ANNO QUARTO & QUINTO

VICTORIÆ REGINÆ.

****

Cap. lxvi.

An Act for amending an Act passed in the Twenty-seventh Year of the Reign of King *George* the Third, for paving, cleansing, lighting, and watching the Streets and other public Passages and Places within the Walls of the City of *Canterbury* and the Liberties thereof, and other Places near the said City. [21st *June* 1841.]

WHEREAS an Act was passed in the Twenty-seventh Year of the Reign of King *George* the Third, intituled *An Act* 27 G.3.c.14.
for paving, cleansing, lighting, and watching the Streets, Lanes, and other public Passages and Places within the Walls of the City of Canterbury *and the Liberties thereof, and also several Streets and other Places near or adjoining to the said City; and for removing and preventing Encroachments, Obstructions, Nuisances, and Annoyances therein:* And whereas the Powers and Provisions of the said Act have been found insufficient for the due Election of Commissioners for carrying the same into execution, and also for making and levying the necessary Rates and Assessments for and towards the carrying the same into execution, and also for paving and lighting the Streets without the Walls of the said City; and it is expedient that certain Portions of the said Act should be repealed, and that other Powers and Provisions should be granted and made,

for the Election of Commissioners, for making and levying Rates and Assessments, and for better paving and lighting the said City and Borough, and for otherwise amending the said Act: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the said recited Act of the Twenty-seventh Year of the Reign of His late Majesty King *George* the Third, and all the Powers, Provisions, Matters, and Things therein contained, (save and except such Parts thereof as are varied or repealed by this Act,) shall extend to this Act, and shall be in force with respect to the Provisions herein contained, as effectually as if the same were repeated and re-enacted in this Act with reference to the Provisions herein contained.

Powers of former Act continued, except as hereby altered.

Repeal of the Clauses respecting the rating and the Election of Commissioners.

II. And be it enacted, That immediately after the passing of this Act so much of the said recited Act as authorizes the making, levying, and recovering of any Rates or Assessments in respect of any Houses, Buildings, Gardens, Tenements, and Hereditaments, or any Churches, Gaols, Hospitals, or other public Buildings and Hereditaments, and as directs the Times of Payment of any such Rates or Assessments, and as empowers and directs the Election of Commissioners for putting the said recited Act into execution, shall be repealed.

Arrears of former Rates to remain payable.

III. Provided always, and be it enacted, That all Rates or Assessments made or assessed by virtue of the said recited Act shall remain in force, and all Persons from whom any such Rates or Assessments, or any Arrears of Rates or Assessments, shall be due at the Time of passing this Act, shall remain liable to the Payment thereof in all respects as such Persons would have been liable if this Act had not been passed; and all such Rates and Assessments shall be paid to the Commissioners for executing the said recited Act and this Act, or their Collectors or Receivers, and may be recovered in the like Manner and by the like Means as if such Rates or Assessments had been made or assessed or become due by virtue of this Act.

First Election of Commissioners.

IV. And be it enacted, That on the First Day of *July* One thousand eight hundred and forty-two the Rate-payers named in the several Rates made by virtue of the herein-before recited Act for the Year One thousand eight hundred and forty-one, and who shall have paid such Rates, shall openly assemble in the Guildhall in the City of *Canterbury* between the Hours of Eleven and Two in the Day-time, and elect from among such Rate-payers, whether Residents within or without the Walls of the said City and Borough, so many Commissioners for putting the said recited Act and this Act into execution as, together with and including *John Admans*, *William Austen*, *James Sladden Browne*, *John Budden*, *Edward Baker*, *Henry Bird*, *Jacob Brooks*, *William Bowman*, *James Bligh*, *James Brown*, *Henry Christian*, *Henry Christian* the younger, *John Chenoweth*, *Henry Clements*, *Henry Dudderidge*, *James Dunn*, *Richard Foord*, *James Fyfe*, *William Goulden*, *Thomas Glover*, *George Gambier*, *Thomas*

Thomas Goulden, *Edward Holtum*, *George Homersham*, *John Harman*, *John Hacker*, *Thomas Harris*, *William Kelson*, *Russell Whitbread Lavender*, *Benjamin Mutton*, *Nathaniel Jonas Maynard*, *David Matthews*, *Samuel Powell*, *John Penn*, *John Pout*, *Samuel Prentice*, *James Ridout*, *James Read Reader*, *William Simonds*, *Robert Sankey*, *Edmund Saxby*, *Willoughby Marshall Smithson*, *Joseph Taylor Tyson*, *Thomas Tempest*, *William Henry Trimnell*, *John James Williamson*, *Edward Wootton*, *Charles S Walkington*, *Charles Frederick Wille*, *James White*, and *Henry Woolright*, now being Commissioners for executing the said recited Act, shall make up the Number of Ninety-nine Commissioners altogether, exclusive of Commissioners by virtue of Office; and such Ninety-nine Commissioners, together with the Commissioners by virtue of Office, shall thereafter be the Commissioners for executing the said recited Act and this Act; and that from and after the passing of this Act, until the said First Day of *July* One thousand eight hundred and forty-two, the Commissioners for the Time being of and for the Purposes of the said recited Act shall be the Commissioners for executing the said recited Act and this Act.

For annual Election of Commissioners.

V. And be it enacted, That on the First Day of *July* in the Year One thousand eight hundred and forty-three, and on the First Day of *July* in every subsequent Year, Thirty-three of the Commissioners then acting in execution of the said recited Act and this Act, other than Commissioners by virtue of Office, shall go out of Office by Rotation as herein-after mentioned, and cease to be Commissioners; and on such First Day of *July* in the Year One thousand eight hundred and forty-three, and on the First Day of *July* in every subsequent Year, the Rate-payers named in the then last preceding Rates made by the Commissioners for putting the said recited Act and this Act in execution, and who shall have paid such Rates, shall openly assemble in the Guildhall of the said City between the Hours of Eleven and Two in the Day-time, and elect from among such Rate-payers Thirty-three Persons to fill up the Vacancies occasioned by the Commissioners then going out of Office.

Commissioners may be re-elected.

VI. And be it enacted, That all the Commissioners so going out of Office by Rotation as aforesaid shall be eligible to be re-elected immediately afterwards, or at any subsequent Election: Provided always, that whenever any Day by this Act appointed for any Purpose shall in any Year happen on a *Sunday*, in every such Case the Business so appointed to be done shall take place on the *Monday* following.

