as may be apprehended by the Watchmen and Street-keepers while on Duty, until they can conveniently be carried before some Justice of the Peace, to be examined and dealt with according to Law, and also thereon to erect and build any Rooms, Erection, or Building, or to purchase or take or hire any Rooms, Erections, or Buildings already erected and built, that may be necessary and sufficient for holding the Meetings of the Commissioners to be from Time to Time held for the Purpose of carrying this Act into execution ; and all Sum and

Sums of Money, Rents, Costs, Charges, and Expences which shall arise and be incurred in the Purchase and hiring any such Ground; and the erecting and building any such House, Rooms, Erections, or Buildings, Watch-houses or Lock-up Houses, or in the purchasing or hiring any such House, Rooms, Erections, or Buildings, and in fitting up and maintaining and keeping the whole of the same in repair, from Time to Time, shall be paid out of the Monies to arise under or by virtue of this Act: Provided always, that no greater Sum than Five hundred Pounds shall be expended in the erecting and building of any such Rooms, Erection, or Building for holding the Meetings of the said Commissioners.

XCIII. And be it further enacted, That it shall and may be lawful for the said Commissioners, or any Five or more of them, and they are hereby authorized and required, from Time to Time, upon the Application of any Person or Persons, to license Hackney Coaches, Chaises, Flies, and Carriages of any other Name or Description, and whether the same be drawn by any Horse, Mule, or Ass, or be drawn or propelled in any other Manner, to ply or let or use for Hire in the said Town and Parishes, for the Purpose of carrying or conveying Passengers within the said Town and Parishes, or the Neighbourhood thereof, not exceeding Twelve Miles from the said Town and Parishes: Provided always, that no such Licence shall have any Force or Effect until allowed and confirmed by One or more Justice or Justices of the said Corporation of *Gravesend* and *Milton* for the Time being.

Commis-
sioners may
license
Hackney
Coaches,
Chaises, and
other Car-
riages.

XCIV. And be it further enacted, That every Licence to be granted as herein-before mentioned shall be signed by Five or more of the said Commissioners, and shall express the Number of the Hackney Coach, Chaise, Fly, or other Carriage so licensed, and shall be in force for One Year from the Day of the Date of such Licence, or until the next licensing Meeting for the Purposes aforesaid, and no longer, unless such Licences shall, on account of the Misbehaviour or Misconduct of the Owner or Driver or Person attending such Coach, Chaise, Fly, or Carriage respectively so licensed, be suspended or revoked by the said Commissioners, which they are hereby authorized to do; and no One Licence shall include more than One Coach, Chaise, Fly, or Carriage; and every such Licence shall be made out by the Clerk of the said Commissioners, and be duly entered in a Book to be provided and kept by him for that Purpose, with the Christian and Surname and Place of Residence of the Person to whom such Licence shall be granted, and the Number of the Licence; and in such Book shall be contained Columns or Places for Entries to be made of every Offence committed by any Owner, Driver, or Person attending any Coach, Chaise, Fly, or Carriage; and for each and every such Licence there shall be paid to the Clerk of the said Commissioners for the Time being, as a Remuneration to him for his Trouble and Expence for each Licence, the Sum of Five Shillings.

Manner of
granting
Licences, and
Sums to be
paid for the
same.

XCV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners from Time to Time to appoint such Stand or Stands for all such Hackney Coaches, Chaises, Flies, and

Commis-
sioners may
appoint
Stands for
other
Carriages.

other Carriages as aforesaid, and for the Drivers thereof respectively, to stand and ply for Hire within the said Town and Parishes, and the Limits thereof, as to them the said Commissioners shall seem right and proper; and if any Person or Persons shall stand and ply for Hire with any Hackney Coach, Chaise, Fly, or other Carriage as aforesaid in any other Place or Places than shall be appointed as such Stand or Stands, then and in every such Case every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Carriages to
be numbered.

XCVI. And be it further enacted, That the Owner or Owners of each and every such Hackney Coach, Chaise, Fly, or other Carriage as aforesaid, so licensed and used or kept for Hire as aforesaid, shall paint or cause to be painted such Number or Numbers as the said Commissioners shall direct or appoint in White on a Black Ground, each Number not being less than Two Inches in Length, upon or fixed or attached to One Side of each and every such Hackney Coach, Chaise, Fly, and other Carriage, or upon or to such other Part or Parts thereof respectively as the said Commissioners shall direct or appoint; and if any Person or Persons shall stand or ply within the said Town and Parishes with any such Hackney Coach, Chaise, Fly, or other Carriage, or let or use the same for Hire, not having such Number or Numbers so painted upon or fixed or attached to the same, or having such Number or Numbers, or any Part or Parts thereof, not clear and legible, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Fares to be
regulated by
the Commis-
sioners.

XCVII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to ascertain and affix the several Rates or Fares to be paid for the Use or Hire of every such Hackney Coach, Chaise, Fly, and other Carriage as aforesaid, for carrying or conveying any Passenger or Passengers within the said Town and Parishes, and in the Neighbourhood thereof, not exceeding Twelve Miles from the said Town and Parishes, and from Time to Time to advance, lower, vary, or alter such Rates or Fares, or any of them, as to them the said Commissioners shall seem right and proper; and when and as often as such Rates or Fares, or any of them, shall be fixed, advanced, lowered, varied, or altered by the said Commissioners, the same shall from Time to Time be painted upon a Table or Tables, Board or Boards, which Table or Tables, Board or Boards, shall be fixed or put up and continued in such conspicuous Place or Places within the said Town and Parishes as to the said Commissioners shall seem right and proper; and such Table or Tables, Board or Boards, when so fixed or put up, shall be and be deemed to be full and conclusive Evidence of all such Rates to all Persons whomsoever.

Tables of
Fares to be
put up.

Regulating
Drivers of
Carriages.

XCVIII. And be it further enacted, That if any Owner or Driver of or any Person or Persons attending any Hackney Coach, Chaise, Fly, or other Carriage so licensed as aforesaid, and standing or plying, or being let or used for Hire, shall refuse or neglect (when applied to for that Purpose) to carry or convey any Person or Persons to

to any Place or Places within the said Town and Parishes and the Neighbourhood thereof, not exceeding Twelve Miles from the said Town and Parishes, or if the Owner or Driver of or other Person attending any such Hackney Coach, Chaise, Fly, or other Carriage so licensed as aforesaid, shall demand or take any greater or larger Rate or Fare than such Rate or Fare so ascertained and fixed as aforesaid, and of which such Notice shall have been given as aforesaid, or shall in anywise insult or otherwise misbehave himself or themselves to any Person or Persons hiring or employing him or them, or to any other Person or Persons whomsoever, or if the Owner or Driver of any such Hackney Coach, Chaise, Fly, or other Carriage shall not duly attend the same, then and in every such Case every such Person so offending shall forfeit and pay any Sum not exceeding Forty Shillings; and it shall and may be lawful to and for the said Commissioners and Justices, in case they shall think fit, to take away and revoke any Licence or Licences so granted for any such Hackney Coach or Coaches, Chaise or Chaises, Fly or Flies, or other Carriage or Carriages, from any Person who shall have been Three Times convicted of any such Offence or Offences, and to refuse any such Licence for the future to any such Person so convicted.