Manner of Election of Commissioners.

VII. And be it enacted, That for the Purposes of such respective Elections the Persons by whom such Election is to be made shall respectively in the Guildhall aforesaid deliver to the Clerk of the said Commissioners, or in his unavoidable Absence to some Person authorized for that Purpose by the Commissioners, a Paper containing the Names of the Persons for whom they respectively vote to fill the Office of Commissioners; and the Persons, not exceeding the Number of Commissioners proper to be elected at such Meetings respectively, having the Majority of Votes at such respective Elections, shall be Commissioners for the Purpose of carrying the said recited Act and this Act into execution; and if at any such Elections respectively any

any Two or more Persons shall have an Equality of Votes the Clerk to the said Commissioners or such Person as aforesaid shall, if necessary, to prevent an Excess in the Number of Commissioners, decide by Lot upon the Person to be elected.

For establishing a Rotation List.

VIII. And be it enacted, That after the First Election of Commissioners as aforesaid, and within the Space of Four Calendar Months after the First Day of *July* One thousand eight hundred and forty-two, the Commissioners acting in the Execution of the said recited Act and this Act shall meet at the Guildhall of the said City, or at some other convenient Place within the said City, for the Purpose of forming a Rotation List of the said Commissioners; and at such Meeting the Clerk for the Time being to the said Commissioners, or some Person to be previously appointed by the said Commissioners for that Purpose, shall put the Names of all the then Commissioners (except the Names of the Commissioners by virtue of Office), written on separate Slips of Paper, being all as near as may be of equal Size, and folded up in the same Manner as near as may be, into a Box, and shall draw out all such Names in succession, and such Names shall be inserted in a List, to be made and kept by the said Clerk for the Purposes of this Act, in the Order in which they may be so drawn out, and the said Commissioners upon such List shall be numbered One to Ninety-nine, both inclusive, and each Commissioner shall for the Purposes of this Act be placed in rotation upon the said List, in the Order in which his Name shall be so drawn out.

Directing the Manner in which Commissioners shall go out of Office.

IX. And be it enacted, That in the Years One thousand eight hundred and forty-three, One thousand eight hundred and forty-four, and One thousand eight hundred and forty-five such Commissioners who are to go out of Office and cease to be Commissioners as aforesaid shall be taken in the numerical Order in which the Names of such Commissioners shall respectively stand upon the Rotation List herein-before directed to be formed and kept for the Purposes of the said recited Act and this Act, commencing in the Year One thousand eight hundred and forty-three with the Commissioners who shall be upon the Rotation List respectively numbered One to Thirty-three, both inclusive, proceeding in the Year One thousand eight hundred and forty-four to those numbered respectively Thirty-four to Sixty-six, both inclusive, and in the Year One thousand eight hundred and forty-five to those numbered respectively Sixty-seven to Ninety-nine, both inclusive, according to the said Rotation List; and from and after that Time the Persons who annually are to cease to be Commissioners shall be taken in rotation in the Order in which they were elected.

Mode of supplying occasional Vacancies.

X. And be it enacted, That if any of the Commissioners die or resign, or be disqualified or cease to be a Commissioner from any other Cause than that of going out of Office by rotation, it shall be lawful for the remaining Commissioners, if they think fit, to elect another Commissioner in his Place; and every Commissioner so elected shall continue in Office only so long as the Person in whose Place he shall be elected would have been entitled to continue had he remained in Office.

XI. And

General Meeting may appoint Committees.

XI. And be it enacted, That it shall be lawful for the said Commissioners at any General Meeting to appoint a Committee, consisting of not less than Nine of the Commissioners, for carrying into effect any of the Provisions of this Act, and at any General Meeting to continue, alter, or discontinue such Committee, but no such Committee shall be appointed to act for a longer Term than One Year.

Quorum of Committees.

XII. And be it enacted, That no Business shall be transacted at any Meeting of the Committee unless Three Members of the Committee be present.

Office of Clerk and Treasurer to be separate.

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

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

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

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

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

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

Commissioners not to contract with any Person for the exclusive Right to lay Gas Pipes.

XIV. And be it enacted, That it shall not be lawful for the said Commissioners acting in execution of the said recited Act or of this Act to grant to any Person or Company the exclusive Right to lay Gas Pipes in the public Streets, Lanes, and Places within the said City and Borough, or to enter into any Covenant or Contract for such exclusive Right.

Power to levy Rates.

XV. And in order to raise Money for carrying the several Purposes of the said recited Act and this Act into execution, be it enacted, That it shall be lawful for the Commissioners once in every Year after the passing of this Act, to be computed from the First Day of *January* One thousand eight hundred and forty-two, or oftener if they shall think it necessary, to make One or more equal

Rate or Rates, Assessment or Assessments, to be signed by the Commissioners, upon the Occupiers of all Houses, Shops, Warehouses, Coach-houses, Cellars, Buildings, Gardens, Lands, Tenements, and Hereditaments within the Limits of this Act, according to the annual Value of the same, except as herein otherwise provided, so as such Rates or Assessments do not exceed in any One Year the Sum of One Shilling in the Pound on such annual Value.

Value of Property to be according to Poor Rate.

XVI. And be it enacted, That the annual Value of all Property rateable under this Act upon such Value shall be ascertained according to the next preceding annual Assessment for the Relief of the Poor within the Limits of this Act.

Poor Rates to be open to Inspection by Commissioners.

XVII. And be it enacted, That it shall be lawful for the Commissioners, or for any Person by them authorized, from Time to Time to inspect the several Poor Rates for the several Parishes and Places within the Limits of this Act, and the Assessments by which the same are made, and to take Copies of or Extracts therefrom respectively; and if any Person having the Custody of such Rates or Assessments shall not suffer the Commissioners, or any Person authorized by them, to inspect the same, or take Copies thereof or Extracts therefrom, he shall forfeit a Sum not exceeding Forty Shillings for every such Offence.

Inhabitants rated under this Act to be free from Highway Rates.

XVIII. And be it enacted, That every Inhabitant who shall be assessed to the Rates made under this Act for any Lands within the Limits of this Act shall be released from all Rates and Assessments for the Repairs of the Highways in respect of such Lands.

Certain Buildings to be rated by Measure.