XCIX. And be it further enacted, That if any Person who shall have hired and employed any such Hackney Coach, Chaise, Fly, or other Carriage shall refuse or neglect to pay any Rates, Fares, or Prices so ascertained and fixed as aforesaid, or shall cut, deface, break, or injure any such licensed Hackney Coach, Chaise, Fly, or other Carriage, it shall be lawful for any such Justice of the Peace, upon Complaint thereof made to him, to summon the Person complained of to appear before him to answer the said Complaint, and on Proof upon Oath of the Service of the Summons to proceed in and hear the Matter of such Complaint on Oath, whether the Person so summoned shall appear or not, and to make such Order therein as to such Justice shall seem just; and if the Person against whom such Order shall be made do not immediately pay or cause to be paid the Money which shall be ordered as a Satisfaction to the Person for the Service or Injury done, it shall be lawful for such Justice and he is hereby required to cause the same to be levied by Distress and Sale of the Goods and Chattels of such Person so refusing or declining to pay, in the same Manner as Penalties are by this Act directed to be recovered, and to pay the Amount so awarded to the Person to whom it shall be due, with such Costs as such Justice shall think reasonable, returning the Overplus (if any) to the Owner of the Goods and Chattels so distrained; and if no Distress can be found, then to commit the Person against whom such Order shall be made to the Common Gaol, there to remain without Bail or Mainprize for any Term not exceeding Thirty Days, unless the Money be sooner paid.

Penalty on
Persons not
paying Fares,
&c.

C. And in order to enable the said Commissioners to pay the said Annuities granted and the said Money borrowed on the Credit of the Rates and Assessments authorized to be made under the said recited Acts, and the Interest thereof, and also any Annuities which may be granted and any Monies which may be borrowed under or by virtue

Power to
make Rates
for the Pur-
poses of this
Act.

[*Local.*]

14 F

of

of this Act, and the Interest thereof, and also to enable them to carry the several Purposes of this Act into execution ; be it enacted, That it shall be lawful for the said Commissioners, or any Twelve or more of them, and they are hereby authorized and required, from Time to Time to make and apportion, or cause to be made and apportioned, a Rate or Assessment or Rates or Assessments on all and every the Occupiers and Occupier of all Messuages, Tenements, and Hereditaments whatsoever within the said Town and Parishes, according to the annual Value of the said Messuages, Tenements, and Hereditaments, as the said Commissioners shall consider fair and equitable, at such Rate or Rates in the Pound as they shall think proper, so that no such Rate or Rates, Assessment or Assessments, do together in any One Year exceed the Rate of Two Shillings in the Pound on such annual Value ; and the Monies raised and collected by such Rate or Rates shall be applied for such several and respective Purposes for which the same is or are hereby authorized to be levied of the said Messuages, Tenements, and Hereditaments : Provided always, that when the whole of the Annuities, amounting to One thousand and seven hundred Pounds, and the Sum of One hundred and twenty-three Pounds and Two Shillings, respectively charged on the Rates and Assessments authorized to be made under the said recited Acts as herein-before mentioned, shall be satisfied and discharged, then and from thenceforth the Rates or Assessments hereby authorized to be made by the said Commissioners shall not together in any One Year exceed Two Shillings in the Pound on Two Thirds of the annual Value of the Messuages, Tenements, and Hereditaments to be included in such Rates or Assessments.

Recovery of
Rates.

CI. And be it further enacted, That the Money or Monies so rated or assessed as aforesaid shall be paid by the respective Tenants or Occupiers of such respective Premises to the Collector of the said Rates to be appointed by the said Commissioners, and shall be collected and paid over by such Collector into the Hands of the Treasurer to the said Commissioners, or such Person as the said Commissioners shall order or direct for that Purpose ; and if any such Tenant or Occupier shall neglect or refuse to pay the Money rated or assessed upon him, or his Proportion or Proportions of the same, to the said Collector for the Space of Seven Days next after personal Demand made thereof, or Demand thereof in Writing left at the last or usual Place of Abode of such Tenant or Occupier, or on the Premises for which such Tenant or Occupier shall be so rated or assessed, or any Part thereof, the same shall and may be levied and recovered on and from every such Tenant or Occupier so neglecting or refusing by Distress and Sale of the Goods and Chattels of such Defaulter, by Warrant under the Hand and Seal of any Justice of the Peace, on Proof upon Oath of such Neglect or Refusal ; and the Surplus (if any) of the Monies to be raised by such Distress and Sale shall be paid, on Demand, to the Owner of the Goods or Chattels so distrained and sold, after deducting all Costs, Charges, and Expences attending or preparatory to such Distress and Sale, to be ascertained by such Justice ; and in default of such Distress it shall be lawful for such Justice to commit such Tenant or Occupier to the Common Gaol or House of Correction, there to remain with-

out Bail or Mainprize for any Time not exceeding Three Calendar Months, or until Payment of such Sum or Sums of Money as shall have been found to be due and in arrear upon such Rate or Rates, Assessment or Assessments as aforesaid, together with all Costs, Charges, and Expences, to be ascertained by the said Justice.

CII. And be it further enacted, That it shall be lawful for the said Commissioners and their Clerk, and for the Collector or Collectors of the Rates or Assessments to be made by virtue of this Act, or for any other Person authorized by the said Commissioners, at all reasonable Times to inspect the Books of Assessment made from Time to Time for the Relief of the Poor in the several Parishes within the Limits of this Act, and also to take Copies thereof and make Extracts therefrom; which Inspection, Copies, and Extracts the Collectors of the Poor Rate, or other Officer or Person having the Custody of such Books and Assessments, are hereby required to permit and suffer to be made without Fee or Reward; and in case any such Collector of the Poor Rate, or other Officer or Person, shall neglect or refuse to permit such Inspection, he shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Power to inspect Poor Rates, in order to ascertain the Value of Premises to be rated.