XIX. And for raising a further Sum of Money for carrying the several Purposes of the said recited Act and this Act into execution, be it enacted, That it shall be lawful for the said Commissioners, once in every Year, or oftener if they shall think it necessary, the first Year to be computed from the First Day of *January* One thousand eight hundred and forty-two, to rate and assess any Sums, not exceeding the respective Sums of Money herein-after mentioned, upon the several Buildings, Tenements, and Hereditaments situated within or on the Sides of or which form any Part of the Streets, Lanes, Passages, or Places by the said recited Act or this Act authorized or directed to be paved and lighted, and herein-after mentioned; (that is to say,) upon all Houses, Buildings, Gardens, Tenements, and Hereditaments of or belonging to the Ville of *Christ Church*, to the Palace of the Lord Archbishop of *Canterbury*, to the Borough of *Staplegate*, to the *Whitefriars*, to *East Bridge* Hospital, and the Precincts of the old Castle of *Canterbury*, any Sum not exceeding Two Shillings for every Yard running Measure of the Length of the several Buildings, Places, and Lands aforesaid, and upon the Garden Ground lying within the said Precinct of the old Castle any Sum not exceeding Sixpence for every Yard running Measure of such Garden Ground.

Public Buildings not to be assessed.

XX. And be it enacted, That from and after the passing of this Act all Churches, Chapels, Meeting Houses, Halls, Gaols, Church-

yards, Chapel-yards, Meeting House Yards, Almshouses, Hospitals, Markets, Bridges, and all other public Buildings whatsoever, shall be exempt from the Payment of Rates to be assessed under and by virtue of this Act.

By whom the Rates on certain Buildings shall be payable.

XXI. And be it enacted, That the Rates or Assessments made upon all Houses, Buildings, Gardens, Tenements, and Hereditaments of or belonging to the Ville of *Christ Church* which are not rated or liable to be rated for and towards the Relief of the Poor of the said City, and of or belonging to the said Palace of the Lord Archbishop of *Canterbury*, and of or belonging to the said Borough of *Staplegate*, and of or belonging to the said *Whitefriars*, and to *East Bridge* Hospital, and of or belonging to or lying within the Precinct of the said old Castle as aforesaid, shall be paid by the respective Occupiers thereof respectively.

Corporations and others discharged from repairing certain Places on being rated at Two Shillings per Yard running Measure.

XXII. And whereas by the said recited Act the Churchwardens of the Parish of *Saint Andrew* within the Walls of the said City, and the Dean and Chapter of the Cathedral and Metropolitical Church of *Christ, Canterbury*, were subject and liable, yearly and every Year, to pay to the Commissioners for putting the same Act into execution a Rate or Assessment of One Shilling *per* Yard running Measure of the Length of such Streets, Lanes, and other public Passages and Places as they had, previously to the passing of the said recited Act, usually paved, repaired, and cleansed, or had been subject and liable to pave, repair, and cleanse; be it therefore enacted, That from and after the passing of this Act the Churchwardens of the said Parish of *Saint Andrew* and the Treasurer of the said Dean and Chapter shall respectively once in every Year, the first Year to be computed from the First Day of *January* One thousand eight hundred and forty-two, pay to the said Commissioners or their Collector or Treasurer a Rate or Assessment of not exceeding Two Shillings *per* Yard running Measure of the Length of such Streets, Lanes, and other public Passages and Places which, before the passing of the said recited Act, they respectively had usually paved, repaired, and cleansed, or had been subject or liable to pave, repair, and cleanse, as follows; (that is to say,) the Churchwardens of the said Parish of *Saint Andrew* in respect of the Street called the *Parade*, in Length Forty-four Yards running Measure; the said Dean and Chapter in respect of the Street in front of the principal Gate of *Christ Church*, in Length Eleven Yards running Measure, and also in respect of the Street from the Precincts of the Archbishop's Palace to the Church of the Parish of *Saint Mary Northgate*, in Length Eighty-eight Yards running Measure; such Rate or Assesment to be made by the said Commissioners, and to be signed by any Nine or more of them, at a public Meeting of such Commissioners.

No Tithes or Land not adjoining the Streets to be rated.

XXIII. Provided also, and be it enacted, That no Person shall be rated in pursuance of this Act on account of any Arable, Meadow, or Pasture Land, or any Orchard, Nursery Ground, or Market Garden, or of any Tithes, Rent-charge, or Composition in lieu of Tithes, within the Limits of this Act, other than for such Meadow or Pasture Land, Orchards, Nursery Grounds, Market Gardens, or Arable

Arable Land as shall abut upon or adjoin to any of the Streets, Lanes, Passages, or Places by the said recited Act or this Act directed to be paved and lighted.

Form of Rates upon Occupiers and Owners.

XXIV. And be it enacted, That all Rates and Assessments authorized by this Act to be made upon the Occupier of any rateable Property, either within or without the Walls of the said City and Borough, or upon the Owners of any such Premises, instead of the Occupiers thereof, in the Cases by this Act in that Behalf provided for, may be to the Effect set forth in the Schedule to this Act annexed, No. 1., or as near thereto as the Case may require.

Form of Rates upon certain Buildings to be rated by Measure.

XXV. And be it enacted, That all Rates and Assessments made by virtue of this Act upon the several and respective Buildings, Tenements, and Hereditaments by this Act authorized to be rated and assessed by the Yard running Measure may be to the Effect set forth in the Schedule to this Act annexed, No. 2., or as near thereto as the Case may require.

Form of Rates by Measure in certain other Streets.

XXVI. And be it enacted, That all Rates and Assessments authorized by this Act to be made by the Yard running Measure of the Length of such Streets, Lanes, and other public Passages and Places which before the passing of the said recited Act the Churchwardens of the Parish of *Saint Andrew* within the Walls of the said City, and the Dean and Chapter of the Cathedral and Metropolitical Church of *Christ, Canterbury*, had paved, repaired, and cleansed, or had been liable to pave, repair, and cleanse, may be to the Effect set forth in the Schedule to this Act annexed, No. 3., or as near thereto as the Case may require.

No Rate to be made until certain Notice given.

XXVII. Provided always, and be it enacted, That no such Rate shall be made unless Notice of the Intention to make a Rate at the next public Meeting of the said Commissioners shall have been given at the then last preceding public Meeting of the said Commissioners, nor shall any Rate be deemed valid unless, within Three Days after such Rate shall have been made, Notice thereof shall be affixed upon the principal Door of the Guildhall of the said City, or in some other conspicuous Part of the said City and Borough.

Rates vested in the Commissioners.