CIII. And be it further enacted, That the Lessee, Landlord, or Owner of all Houses, Buildings, or Tenements within the said Town and Parishes which are or shall or may be let out ready furnished, or in separate Apartments, Rooms, or Floors, or for any less Term than One Year, or which shall be assessed on a Rent or annual Value not amounting to Twenty Pounds, shall be deemed and taken to be the Tenant or Occupier thereof for the Purposes of this Act, and shall be liable and subject to the Rates or Assessments by this Act directed to be made or levied; and every such Lessee, Landlord, or Owner, and every Person renting or occupying any such ready-furnished House, or separate Apartments, Rooms, or Floors, or House, Building, or Tenement, let for a less Term than a Year, or assessed on a Rent or annual Value under Twenty Pounds as aforesaid, shall be liable and compellable to pay the said Rates and Assessments, to be recovered in manner herein-before directed.

Landlords in certain Cases to be rated as Occupiers.

CIV. And be it further enacted, That in all Cases where any Person shall remove from or quit any House, Tenement, or Hereditaments, the Tenant or Occupier whereof shall be rated or assessed, or be liable to be rated or assessed, by virtue of this Act, every such Person so removing from or quitting the same shall be liable to pay such Rate or Assessment in proportion to the Time that such Person occupied the same, and in like Manner as if he had not removed from or quitted the Possession of the same; and in all Cases where any Person shall come into or occupy any such House, Tenement, or Hereditaments out of or from which any other Person shall have removed, or which, at the Time of making any such Rate or Assessment, was or were empty or unoccupied, the Person coming into or occupying the same shall be liable to pay such Rate or Assessment, although his Name may not be inserted therein, in proportion to the Time that he shall occupy the same, in like Manner as if he had been originally rated or assessed by Name in such Rate or Assessment;

Persons removing to pay a proportionable Part of the Rates.

ment ; which said Proportion, in case of Dispute, shall be determined by the said Commissioners in such Manner as they shall deem reasonable and just.

For correct-
ing Names
in Rates or
Assessments,
&c.

CV. And be it further enacted, That if it shall appear to the said Commissioners, at any Times or Time after any Rate or Assessment shall have been made and signed by them, that the Name or Names of any Person or Persons who ought to be included in such Rate or Assessment hath or have been omitted therein, or that the Name or Names of any Person or Persons hath or have been inserted in such Rate or Assessment as Owners or Occupiers of any Messuage or Messuages or other Hereditaments for or in respect of which some other Person or Persons ought to have been rated or assessed, or in case any Messuage or Tenement or other Hereditaments which, at the Time of making any such Rate or Assessment, was empty and unoccupied, shall become occupied by any Person or Persons within the Meaning of this Act, or that any other Alteration or Amendment may, in the Opinion of the said Commissioners, be necessary, then and in any such Case it shall be lawful to and for the said Commissioners to add or insert, or cause to be added or inserted, to or in such Rate or Assessment, the Name or Names of the Person or Persons so omitted, and the Name or Names of the Person or Persons who shall have become the Occupier of any Messuage or Tenement which was, at the Time of making such Rate, empty and unoccupied as aforesaid, together with the Sum or Sums for which he, she, or they ought to be rated and assessed, and the Amount of such Rate or Assessment in respect thereof, and also to insert and substitute, or cause to be inserted and substituted, the Name or Names of such Person or Persons as may be the Owners or Occupiers of any Messuages or Hereditaments instead of and for the Name or Names of the Person or Persons incorrectly inserted in such Rate or Assessment as the Owners or Occupiers of any Messuages or Hereditaments at the Time of making such Rate, and otherwise from Time to Time to alter and amend the said Rate or Assessment accordingly, as they may from Time to Time deem necessary; and that every such Addition, Insertion, Alteration, and Amendment shall be valid and effectual in Law to all Intents and Purposes; and the Monies charged to any Person or Persons in consequence thereof shall and may be demanded, received, and recovered in the same Manner as if the Name or Names of such Person or Persons, or other Alteration and Amendment, had been inserted and made in such Rate or Assessment at the Time of the original making or signing thereof.

Persons re-
ceiving Rents
to be deemed
Owners.

CVI. And be it further enacted, That in order to prevent Disputes touching the Designation of the Landlords or Owners of any Houses, Buildings, Tenements, or Hereditaments liable to be rated and assessed by any Rates or Assessments to be made for the Purposes of this Act, the Person or Persons authorized and empowered to receive and collect, or receiving and collecting, or claiming to be entitled to receive and collect, the Rents of any Houses, Buildings, Tenements, or Hereditaments from the Tenants or actual Occupiers thereof, or any of them, shall be deemed and taken to be the Landlord or Landlords, Owner or Owners of such House, Building, Tenement, or Here-

Hereditament, and shall be liable to be rated and assessed, and shall be compellable to pay the Rates and Assessments, in respect of such Houses, Buildings, or Hereditaments.

CVII. Provided always, and be it further enacted, That the Goods and Chattels of every Occupier of any House, Building, Tenement, or Hereditament rated and assessed for the Purpose of this Act, which shall be found in and about the same, shall be liable to be distrained for the Payment of the Rates or Assessments, and all Arrears of such Rates or Assessments, made upon the Owner or Owners thereof, by Warrant of Distress under the Hands of Two or more Justices of the Peace, so that in no Case any greater Sum be raised by Distress of the Goods and Chattels of any such Occupier than shall, at the Time of making such Distress, be actually due from such Occupier for Rent of the Premises on which such Distress shall be made, to be ascertained in a summary Way by the Justices granting the Warrant of Distress : Provided also, that every Occupier who shall pay any such Rate or Rates, or upon whose Goods and Chattels the same or any Part thereof shall be levied, shall and may deduct the Amount of the Sum which shall be so paid or levied out of the Rent by him or them payable, and such Payment shall be a sufficient Discharge to every Occupier for so much of the Rent payable by him or her as he or she shall have paid, or as shall have been levied on his or her Goods and Chattels for such Rate, and for the Costs of levying the same.

Goods of Occupiers may be distrained for Rates to the Amount of Rent actually due.

CVIII. And be it further enacted, That in case any Person or Persons who hath or have been, or who shall or may be, rated or assessed for the Purposes of the said last-recited Act or this Act, shall quit or be about to quit any House, Warehouse, Building, or other Tenement or Hereditament for or in respect whereof he, she, or they shall have been so rated or assessed before he, she, or they shall have paid such Rate or Rates, Assessment or Assessments, or such Portion or Portions thereof as may be then due or payable, and shall refuse to pay the same when demanded by the Collector or Collectors, or other Person or Persons authorized and appointed to receive the same, then and in every such Case it shall be lawful for the said Collector or Collectors, or other Person or Persons as aforesaid, (Oath or Affirmation having been made by him or them before some Justice of the Peace, that he or they hath or have Cause to suspect that such Person or Persons is or are removing, or hath or have removed, his, her, or their Goods and Chattels,) by Warrant under the Hands and Seals of any Two or more of His Majesty's Justices of the Peace, (which Warrant such Justices are hereby authorized and empowered, if they shall think fit, to grant immediately,) to distrain the Goods and Chattels of such Person or Persons so refusing or neglecting to pay such Rates or Assessments, or Portion or Portions thereof, or any of them, wherever such Goods or Chattels may be, and to sell such Goods and Chattels, rendering the Overplus (if any), after having deducted the reasonable Costs, Charges, and Expences attending such Distress and Sale, upon Demand, to the Owner or Owners of such Goods and Chattels respectively.

Recovery of Rates from Persons removing or about to move.

Sessions may amend Rates without quashing them.

CIX. And be it further enacted, That upon any Appeal from any Rate or Assessment made in pursuance of this Act, the Justices at any General or Quarter Sessions of the Peace for the said County of *Kent* shall and may amend the same in such Manner as may be necessary for giving Relief to the Appellant or Appellants personally, without wholly quashing such Rate or Assessment: Provided always, that if the said Justices shall be of opinion that it is necessary, for the Purpose of giving Relief to the Person appealing, that the Rate or Assessment shall be wholly quashed, then they may quash the same, and order a new one to be made by the said Commissioners.

Limits of the Town and Parishes within which Commissioners may rate.

CX. And be it further enacted, That for defining the Limits within which the said Commissioners may rate and assess the Owners and Occupiers of Messuages, Tenements, and Hereditaments in the said Town and Parishes under this Act, such Limits shall be deemed and taken to comprise only all Messuages, Tenements, and Hereditaments situate and being within the Distance of One hundred Yards from any Lamp set up or affixed, or hereafter to be set up and affixed, in any of the said Squares, Roads, Streets, Ways, Passages, or other public Places, and lighted by or under the Authority of the said Commissioners; and also only all Messuages, Tenements, or Hereditaments which shall be situate in or adjoining to any of the said Squares, Roads, Streets, Ways, Passages, or other public Places, now paved and cleansed, or which shall be hereafter paved and cleansed, by or under the Authority of the said Commissioners, and in which no such Lamp shall be set up, affixed, or lighted.

The Lands and Estates of His Majesty, under the Charge of the Board of Ordnance, exempt from Operation of this Act, except as to Liability to Rates and Assessments.

CXI. Provided always, and be it further enacted, That nothing in this Act contained shall in any Manner affect or extend to or give to the said Commissioners or their Successors, or any Person or Persons whomsoever acting under their Orders or Authority, any Jurisdiction over the Lands, Estates, and Property belonging to His Majesty in the said Town and Parishes of *Gravesend* and *Milton*, or either of them, and now under the Charge or Controul of the principal Officers of the Ordnance, while the same Lands, Estates, and Property shall belong to His Majesty, His Heirs or Successors, without the Consent in Writing of the said principal Officers or their Successors in Office, it being hereby declared that all such last-mentioned Lands, Estates, and Property shall continue, while the same shall belong to His Majesty, His Heirs or Successors, subject as heretofore to Rates and Assessments to be made by virtue of this Act, but for all other Purposes shall be wholly excluded from the Powers and Jurisdiction of the said Commissioners for the Time being under this Act while the same shall belong to His Majesty, His Heirs or Successors, any thing herein contained to the contrary notwithstanding.

For equalizing the Rates between the Parishes within the Limits of this Act.

CXII. Provided always, and be it further enacted, That in order that the Inhabitants of the said respective Parishes of *Gravesend* and *Milton next Gravesend*, within the Limits of this Act, may not be subjected to or be assessed to or bear a larger Proportion of the Expences of executing this Act than shall be fair and equitable between the said Parishes, it shall be lawful for the said Commissioners, and they

they are hereby authorized and empowered, to rate and assess, raise and levy, or to cause to be assessed, raised, and levied, such Sum or Sums only within such respective Parishes as the said Commissioners shall consider necessary for defraying the Expences of the Year for paving and lighting, widening, improving, and draining, the several Squares, Roads, Streets, Ways, Passages, and public Places within the same Parishes respectively, and for Payment of such Part of the Monies to be borrowed and raised by virtue of this Act, and the Interest thereof, as shall be applied by the said Commissioners for the Purposes aforesaid within the same Parishes respectively, and for the Payment of One Half Part of the Monies already charged upon the Rates or Assessments authorized to be made by the said recited Acts, and the Interest thereof, and One Half Part of all other the current Expences of carrying the several Purposes of this Act into execution; and for the like Purpose it shall also be lawful, for the said Commissioners, and they are hereby required, authorized, and empowered, to apply the Monies to be raised, levied, and received within the same Parishes respectively as aforesaid in Payment of the said Expences of the Year of paving and lighting, widening, improving, and draining, the several Squares, Roads, Streets, Ways, Passages, and public Places within the same Parishes respectively, and of such Part of the said Monies to be borrowed as aforesaid, and the Interest thereof, as shall be applied for the Purposes aforesaid within the same Parishes respectively, and of One Half Part of the Monies already charged upon the Rates and Assessments to be made under the said recited Acts, and the Interest thereof, and One Half Part of all other the current Expences of carrying the several Purposes of this Act into execution; and that separate Accounts shall be made and kept by the Clerk and Treasurer to the said Commissioners of the several Rates and Assessments and Receipts and Payments made for or in respect of the Matters aforesaid for and between each of the said respective Parishes.

CXIII. And be it further enacted, That in all Cases where the Boundary Line between the said Parishes of *Gravesend* and *Milton next Gravesend* runs or lies or shall run or lie along or across any of the said present or future Streets, Roads, Lanes, Ways, Passages, or public Places, one equal Half Part of every such Street, Road, Lane, Way, Passage, and public Place shall for the Purposes of this Act be deemed and taken to be situate within the Parish of *Gravesend*, and the other equal Half Part thereof respectively shall for the Purposes of this Act be deemed and taken to be within the Parish of *Milton next Gravesend*.

Streets lying partly in one Parish and partly in the other to be deemed to be in equal Halves in the Two Parishes.

CXIV. And for the more effectually enabling the said Commissioners to execute the Purposes of this Act, be it further enacted, That it shall be lawful for the said Commissioners and they are hereby empowered, from Time to Time, when they shall judge necessary, for the Purpose of carrying this Act into execution, to borrow and take up at Interest any Sum or Sums of Money not exceeding in the whole the Sum of Twelve thousand Pounds, over and above the Sum now due on Security of the Rates or Assessments made under the Authority of the said recited Acts, and by any Writing or Writings under

Commissioners may borrow Money.

the Hands and Seals of any Five or more of them to mortgage, demise, grant, or assign over the Rates or Assessments to be made under this Act, or any Part or Parts thereof, to the Person or Persons who shall advance or lend such Money, or to his, her, or their Trustee or Trustees, as a Security or Securities for the Money so to be borrowed, together with Interest for the same; and the Charges and Expences of such Security or Securities respectively shall be from Time to Time defrayed by the said Commissioners out of the Money so borrowed; and every such Mortgage or Assignment may be in the Words or to the Effect following; (that is to say,)

Form of
Mortgage.