XXVIII. And be it enacted, That the several Rates made under the Authority of the said recited Act and this Act, or either of them, shall be paid to the Collectors or other Persons appointed by the said Commissioners to receive the same, and shall be vested in the said Commissioners.

Recovery of Rates from Persons neglecting or refusing to pay.

XXIX. And be it enacted, That if any Person who shall be liable to the Payment of any Rate under the Authority of the said recited Act or this Act, or either of them, shall neglect or refuse to pay any Rate for the Space of Fourteen Days after personal Demand thereof, or Demand in Writing left at the Dwelling House or usual or last known Place of Abode of such Person, the same shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of such Person, by the Warrant of any Justice of the Peace having Jurisdiction

Jurisdiction within the said City and Borough; and the Overplus arising from the Sale of such Goods and Chattels, after satisfying such Sum of Money, and the Expences of the Distress and Sale, shall be returned, on Demand, to the Party whose Goods shall have been distrained.

Rates to be recovered by Action or by Distress.

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

Form of Warrant of Distress.

XXXI. And be it enacted, That the Warrant of Distress for any Rate to be made by virtue of the said recited Act or of this Act may include One or more Person or Persons, and may be in the Words or to the Effect set forth in the Schedule to this Act annexed, Number 4.

Power to Commissioners or Justices to remit Rate.

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

Commissioners may amend Rates.

XXXIII. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to amend any Rate made by virtue of this Act by inserting therein the Name of any Person who ought to have been rated, or by striking out the Name of any Person who ought not to have been rated, or by raising or reducing the Sum at which any Person shall have been rated, if it shall appear to them that such Person has been under-rated or over-rated, or by making such other Amendments therein as will make such Rate conformable to this Act; and no such Amendment shall be held to avoid the Rate: Provided always, that every Person who shall be aggrieved by any such Alteration shall have the same Right of Appeal therefrom as he would have had if his Name had been originally inserted in such Rate, and no such Alteration had been made; and every Person whose Rate shall be altered shall be entitled to Seven Days Notice thereof before the Rate shall be payable by him.

Owners to pay the Rate in certain Cases.

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

Commissioners may compound with Owners.

XXXV. Provided always, and be it enacted, That the said Commissioners shall assess the Owner of any such last-mentioned Building, Land, or Hereditament at such a reduced yearly Rental as the said Commissioners at any such Meeting shall think reasonable, as shall not be less than Two Thirds or more than Four Fifths of the net annual Value of the said Premises so assessed, whether such Premises shall be occupied or not; and in case the Owner of any such Building, Land, or Hereditament shall fail to pay such Composition within Ten Days after personal Demand thereof, or Demand in Writing left at his usual or last known Place of Abode, he shall from thenceforth be liable to pay all Rates or Assessments made in respect of such Premises, according to the net annual Value of such Premises, without any other Demand or Notice in respect thereof.

Not necessary to name the Owner where unknown.

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

Receiver of Rents to be deemed the Owner.

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

Arrears to remain a Charge on the Premises.

XXXVIII. Provided always, and be it enacted, That in default or failure of the Payment of any such Composition, Rates, or Assessments as last aforesaid, or any Part thereof, the same shall (to the Extent of Two Rates) be and remain charged upon the Premises in respect whereof the same shall be so rated and assessed.

In default of Owner for Six Months Occupier to pay.

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

Owner to repay the Occupier.

XL. And be it enacted, That if the Amount of any Rate which, under the Provisions herein-before contained, ought to be borne by the Owner of any rateable Property, shall be paid by the Occupier of such

such Property, or levied on his Goods and Chattels, the Owner shall reimburse the Occupier, and it shall be lawful for such Occupier to deduct the Sums paid or levied, together with the Costs of the Distress, if any, paid by him, from the Rent due or to become due from him to such Owner.

Remedy against Persons quitting before Payment of Rates.

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

Rates to be apportioned on Holder quitting.

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

Persons entering on unoccupied Property to pay a Portion of the Rate.

XLIII. And be it enacted, That if any Property rateable under this Act shall have been unoccupied at the Time of making any Rate, and any Person shall occupy such Property during any Part of the Period for which such Rate shall have been made, it shall be lawful for the Commissioners to rate such Property; and the Person occupying the same during any Part of the Period aforesaid shall pay a Portion of the said Rate proportioned to the Time during which he shall occupy such Property.

Rate Books to be received as Evidence.

XLIV. And be it enacted, That the Books of Rates of the said Commissioners, and all Entries afterwards made therein in manner by the said recited Act or by this Act directed, shall be received as Evidence of the Rates imposed by virtue of the said Acts, or of either of them.

On Appeal the Quarter Sessions may amend the Rate.

XLV. And be it enacted, That on all Appeals from any Rate made in pursuance of this Act it shall be lawful for the Court of Quarter Sessions of the Peace to amend such Rate, either by inserting therein or by striking out therefrom the Name of any Person, or by altering the Sum therein charged on any Person, or in any other Manner which the said Court shall think just, without quashing such Rate.

XLVI. And

Justices acting in Petty Sessions to hold a Special Session to hear Appeals.

XLVI. And be it enacted, That the Justices for the said City and Borough shall, within One Month after the making any Rate or Rates as aforesaid, hold a Special Session for hearing Appeals against the said Rates, and shall cause public Notice of the Time and Place when and where such Special Sessions will be holden to be affixed to or near to the Door of the Guildhall of the said City and Borough Twenty-eight Days at the least before the holding of the same; and such Special Sessions may be adjourned from Time to Time by the Justices there present as they may think fit; and at such Special or Adjourned Sessions the Justices there present shall determine all Objections to any such Rate, on the Ground of Inequality, Unfairness, or Incorrectness in the Valuation of any Hereditaments included therein, which Decision shall be binding and conclusive on the Parties, unless the Person impugning such Decision shall, within Fourteen Days after the same shall have been made, cause Notice to be given in Writing of his Intention of appealing against such Decision, and of the Matter or Cause of such Appeal, to the Person in whose Favour such Decision shall have been made, and within Five Days after giving such Notice shall enter into a Recognizance before some Justice of the Peace, with sufficient Securities, conditioned to try such Appeal at the then next General Sessions or Quarter Sessions of the Peace which shall first happen, and to abide the Order of and pay such Costs as shall be awarded by the Justices at such General Sessions or Quarter Sessions, or any Adjournment thereof; and such Justices, upon hearing and finally determining such Matter of Appeal, shall, according to their Discretion, award such 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 on all Parties to all Intents and Purposes whatsoever.