‘ **BY** virtue of an Act passed in the Third Year of the Reign of
 ‘ King *William* the Fourth, intituled [*here set forth the Title of*
 ‘ *this Act*], we the undersigned, being _____ of the Commis-
 ‘ sioners acting in execution of the said Act, in consideration of
 ‘ the Sum of _____ Pounds advanced and lent by
 ‘ of _____ to the said Commissioners, upon the Credit
 ‘ of the Rates and Assessments authorized to be made, raised,
 ‘ and collected by the said Act, do hereby grant and assign unto the
 ‘ said _____ his Executors, Administrators, and Assigns,
 ‘ such Proportion of the said Rates and Assessments as the said Sum
 ‘ of _____ Pounds doth or shall bear to the whole Sum borrowed
 ‘ or charged or to be borrowed or charged upon the Credit of the
 ‘ same Rates and Assessments; to be had and holden from the Day
 ‘ of the Date of these Presents until the said Sum of
 ‘ Pounds, with Interest for the same after the Rate of _____ Pounds
 ‘ *per Centum per Annum*, shall be fully repaid and satisfied. In wit-
 ‘ ness whereof we have hereunto set our Hands and Seals the
 ‘ Day of _____ One thousand eight hundred and _____

Power for
Commis-
sioners to
raise Money
by Annuity.

CXV. And be it further enacted, That in case the said Commis-
 sioners shall think it advisable to raise all or any Part of the Money
 for the Purposes of this Act by granting Annuities for Lives instead
 of Assignments as aforesaid, then and in such Case it shall be lawful
 to and for the said Commissioners, and they are hereby authorized
 and empowered, so to do, by Writing under their Hands and Seals,
 or the Hands and Seals of any Twelve or more of them, to grant an
 Annuity or Annuities to any Person or Persons who shall contribute,
 advance, and pay to the said Commissioners any Sum or Sums of
 Money for the absolute Purchase of an Annuity or Annuities, to be
 paid and payable during the natural Life or Lives of any such Con-
 tributor or Contributors, or of such Person or Persons as shall be
 nominated by or on behalf of such Contributor or Contributors at
 the Time of the Payment of his, her, or their Contribution or Pur-
 chase Money; and the Grant of every such Annuity shall be in the
 Words or to the Effect following:

Form of
Grant of
Annuity.

‘ **WE**, being _____ of the Commissioners acting in pur-
 ‘ suance of an Act made in the Third Year of the Reign of King
 ‘ *William* the Fourth, intituled [*here set forth the Title of this Act*], in
 ‘ consideration of the Sum of _____ paid by _____ in pursuance
 ‘ of the said Act, do hereby grant unto the said _____ an Annuity
 ‘ or yearly Sum of _____ to be paid out of the Rates or Assess-
 ‘ ments to be raised, levied, and collected by virtue of the said Act,
 ‘ which

' which Annuity or yearly Sum of shall be paid to the
' said or his or her Assigns, during the Term of his or
' her natural Life, [*or, as the Case may be*, to the said his
' or her Executors, Administrators, or Assigns, during the natural
' Life of or during the natural Lives of and
' and the Life of the Survivor,] upon the
' Day of the Day of the
' Day of and the Day of
' in every Year, during the natural Life or Lives of him, her, or
' them the said at the the first
' Payment thereof to be made upon the Day of
' next ensuing the Date hereof. In witness whereof we the said
' Commissioners have hereunto set our Hands and Seals the
' Day of in the Year .'

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

CXVI. And be it further enacted, That it shall be lawful for the Persons entitled to any of the Securities for the Money heretofore borrowed on the Credit of the said recited Acts hereby repealed, or to be borrowed on the Credit of this Act, and their respective Executors, Administrators, and Assigns (as the Case may be), at any Time, by Writing under their respective Hands and Seals, to assign and transfer such Securities to any Person whomsoever, and so *toties quoties*; and every such Assignment or Transfer may be in the Words or to the Effect following; (that is to say,)

I being entitled to the Sum of
secured to Executors, Administrators, and
Assigns by virtue of a Mortgage or Assignment bearing Date the
Day of under the Hands and
Seals of Seven of the Commissioners acting in the Execution of an
Act passed in the Thirteenth Year of the Reign of King *George* the
Third, intituled [*or of an Act passed in the Fifty-sixth Year of the*
Reign of King George the Third, intituled] [*or of an Act passed in*
the Third Year of the Reign of King William the Fourth, intituled]
[*setting forth the Title of the Act or Acts hereby repealed, or of this*
Act (as the Case may be)], upon the Credit of the Rates or Assessments
authorized to be made, raised, and collected by the said Act [*or Acts*],
do hereby transfer all my Right and Interest in and to the same, and
all Interest and other Money now due and owing thereupon, unto
of his Executors, Administrators,
and Assigns. Given under my Hand and Seal this
Day of One thousand eight hundred .’

CXVII. And for preventing any improvident Grants of Annuities, For prevent-
 be it further enacted, That the Amount of every Annuity to be ing improvi-
 [Local.] 14 H granted dent Grants
 of Annuities

granted by virtue of this Act shall be regulated according to the Price of the Three Pounds *per Centum* Consolidated Bank Annuities at the Time of granting the same, in the Manner and at a Rate not exceeding by more than One Sixth the Rate prescribed by any Act or Acts for the Time being in force for granting Annuities or Government Securities.

Annuity
dying, others
may pur-
chase.

CXVIII. Provided always, and be it further enacted, That when and as often as any Person or Persons on whose Life or Lives any Annuity or Annuities shall have been granted under the Authority of the said last-recited Act, or which shall be granted under the Authority of this Act, shall die, it shall and may be lawful for any other Person or Persons to purchase of the said Commissioners, and for the said Commissioners in manner aforesaid to grant, One or more Annuity or Annuities upon the Life or Lives of such Person or Persons, upon such Terms and Conditions, and payable in such Manner, as before mentioned, and so from Time to Time, and as often as the Deaths of any Annuity may happen; and also, if the said Commissioners shall pay off and discharge any of the Sum or Sums which shall have been borrowed at Interest under the Authority of the said last-mentioned Act, or which may be borrowed at Interest on the Credit of the said Rates and Assessments under the Authority herein-before contained, that it shall and may be lawful for the said Commissioners, or any Five or more of them, from Time to Time, as often as the Case may happen, to borrow such and the like Sum and Sums of Money at Interest on the Credit of the said Rates and Assessments as shall have been so paid off and discharged, or so much and such Part and Parts thereof as to them shall seem expedient, so that there shall not be raised, borrowed, and charged upon the said Rates and Assessments by Annuity or at Interest, at any One Time, any greater Amount in the whole than the original Sums authorized to be borrowed, raised, and charged thereon by the said last-recited Act or this Act.