Seven Days Notice to be given of Objection.

XLVII. Provided always, and be it enacted, That no such Objection shall be inquired into by the said Justices in Special Session, unless Notice of such Objection, in Writing under the Hand of the Complainant, shall have been given, Seven Days at least before the Day appointed for such Special Session, to the Clerk to the said Commissioners.

Justices may act with all the Powers of Justices in Quarter Sessions.

XLVIII. And be it enacted, That the Justices present at any such Special or Adjourned Session shall, for the aforesaid Purpose, have all the Powers of amending or quashing any such Rate so objected to, and likewise of awarding Costs to be paid by or to any of the Parties, and of recovering such Costs, which any Court of Quarter Sessions of the Peace has upon Appeals from any such Rate, except as herein excepted: Provided always, that no Order of the said Justices shall be removed by Certiorari or otherwise into any of Her Majesty's Courts of Record at *Westminster*: Provided also, that nothing in this Act contained shall be construed to deprive any Person of the Right to appeal against any Rate to any Court of General or Quarter Sessions: Provided also, that no Order of the said Justices in Special Session shall be of any Force pending any Appeal touching the same Subject Matter to the Court of General or Quarter Sessions of the Peace having Jurisdiction to try such

such Appeal, or in opposition to the Order of any such Court upon such Appeal.

Optional Clause to allow Inhabitants of adjoining Streets to be under the Provisions of the Acts, and to have one conjoint Account with the City.

XLIX. And be it enacted, That if at any Time hereafter Two Thirds or more of the Owners and Occupiers of Buildings and Hereditaments within any Streets, Lanes, Passages, or Places within the Liberties of the said City and Borough of *Canterbury*, but without the Walls of the said City, shall make Application in Writing to the said Commissioners, expressing their Desire, not only to have the same Streets, Lanes, Passages, or Places paved, cleansed, and lighted, and cleared of all Encroachments, Obstructions, Nuisances, and Annoyances, as in the said recited Act mentioned, but also to have no separate and distinct Account kept of the Receipts and Disbursements arising upon or in respect of the Works to be done in or relating to the Streets, Lanes, Passages, or Places comprised in any such Application, and all or any other Business and Transactions relating thereto, then it shall be lawful for the said Commissioners (if they shall think proper) to grant the whole of such Application, and to cause the Accounts of such last-mentioned Receipts and Disbursements to be blended with the Accounts of the Receipts and Disbursements arising in consequence of the Works done or to be done to the several Streets, Lanes, Passages, and Places within the Walls of the said City, so as to form one general and conjoint Account, and to cause such last-mentioned Account, and the Monies, Cash, or Fund of every such Account, to be applied generally and indiscriminately to the Uses and Purposes, Matters and Things of and concerning both the Streets, Lanes, Passages, or Places comprised in such Application, and the several Streets, Lanes, Passages, and Places within the Walls of the said City.

Optional Clause to allow Inhabitants of adjoining Streets already under the Provisions of the Act to have One conjoint Account with the City.

L. Provided always, and be it enacted, That with respect to any One or more of the Streets, Lanes, Passages, or Places without the Walls of the said City, which, at the Time of making the Application next herein-after mentioned, shall, in pursuance of any Petition or Application to the Commissioners acting in execution of the said Act or of this Act in that Behalf, be paved, cleansed, and lighted, and cleared of all Encroachments, Obstructions, Nuisances, and Annoyances, in like Manner as if the same was within the Walls of the said City, it shall be lawful for the said Commissioners (if they shall think proper), upon the Request and Application in Writing of Two Thirds or more of the Owners and Occupiers of Buildings and Hereditaments within any such Street, Lane, Passage, or Place, to order that no separate and distinct Account shall be thenceforth kept of the Receipts and Disbursements arising upon or in respect of the Works done or to be done in or relating to the Street, Lane, Passage, or Place comprised in such last-mentioned Application, and all or any other Business and Transactions relating thereto; and then and from thenceforth the Provision herein-before contained for allowing the Owners and Occupiers of Houses and Hereditaments in the Streets within the Walls of the said City to be paved and lighted by the Commissioners shall extend and apply to such last-mentioned Street, Lane, Passage, or Place, or so much of the same as can be made to extend and apply thereto.

The Receipts, &c. within the Walls to comprise the Account of the Streets without the Walls blended therewith.

LI. Provided always, and be it enacted, That, for the Purposes of this Act, the Account of the Receipts and Disbursements arising in consequence of the Works done or to be done in the several Streets, Lanes, Passages, and Places within the Walls of the said City shall from Time to Time be considered and construed as comprising such Accounts of the Receipts and Disbursements of the said Streets, Lanes, Passages, and Places without the Walls of the said City as shall have been blended therewith in manner aforesaid.

Power to light the optional Streets without paving the same.

LII. And whereas several of the Streets, Lanes, Passages, and Places lying without the Walls of the City of *Canterbury*, and within the Borough thereof, are not lighted, and for Want of such lighting the Efficiency of the Police may be much diminished, and great Facilities afforded for the Commission of Crimes, and for the Escape of Offenders, and it is expedient that the same should be lighted; be it therefore enacted, That it shall be lawful for the said Commissioners, upon the Application as aforesaid of Two Thirds of the Owners and Occupiers of Buildings and Hereditaments within any such Streets, Lanes, Passages, or Places, to light such Streets, Lanes, Passages, and Places with Gas, or with Oil or other sufficient Light, without paving or repairing such Streets, Lanes, Passages, and Places respectively, or any Part thereof: Provided always, that the Rates to be raised for the Purpose of defraying the Expences of lighting only such several Streets, Lanes, Passages, and Places respectively shall not exceed in Amount the actual Expence of such lighting, and the Costs and Charges incident thereto.

Mortgages of Rates in optional Streets which shall be blended with the City Account to be a Charge upon the conjoint Account.