Commis-
sioners may
redeem An-
nuities.

CXIX. And be it further enacted, That it shall be lawful for the said Commissioners, with the Consent of the Person or Persons entitled thereto, to redeem all or any of the Annuities by or under the Authority of the said recited Acts or this Act charged or to be charged upon the Rates and Assessments made or to be made by the said Commissioners, and to agree for the Redemption thereof upon such Terms as the said Commissioners shall think proper, and to raise any Sum or Sums of Money by way of Mortgage or by way of Annuity, as herein-before mentioned, on the Credit of the said Rates and Assessments, for the Purpose of enabling them to redeem such Annuities, or any of them, or any Part thereof respectively, so that the whole Sum to be charged on the said Rates and Assessments shall not at any One Time exceed the Sums authorized to be borrowed, raised, and charged thereon by the said last-recited Act or this Act.

Power to
borrow at
lower Inter-
est, to pay off
existing

CXX. And be it further enacted, That in case the said Commissioners shall at any Time be able to borrow or take up any Sum or Sums of Money at a lower Rate of Interest than shall happen to be payable upon any of the original or other Mortgages which may have been

been or may be granted by the said Commissioners under the Authority of the said recited Acts, or either of them, or of this Act, and which may happen to be then existing, it shall be lawful for the said Commissioners from Time to Time to charge the said Rates and Assessments in manner aforesaid with such Sum or Sums of Money as they shall think proper at such lower Rate of Interest, and the Interest thereof at such lower Rate as aforesaid, and therewith to pay off and discharge any of the said original or other Mortgages bearing a higher Rate of Interest, so that the whole Sum to be charged on the said Rates and Assessments shall not at any One Time exceed the Sums authorized to be borrowed, raised, and charged thereon by the said last-recited Act or this Act.

Mortgages at a higher Rate of Interest.

CXXI. And be it further enacted, That the Costs, Charges, and Expences of obtaining and passing this Act, and incident thereto, shall be paid and discharged by the said Commissioners out of any Monies which shall be in the Hands of the said Commissioners or their Treasurer at the Time of the passing of this Act, or out of the first Monies which shall come into the Hands of the said Commissioners or their Treasurer after the passing of this Act, in preference to all other Payments whatsoever.

Expences of this Act.

CXXII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to direct any Prosecution or Prosecutions at the Assizes or Quarter Sessions for the Western Division of the said County of *Kent* for any public Nuisance whatsoever which shall be committed or suffered within the said Town and Parishes, and for or concerning any Resistance to the Execution of the Authorities of this Act, or to the Authority of any Person acting under the same, and to direct and order the Expences of such Prosecution to be paid and borne by and out of the Funds to be raised and provided as herein mentioned.

Power to direct Prosecutions and pay Charges thereof.

CXXIII. And be it further enacted, That when and as often as any Sum or Sums of Money shall be directed or ordered to be paid by the said Commissioners to any Person or Persons as or by way of Compensation or Satisfaction for any Damage, Spoil, or Injury of any Nature or Kind whatsoever done or committed by such Commissioners, or any Person or Persons acting by or under their Authority, or for any Costs or Expences relating thereto, not herein otherwise provided for and directed, and such Sum or Sums of Money shall not be paid by such Commissioners to the Party or Parties entitled to receive the same within Ten Days after Demand in Writing shall have been made for that Purpose, then and in every such Case the Amount of such Compensation or Satisfaction, Costs or Expences, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in such Commissioners, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by any Justice of the Peace, and which Warrant such Justice is hereby authorized and required to grant under his Hand and Seal, on Application made to him for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any Damage, Spoil, or Injury as aforesaid,

Compensation for Damages, &c. by Commissioners, to be levied by Distress of the Goods, &c. vested in them or their Treasurer.

aforesaid; or for any Costs or Expences as aforesaid; and in case any Surplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned, on Demand, to the said Commissioners or to their Treasurer for the Time being, as the Case may be, and it shall be lawful for such Treasurer to retain out of any Monies which he may have received or shall receive in pursuance of this Act, all such Damages, Costs, Charges, and Expences as he shall have sustained or be put unto by virtue of any Warrant as aforesaid.

Damages and Charges, in case of Dispute, to be settled by Justices.

CXXIV. And be it further enacted, That where any Damages or Charges are directed or authorized to be paid or recovered, in addition to any Penalty or Penalties, for any Offence or Offences in this Act mentioned, the Amount of such Damages or Charges, in case of Dispute respecting the same, shall be settled and determined by the Justice or Justices of the Peace by or before whom any Offender shall be convicted of any such Offence or Offences; and such Justice or Justices is and hereby authorized and required, on Nonpayment thereof, to levy such Damages or Charges by Distress and Sale of the Offender's Goods and Chattels, in manner by this Act directed for the levying of any Penalties or Forfeitures.

For Recovery of Penalties not exceeding 20*l.*

CXXV. And be it further enacted, That all Fines, Penalties, and Forfeitures inflicted or imposed by this Act, or by or under any Bye Law, Rule, Order, or Regulation to be made in pursuance thereof, (the Manner of levying and recovering whereof is not herein-before particularly directed,) not exceeding the Sum of Twenty Pounds, may be recovered in a summary Way by the Order and Adjudication of Two or more Justices of the Peace, on Complaint to them for that Purpose exhibited, and afterwards to be levied, as well as the Cost of such Proceedings on Nonpayment, by Distress and Sale of the Goods and Chattels of the Offender or respective Offenders or Person liable to pay the same, by Warrant under the Hands and Seals of such Justices, who are hereby authorized and required to summon and examine any Witness or Witnesses upon Oath of and concerning such Offences, Matters, and Things, and to hear and determine the same; and the Overplus (if any) of the Monies raised or recovered, after discharging the Fine, Penalty, or Forfeiture for which such Warrant shall be issued, and the Costs and Expences of recovering and levying the same, shall be rendered to the Owner of the Goods and Chattels so seized and distrained; all which Penalties, not herein directed to be otherwise applied, shall be paid to the said Commissioners or their Treasurer, to be applied for the general Purposes of this Act, unless such Penalties shall be incurred by the said Commissioners, in which Case the same shall be paid, unless otherwise directed by this Act, to the Overseers of the Poor of the Parish in which the Penalty shall be incurred, and be by them applied in aid of the Poor Rate of such Parish; and it shall be lawful for the said Justices to order the Offender so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the said Offender shall give sufficient Security, to the Satisfaction of such Justices,

Justices, for his Appearance before the said Justices on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Justices are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be made whereon to levy the said Penalty or Penalties and such Costs as aforesaid, and the same shall not be forthwith paid, or if it shall appear to such Justices, either by the Confession of the Offender or otherwise, that he hath not sufficient Goods and Chattels whereon to levy such Penalty and Costs as aforesaid on a Warrant of Distress being issued, such Justices shall not be required to issue such Warrant of Distress; and thereupon it shall be lawful for such Justices, and they are hereby authorized and required, by Warrant under their Hands and Seals, to commit such Offender to the Common Gaol, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless such Fines, Penalties, and Forfeitures, and all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justices, shall be sooner paid and satisfied.

CXXVI. Provided also, and be it further enacted, That all the Penalties and Forfeitures by this Act imposed, and being above the Amount of Twenty Pounds, shall and may be recovered by Action of Debt, Bill, Plaint, or Information in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, Wager of Law, or more than One Imparlance shall be allowed to the Defendant or Defendants; and the Plaintiff or Plaintiffs, if he or they recover in any such Action, shall have his or their full Costs.

Recovery of Penalties exceeding 20*l.*

CXXVII. And be it further enacted, That in all Cases in which by the said recited Acts or this Act any Penalty or Forfeiture is imposed and made recoverable by Information before any Justice or Justices of the Peace, it shall be lawful for any Justice or Justices of the Peace to whom Complaint shall be made of any Offence against this Act to summon the Party complained against, and all necessary Witnesses, before him or them, and on the Appearance of the Party complained against, or on his or her Nonappearance, then upon Proof of the Service of the Summons on such Party by leaving the same at his or her last or usual Place of Abode, to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice or Justices; and all such Proceedings by Summons without Information shall be as good, valid, and effectual to all Intents and Purposes as if an Information in Writing was or had been exhibited.

Justices may proceed by Summons in the Recovery of Penalties.

CXXVIII. And be it further enacted, That for the more easy Conviction of Offenders against this Act any Justice or Justices before whom any Person shall be convicted of any Offence against

Form of Conviction.

[*Local.*]

14 I

this

this Act, or any Rule, Order, or Regulation made in pursuance thereof, shall and may cause the Conviction to be drawn up in the Form of Words or to the Effect following ; (that is to say,)

‘ to wit. } **BE** it remembered, That on the Day
 ‘ of in the Year A. B.
 ‘ is convicted before me [or us, as the Case may be,]
 ‘ [or] of His Majesty’s Justices of the Peace for
 ‘ for [here specify the Offence, and when and where committed], con-
 ‘ trary to the Statute made in the Third Year of the Reign of King
 ‘ William the Fourth, intituled [here set forth the Title of this Act];
 ‘ and I [or we] do hereby adjudge that the said A. B. hath for-
 ‘ feited for the said Offence the Sum of . Given
 ‘ under my Hand and Seal [or our Hands and Seals] the Day and
 ‘ Year first above written.’

Inhabitants
and Officers
competent
Witnesses.

CXXIX. And be it further enacted, That no Inhabitant of the said Town and Parishes, or Commissioner, Treasurer, Clerk, or other Officer acting in execution of this Act, shall be deemed an incompetent Witness in any Action, Suit, or Information, Complaint, Appeal, Prosecution, or Proceeding whatsoever, to be had, made, prosecuted, or carried on under the Authority of this Act, by reason of his being rated or assessed, or liable to be rated or assessed, by virtue of this Act, or by reason of his filling or holding any Office under the same.

Penalty on
Witnesses
summoned
not attend-
ing.

CXXX. And be it further enacted, That if any Person shall be summoned by any Justice or Justices as a Witness to give Evidence before him or them, or any other Justice or Justices, touching any Complaint for any Offence against this Act, or against any Bye Law, Rule, Order, or Regulation made in pursuance thereof, whether on the Part of the Prosecutor or of the Person accused, and shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, after having been paid or tendered a reasonable Sum of Money for his Costs and Expences, without a satisfactory Excuse being given for such Nonappearance, or appearing shall refuse or decline to be examined on Oath, (or, being a Quaker, on Affirmation,) or to give Evidence touching the Matter in question before such Justice or Justices, then and in all such Cases every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Informations
for Offences
to be laid
within Six
Months.

CXXXI. Provided always, and be it further enacted, That no Person shall be liable to the Payment of any Fine, Penalty, or Forfeiture imposed by this Act for any Offence against the same, unless Information be given of such Offence within Six Calendar Months next after the committing of such Offence, except in case where any other Period is mentioned or limited in and by this Act.

Persons
found in the
Act of com-

CXXXII. And be it further enacted, That in case any Person or Persons shall be found committing any Offence against any of the

Provisions of this Act, or any Bye Law, Rule, or Regulation made in pursuance thereof, it shall and may be lawful to and for any one of the said Commissioners, or any one of their Surveyors or other Officers or Servants, or any other Person or Persons authorized by the said Commissioners, and such other Person or Persons as he or they or any of them shall call to his or their Assistance, without any Warrant or Authority other than this Act, to apprehend, seize, and detain all and every such Offender or Offenders, being unknown to such Commissioners, Collectors, Surveyors, or other Officers, Servants, or Persons, and forthwith take and convey, or cause to be taken and conveyed, him, her, or them before some Justice of the Peace, and such Justice of the Peace is hereby required to proceed and act with respect to such Offender or Offenders according to the Provisions of this Act.

mitting any Offence may be apprehended without a Warrant.

CXXXIII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time, if they shall see Cause, to pay and apply such Part of any Penalties or Forfeitures as they shall think proper, not exceeding One Moiety thereof respectively, to and for the Use of the Informer or Informers of any Offence or Offences against this Act, except where any thing is contained to the contrary in this Act.

Power to reward Informers.

CXXXIV. And be it further enacted, That in all Cases wherein it may be necessary or requisite for any Person or Party to serve any Notice or Notices, or any Writ or Writs, or other legal Proceeding, or Proceedings in Equity, upon the Commissioners for executing this Act, the Service of such Notice, Writ, or other Proceeding in Writing upon any one of the Members of any Committee to be appointed in pursuance of this Act, or upon the Clerk to the said Commissioners, or in case there shall not be any such Committee appointed, then upon any one of the said Commissioners, or delivering the same to some Inmate at the usual Place of Abode of any one of the Members of such Committee, or at the Office of the said Commissioners, or at the Office or Dwelling House of the Clerk to the said Commissioners, or to some Inmate at the usual Place of Abode of any one of the said Commissioners, as the Case may be, shall be deemed a sufficient Service of the same respectively upon the said Commissioners.

Notices on the Commissioners, how to be served.