LIII. And be it enacted, That from and after the Time when separate Accounts of the Receipts and Disbursements of or in respect of any One or more of the said Streets, Lanes, Passages, and Places without the Walls of the said City shall cease in manner aforesaid to be kept, all Sums of Money which shall have been theretofore borrowed, and all Debts which shall have been theretofore incurred respectively, upon the Credit of the Rates or Assessments for or in respect of any such Street, Lane, Passage, or Place, and shall then remain due and unpaid, shall be deemed and taken to have been borrowed and contracted respectively upon the Credit and Security of all and every the Rates or Assessments arising by virtue of the said recited Act and this Act, except only such of the said Rates or Assessments whereof separate and distinct Accounts shall from Time to Time continue to be kept as directed by the said recited Act; and such Sum and Sums of Money, Debt and Debts, respectively, shall or may be recovered accordingly by the same or the like Ways and Means as any Monies borrowed upon the Credit of the said recited Act, and secured by Mortgage or Grant of Annuities, as therein mentioned, may be recovered.

The Power to borrow Money on Credit of the Rates in respect of Streets without the Walls of the City

LIV. And whereas by the said recited Act it is provided, that if the Commissioners acting in execution of the said recited Act shall, in pursuance of any Petition to them in that Behalf as in that Act mentioned, cause any Streets, Lanes, Passages, or Places without the Walls of the said City to be paved, cleansed, lighted, and watched, and cleared of all Encroachments, Obstructions, Nuisances, and Annoyances, that in such Case the several Clauses, Powers, and Pro-

visions of the said recited Act shall extend and be put in execution for the Purpose, not only of paving, cleansing, lighting, and watching the same, and for making and collecting Rates and Assessments for defraying the Expences thereof, but also for raising Money by Mortgage, or by granting Annuities upon the Credit of such Rates or Assessments, and in all other respects, in like Manner, and as fully and as effectually, as if such Streets, Lanes, Passages, or Places so petitioned for were within the Walls of the said City: And whereas it is desirable to limit the Amount of Money to be raised in manner aforesaid upon the Credit of such Rates and Assessments; be it therefore enacted, That the Commissioners acting in execution of the said recited Act or of this Act are authorized to borrow or take up at Interest, by way of Mortgage or by granting Annuities, in manner as in the said recited Act mentioned, any Sums of Money upon the Credit of the Rates and Assessments made for or in respect of the Streets, Lanes, Passages, or Places without the Walls of the said City which may have been or shall at any Time hereafter be, in pursuance of any Petition or Application to the Commissioners acting in execution of the said recited Act or of this Act in that Behalf, as in the said recited Act mentioned, paved, cleansed, lighted, and watched, and cleared of all Encroachments, Obstructions, Nuisances, and Annoyances, under the Provisions of the said recited Act or of this Act, as if the same were within the Walls of the said City, so that the whole of the Money so to be raised upon Mortgage and by granting of Annuities upon the Credit of such last-mentioned Rates as aforesaid do not, together with the Money which at the Time of the passing of this Act had been raised upon the Credit of such Rates, in the whole exceed the Sum of Seven thousand five hundred Pounds.

and Borough limited to a certain Amount.

LV. And whereas, in pursuance of the Powers and Provisions of the said recited Act, the Sum of Ten thousand Pounds has been borrowed by the said Commissioners upon the Security of the Rates, Tolls, and Duties thereby authorized to be raised: And whereas a considerable Portion of the Revenue arising to the said Commissioners for the Purposes of the said recited Act arises from the Tolls authorized to be taken by them at the Toll Gate or Bar erected upon the Road leading from *Canterbury* to *London*, and at the Toll Gate or Bar upon the Road leading to the *Isle of Thanet*, and it is considered just and expedient that the Tolls hereafter to be received at the said Toll Gates or Bars in pursuance of the said recited Act or this Act should be made applicable solely to the Payment of the Sum of Three thousand five hundred Pounds, Part of the said Sum of Ten thousand Pounds, together with Interest on the said Sum of Three thousand five hundred Pounds; be it therefore enacted, That from and after the passing of this Act it shall not be lawful for the said Commissioners to lay out and expend any Portion of the Tolls receivable by them at the said Toll Gates or Bars respectively in paving, repairing, improving, cleansing, or lighting any of the Streets or Places within the said City and Borough of *Canterbury*, but the same shall be applied in defraying the Expences of the Collection thereof, in paying the Interest on the Sum of Three thousand five hundred Pounds, Part of the said Sum of Ten thousand Pounds, or of

Application of Tolls to be receivable at Turnpike Gates.

of so much of the said Sum of Three thousand five hundred Pounds as shall not have been paid off as herein-after mentioned, and from Time to Time in paying off the Principal of the said Sum of Three thousand five hundred Pounds, whenever a Balance of One hundred Pounds of the Monies arising from the said Tolls shall be in the Hands of the Treasurer to the said Commissioners, and for no other Purpose whatsoever; and when and as soon as the said Sum of Three thousand five hundred Pounds, with the Interest thereof as aforesaid, shall have been fully paid off and satisfied, the said Tolls shall cease and determine, and be no longer payable: Provided that from and after the passing of this Act it shall not be lawful for the said Commissioners to remove or discontinue any Turnpike or Toll Bar for collecting the said Tolls now standing on the said Roads respectively, until the whole of the said Sum of Three thousand five hundred Pounds, and the Interest thereof, shall have been fully paid off and discharged: Provided also, that it shall not be lawful for the said Commissioners, under any Circumstances, to place any such Turnpike or Toll Bar at a greater Distance than they now are from the City of *Canterbury*.

Duty on Coal or Cinder not to be applied in paving the Streets, &c., but in defraying Expences of Collection, and in Payment of 4,000*l.*, Part of Loan of 10,000*l.*, and Interest thereon; and then the said Duty to cease.

LVI. And whereas a considerable Portion of the Revenue of the said Commissioners for the Purposes of the said recited Act arises in respect of Duty upon Coal, Coke, or Cinder, and it is considered just and expedient that the Duty hereafter to be received upon or in respect of Coal, Coke, or Cinder, in pursuance of the said recited Act or this Act, should be made applicable solely to the Payment of the Sum of Four thousand Pounds, Part of the said Sum of Ten thousand Pounds, borrowed by the said Commissioners upon the Security of the Rates, Tolls, and Duties, in pursuance of the Powers and Provisions of the said recited Act, together with Interest upon the said Sum of Four thousand Pounds; be it therefore enacted, That from and after the passing of this Act it shall not be lawful for the said Commissioners to lay out and expend any Portion of the Duty receivable by them upon or in respect of Coal, Coke, or Cinder, in paving, repairing, improving, cleansing, or lighting any of the Streets or Places within the said City and Borough of *Canterbury*, but the same shall be applied in defraying the Expences of the Collection thereof, in paying the Interest on the Sum of Four thousand Pounds, Part of the said Sum of Ten thousand Pounds, or of so much of the said Sum of Four thousand Pounds as shall not have been paid off, as herein-after mentioned, and from Time to Time in paying off the Principal of the said Sum of Four thousand Pounds, whenever a Balance of One hundred Pounds of the Monies arising from the said Duty shall be in the Hands of the Treasurer to the said Commissioners, and for no other Purpose whatsoever; and when and as soon as the said Sum of Four thousand Pounds, with the Interest thereof, as aforesaid, shall have been fully paid off and satisfied, the said Duty granted upon or in respect of Coal, Coke, or Cinder shall cease and determine, and be no longer payable.