CXXXV. And be it further enacted, That in all other Cases of Notices or Demands in Writing directed or required by this Act to be given or served, or which shall or may be necessary for carrying into execution any of the Powers or Provisions of this Act, the Service of any such Notice or Demand by delivering the same or a true Copy thereof to the Person to whom the same ought to be given, or by leaving the same or a true Copy thereof at his Dwelling House or usual or last Place of Abode, shall be a sufficient Service thereof (except only in Cases where personal Service is expressly required); or in case it shall be necessary to serve Notice upon any Body Politic, Corporate, or Collegiate, Ecclesiastical or Civil, then the leaving such Notice or a true Copy thereof at the Office or Place of Residence of the Chief Officer of any such Body Politic,

Service of other Notices how to be made.

Politic, Corporate, Collegiate, Ecclesiastical, or Civil, shall be deemed sufficient Service thereof; and in all Cases where any such Notice ought to be given to Two or more Persons for or respecting any joint Act, Refusal, Omission, Offence, Neglect, or Default of any Persons who shall be in Partnership or jointly concerned in such Act, Refusal, Omission, Offence, Neglect, or Default, the like Service of any such Notice on any one of such Persons shall be a sufficient Service thereof.

Distresses
not to be
deemed un-
lawful for
Want of
Form.

CXXXVI. And be it further enacted, That where any Distress shall be made for any Money to be levied or raised by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in any Proceeding relating thereto, nor shall the Party distraining be deemed a Trespasser *ab initio* on account of any Irregularity which may be afterwards done by the Party distraining, but the Person aggrieved by such Irregularity may maintain an Action on the Case for the special and actual Damage (if any) sustained thereby, but not otherwise.

Proceedings
not to be void
for Want of
Form or
removed by
Certiorari.

CXXXVII. And be it further enacted, That no Rate, nor any Action, Verdict, Judgment, Conviction, Order, Matter, or Thing, or other Proceeding which shall or may be had, made, done, or taken in pursuance of or under or by virtue of this Act, shall be made void, quashed, or vacated for Want of Form, or be removed by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere.

Limitation of
Actions, and
Notice re-
quired.

CXXXVIII. And be it further enacted, That no Action or Suit shall be commenced against any Person for any Act or Thing done in pursuance of or under the Authority of or Colour of this Act until Ten Days Notice thereof shall have been given in Writing to the Person intended to be sued, or to the Clerk to the said Commissioners, as the Case may be, nor after sufficient Satisfaction or Tender thereof shall have been made to the Party aggrieved, nor after Six Calendar Months from the Time when the Cause of such Action shall have arisen or been committed, or have ceased and been determined, unless otherwise particularly directed by this Act; and every such Action and Suit shall be brought, laid, and tried in the County or Place where the Cause of Action shall have arisen or been committed, and not elsewhere; and the Defendant or Defendants in every such Action or Suit may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial or Trials which shall be had thereupon; and if the Matter or Thing shall appear to have been done in pursuance or under the Authority or Colour of this Act, or if it shall appear that such Action or Suit was brought before Ten Days Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or paid into Court, with the Leave of the Court, either before or after Issue joined in such Action or Suit, or if such Action or Suit shall not be commenced within the Time herein-before limited, or shall be brought
or

or laid in any other County or Place than as aforesaid, then the Jury shall find a Verdict for the Defendant or Defendants ; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, Defendant or Defendants, then the Plaintiff or Plaintiffs, Defendant or Defendants, as the Case may be, shall recover his, her, or their Costs, and have such Remedy for the same as any other Plaintiff or Defendant hath in other Cases by Law.

CXXXIX. Provided always, and be it further enacted, That if any Person, Body Politic or Corporate, shall think himself or themselves aggrieved by any Order, Direction, or Appointment of the said Commissioners, or by means of any Rate or Assessment to be made for the Purposes of this Act, or any Order, Conviction, or Determination of any Justice or Justices, or by any Rule, Order, or Regulation made in pursuance hereof, or by any Matter or Thing done in pursuance of this Act, (for which no particular Method of Relief hath been already provided,) it shall be lawful for such Person, or Body Politic or Corporate, to appeal to the Justices of the Peace at any General or Quarter Sessions of the Peace to be held in and for the said County of *Kent* within Four Calendar Months next after the Cause of Complaint shall have arisen, such Appellant or Appellants first giving or causing to be given at least Ten Days Notice in Writing of his or their Intention to appeal as aforesaid, and of the Matter or Cause thereof, to the Clerk of the said Commissioners, or other the Respondent or Respondents, and within Four Days after such Notice entering into a Recognizance before some Justice, with Two sufficient Sureties, conditioned to try such Appeal, and to abide the Order of and to pay such Costs as shall be awarded by the said Justices at such Sessions ; and such Justices, upon due Proof of such Notice being given as aforesaid, and of such Recognizance being entered into, shall hear and finally determine the Matter and Cause of such Appeal in a summary Way, and shall and may, according to their Discretion, award such Satisfaction and Costs to the Party appealing or appealed against as they shall think proper ; and their Determination in or concerning the Premises shall be conclusive and binding to and upon all Parties to all Intents and Purposes whatsoever.

Persons
aggrieved
may appeal
to the Ses-
sions.

CXL. And be it enacted, That all and every Person and Persons who shall be assessed by virtue of this Act for or in respect of any Messuages, Lands, Tenements, or Hereditaments within the said Town and Parishes, shall be and they and he are and is hereby exonerated, relieved, and for ever discharged from One Moiety of the Performance of Statute Duty for the Repairs of the public Highways within the said Town and Parishes, and from the Payment of One Moiety of any Composition Money in lieu of such Statute Duty, and from One Moiety of all Rates and Assessments for the Repairs of the said Highways, for or in respect of any such Messuages, Lands, Tenements, or Hereditaments.

Persons
paying Pave-
ment Rates
excused from
Payment of
One Moiety
of Highway
Rates.

Saving the
Rights of the
Corporation
of Gravesend.

CXLI. And be it further enacted, That nothing herein contained shall extend or be construed to extend in any Manner to affect, lessen, alter, derogate from, or abridge any of the Rights, Powers, Privileges, and Authorities of the Mayor, Jurats, and Inhabitants of the incorporated Villages and Parishes of *Gravesend* and *Milton* in the County of *Kent*, but that the said Rights, Powers, Privileges, and Authorities shall be and remain as if this Act had not been made.

Saving Rights
of Corpora-
tion under
Town Quay
Act.

CXLII. And be it further enacted, That nothing herein contained shall extend or be construed to extend to affect, alter, or abridge any of the Rights, Powers, Privileges, and Authorities of the Mayor, Jurats, and Common Councillors of the incorporated Villages and Parishes of *Gravesend* and *Milton* aforesaid, or of any other Person or Persons under or by virtue of an Act passed in the Ninth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for rebuilding or improving, regulating, and maintaining the Town Quay of Gravesend in the County of Kent, and the Landing Place be longing thereto.*

Public Act.

CXLIII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

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