Trustees of Roads not to lay Money out in light-

LVII. And be it enacted, That it shall not be lawful for the Trustees or Commissioners of any Turnpike Road to lay out or expend any Money arising by virtue of any Act relating to such Turnpike

Turnpike Road in or for or towards lighting or watering any of the Streets or public Places within the said City or Borough of *Canterbury*.

ing or watering Streets.

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

Mode of paying off Mortgages.

LIX. And be it further enacted, That the Commissioners shall every Year cause an annual Account in Abstract to be prepared, showing the total Receipt and Expenditure of all Funds levied by virtue of the said recited Act and of this Act, for the Year ending on the Thirty-first Day of *December* or some other convenient Day in each Year, under the several distinct Heads of Receipt and Expenditure, with a Statement of the Balance of such Account, duly audited and certified by the Clerk for the Time being of the said Commissioners, and shall transmit a Copy of the said Account, free of Charge, to the Clerk of the Peace for the said City and Borough of *Canterbury* on or before the First Day of *April* then next, which Account shall be open to the Inspection of the Public at all seasonable Hours, on Payment of the Sum of One Shilling for every such Inspection.

Annual Account to be transmitted to the Clerk of the Peace.

LX. And be it further enacted, That the Commissioners shall, within Fourteen Days after such Account shall have been delivered to the Clerk of the Peace of the said City and Borough of *Canterbury*, produce at the Town Hall of the said City and Borough all and every or any of the Documents, Bills, Receipts, and Vouchers that may be mentioned or referred to in, or that may in anywise relate to,

Vouchers to be open to Inspection of Mayor or Justices.

to, the said Accounts, to be inspected and examined by the Mayor for the Time being, or Two or more of the Borough Justices for the Time being; and if the Clerk or Treasurer, having the Custody of any such Documents, Bill, Receipts, or Vouchers, shall neglect or refuse to produce all or any of such Documents, Bills, Receipts, and Vouchers for the Space of Two Days after Demand made thereof under and by virtue of this Act, then and in every such Case he shall forfeit and pay for every such Neglect or Refusal the Sum of Ten Pounds, to be recovered, together with full Costs of Suit, by Action of Debt or on the Case, or by Bill, Suit, or Information, in one of Her Majesty's Courts of Record at *Westminster*.

Expences of the Act.

LXI. And be it 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 the first Monies which shall be in the Hands of their Treasurer, or shall be at the Disposal of the said Commissioners, at the Time of or after the passing of this Act, in preference to all other Payments whatsoever.

Repealing Clause of recited Act as to Limitation of Actions.

LXII. And whereas it was by the said recited Act enacted that no Action or Suit should be commenced against any Person or Persons for any thing done in pursuance of that Act until Twenty-one Days Notice be thereof given to the Treasurer or Clerk to the said Commissioners, or after sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, or after Six Calendar Months next after the Fact committed; and every such Action or Suit should be brought and tried in the County of *Kent*, and not elsewhere; and the Defendant or Defendants in every such Action or Suit should or might, at his or their Election, plead specially, or the General Issue, and give that Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of that Act; and if the same should appear to have been so done, or if such Action or Suit should be brought before Twenty-one Days Notice should be given as aforesaid, or after the Time limited for bringing the same as aforesaid, or should be brought in any other County than as aforesaid, then the Jury should find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs should be nonsuited, or discontinue his, her, or their Action or Suit after the Defendant or Defendants should have appeared, or if upon Demurrer Judgment should be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants should recover Treble Costs, and have such Remedy for the same as any Defendant or Defendants hath or have in other Cases by Law: And whereas it is expedient the said recited Provision should be repealed; be it therefore enacted, That the same shall be and is hereby repealed: Provided always, that nothing in this Act contained shall prejudice or affect any Action, Suit, Information, or other Proceeding now pending between the said Commissioners and any Company or Person or Persons whomsoever, or shall revive any Right which under the Provision lastly hereby repealed may have been barred prior to the passing of this Act.

Interpretation Clause.

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

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

Words importing the Masculine Gender shall include Females:

The Word "Person" shall include any Body Politic, Corporate, or Collegiate, Civil or Ecclesiastical, Aggregate or Sole:

The Word "Month" shall mean Calendar Month:

The Expression "Superior Courts" shall mean Her Majesty's Superior Courts of Record at *Westminster:*

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

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

Public Act.

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

SCHE-

SCHEDULE to which this Act refers.

Form of Rates, No. 1.

An Assessment made this Day of in the Year of our Lord One thousand eight hundred and by virtue and in pursuance of and for the Purposes of an Act passed in the Year of the Reign of Queen Victoria, intituled [*here insert the Title of the preceding Act*], upon the Occupiers of all Houses, Shops, Warehouses, Coach-houses, Cellars, Buildings, Gardens, Grounds, Lands, Tenements, and Hereditaments within the Walls of the said City, except the Occupiers of any such Premises in the Cases by the said Act in that Behalf provided for, and in those Cases upon the Owners of such Premises instead of the Occupiers thereof, [*or as the Case may require*,] and also upon the Occupiers of all Houses, Shops, Warehouses, Coach-houses, Cellars, Buildings, Gardens, Grounds, Lands, Tenements, and Hereditaments without the Walls of the said City which have been paved or lighted under the Provisions of an Act passed in the Twenty-seventh Year of the Reign of the late King George the Third, intituled "An Act for paving, *&c.* of the City of Canterbury," or of the said first-mentioned Act, or which are now subject to or within or under the Provisions of either of the said Acts, except the Occupiers of any such last-mentioned Premises in the Cases by the said first-mentioned Act in that Behalf provided for, and in those Cases upon the Owners of such Premises instead of the Occupiers thereof, after the Rate of in the Pound.

No.	Name of Occupier or Occupiers.	Name of Owner or Owners.	Description of Property rated.	Situation of Property rated.	Upon whom Rate made, and by whom payable.	Gross estimated Rental.	Rateable Value.	Rate at 1*s.* in the Pound.	Arrears due, or if excused.
						£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*
1	James Smith	John Green -	House and Garden.	High Street within the Walls of the City.	The Occupier.	40 0 0	35 0 0	1 15 0	
2	John Poor -	Ditto -	Ditto -	Ditto - -	Ditto -	20 0 0	17 10 0	0 17 6	0 0 7½
3	Ditto -	John Hobbs and William Harris.	Warehouse	Northgate Street without the Walls of the City.	The Owners	15 0 0	13 0 0	0 13 0	Excused.
4	Henry Watts and James Gates.	Job Higgins	House and Yard.	Ditto - -	Ditto -	8 10 0	7 10 0	0 7 6	Ditto.
5	William Wilkins.	The Owner -	Land -	High Street within the Walls.	The Owner	15 0 0	13 0 0	0 13 0	
&c.	&c.	&c.	&c.	&c.	&c.	&c.	&c.	&c.	&c.

No. 2.

No. 2.

AN ASSESSMENT made this Day of in the Year of our Lord One thousand eight hundred and by virtue and in pursuance of and for the Purposes of an Act passed in the Year of the Reign of Queen Victoria, intituled [*here set out the Title of the preceding Act*], upon the several and respective Buildings, Tenements, and Hereditaments situated on the Sides of or which form any Part of the Streets, Lanes, Passages, or Places by an Act passed in the Twenty-seventh Year of the Reign of King George the Third, intituled "An Act for paving, *&c.* the City of Canterbury," or by the said first-mentioned Act authorized to be paved and lighted, and which several and respective Buildings, Tenements, and Hereditaments are by the said first-mentioned Act authorized and directed to be rated by the Yard running Measure, after the Rate of One Shilling for every Yard running Measure of the Length of certain of the several and respective Places aforesaid, and after the Rate of Three-pence for every Yard running Measure of the Length of other of the several and respective Places aforesaid.

No.	Arrears due.	Name of Occupier or Occupiers.	Name or Description of Property rated.	Situation of Property rated.	Whether Property rated belongs to the Council of the City and Borough of Canterbury, or to the Ville of Christchurch, or to the Palace of the Archbishop of Canterbury, or to the Borough of Staplegate, or to the White Friars, or to the Precinct of the old Castle of Canterbury, or to Eastbridge Hospital.	By whom Rate is to be paid.	Yards running Measure.	Rate at 1*s.* per Yard.	Rate at 3*d.* per Yard.
	£ *s.* *d.*							£ *s.* *d.*	£ *s.* *d.*
1	0 10 0	John Nokes -	House and Garden.	No. 1, Kingsbridge, on the South Side thereof, within the Cityof Canterbury, being a Street directed to be paved and lighted, &c.	Belongs to Eastbridge Hospital.	The Occupier.	4	0 4 0	
2	0 5 0 Excused.	Samuel Dobbs	Ditto -	No. 2, Palace Street, on the East Side thereof, within the City, being a Street directed, &c.	Palace of Archbishop of Canterbury.	Ditto -	3	0 3 0	
3	—	William Huggins.	Garden -	No. 3, ditto - -	Ditto - -	Ditto -	2	0 2 0	
4	—	Richard Davis	House -	No. 1, Castle Street, on the North Side thereof, lying within the Precinct of the old Castle of Canterbury, being a Street directed, &c.	- - - -	Ditto -	6	0 6 0	
5	—	John Hobbs -	Nursery Ground.	No. 1, Castle Street, on the South Side thereof, within the said City, and being a Street, &c.	- - - -	Ditto -	4	—	0 1 0
6	—	John Williams	Orchard -	No. 2, ditto - -	- - - -	Ditto -	3	—	0 0 9

No. 3.

AN ASSESSMENT made the Day of in the Year of our Lord by virtue and in pursuance of and for the Purposes of an Act passed in the Year of the Reign of Queen Victoria, intituled [*here set out the Title of the preceding Act*], of One Shilling per Yard running Measure of the Length of such Streets, Lanes, and other public Passages and Places which before the passing of an Act passed in the Twenty-seventh Year of King George the Third, intituled "An Act for paving, &c. the City of Canterbury," the Churchwardens of the Parish of Saint Andrew within the Walls of the said City, and the Dean and Chapter of the Cathedral and Metropolitical Church of Christ, Canterbury, had usually paved, repaired, and cleansed, or had been subject and liable to pave, repair, and cleanse, and which the said Parties are liable to pay under the Provisions of the said first-mentioned Act.

Name of Streets, Lanes, and other public Passages and Places.	Name or Style of Parties by whom Rate to be paid.	Yards running Measure.	Rate at 1*s.* per Yard.
			£ s. d.
Street called the Parade - -	The Churchwardens of the Parish of Saint Andrew within the Walls of the said City.	44	2 4 0

No. 4.

City and Borough of Canterbury. } To one of the Collectors of the Rates for the several Purposes mentioned in an Act passed in the Year of the Reign of Queen Victoria, intituled [*here insert the Title of this Act*], and to all Constables of the said City and Borough.

WHEREAS the under-mentioned Persons have been duly rated in or are subject or liable to the Payment of a Rate made on the Day of under the Authority of the said Act, and there are now due from them respectively the several Sums of Money against their Names herein-after respectively set down, which they have respectively refused or neglected to pay, as appeareth upon Oath to me, one of Her Majesty's Justices of the Peace for the said City and Borough; and the said several Persons having been duly summoned to appear to answer the Premises, and not having shown any sufficient Cause why such several Sums of Money should not be paid; These are therefore, in Her Majesty's Name, to require you or any of you forthwith to levy the said several Sums due as herein-before mentioned, by Distress and Sale of the respective Goods and Chattels of the several and respective Persons aforesaid, rendering to them respectively the Overplus (if any), the reasonable Charges of such Summons, Warrant, Distress, and Sale being first deducted, and if no sufficient Distress can be had and taken, then that you certify the same to me, to the end that such further Proceedings may be had as the Law doth authorize and direct: And I do hereby strictly charge and

and command all and singular the Constables for the said City and Borough to be aiding and assisting in all things relating to the Premises.

Given under my Hand and Seal this Day of in the Year of our Lord One thousand eight hundred .

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

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