ANNO QUINQUAGESIMO SECUNDO

GEORGII III. REGIS.

****

Cap. 73.

An Act for more effectually paving, cleanſing, lighting, and watching the Highways, Streets, and Lanes within the Town and Borough of *Deal*, in the County of *Kent*, and for removing and preventing Encroachments, Nuiſances, and Annoyances therein.

[5th *May* 1812.]

WHEREAS an Act was made in the Thirty-firſt Year of the Reign of His preſent Majeſty, intituled, *An Act for* 31 G. 3.
repairing, paving and cleanſing the Highways, Streets, c. 64.
and Lanes within the Town and Borough of Deal, *in the County of* Kent, *and for removing and preventing Encroachments, Obſtructions, Nuiſances and Annoyances therein:* And whereas another Act was made in the Thirty-ſixth Year of the Reign of His preſent Majeſty, intituled, *An Act to amend and render more effectual an Act made in the Thirty-* 36 G. 3.
firſt Year of the Reign of His preſent Majeſty, intituled, 'An Act for repair- c. 45.
'ing, paving, and cleanſing the Highways, Streets, and Lanes within the 'Town and Borough of Deal, *in the County of* Kent, *and for removing and 'preventing Encroachments, Obſtructions, Nuiſances and Annoyances therein:'* And whereas the Powers and Proviſions of the ſaid Acts have been found inadequate and defective, and it is therefore expedient that the ſame ſhould be varied, altered and amended; and it would tend to the more eaſy and effectual Execution thereof, if the ſaid Acts were conſolidated, and all the neceſſary Powers and Proviſions comprifed in one Act: And whereas it will be attended with great Benefit to the Inhabitants of the ſaid Town and Borough if Power was given to light the Streets, Lanes,

and other Places therein, and maintain a Nightly-Watch for the Security of the ſaid Inhabitants; but the ſame cannot be effected without the Aid and Authority of Parliament; 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Parliament aſſembled, and by the Authority of the ſame, That the ſaid recited Acts ſhall be, and the ſame are hereby repealed; and this Act, and the Rates and Duties hereby granted, ſhall be and are hereby charged with, and made ſubject and liable to the Payment of all Monies now due and owing upon the Credit or on account of the ſaid Acts, and of the Intereſt due and to grow due thereon, as fully and effectually to all Intents and Purpoſes as if ſuch Money had been borrowed or become due on the Credit of this Act, or of the Rates and Duties hereby authorized to be collected.

Acts repealed.

Commiſſioners.

II. And be it further enacted, That the Mayor, Recorder, and Jurats of the ſaid Town and Borough for the Time being, the Rector of the Pariſh Church of *Saint Leonard* at *Deal*, for the Time being, the Curate of the Chapel of *Saint George* at *Deal*, for the Time being, and alſo *Thomas Woodruff*, *Mathew Chambers*, *George Noakes*, *Richard Chitty*, *Charles Crickett*, *William Hulke*, *Thomas Bayley*, *Solomon Kelley Ferrier*, *James Methurſt Poynter*, *William White*, *William Bowling*, *Iſrael Wellard*, *John Lambert*, Reverend *Montague Pennington*, *Perſer Dower*, *Joſeph Trounſell*, *James White*, *William Ralph*, *John Rickcords*, *Thomas Rickman*, *John Baker*, *John Harvey*, *John Cannon* the Younger, *William Cannon*, *John Friend*, *Robert England*, *James Claringbold*, *John Oakley*, *William Matſon Miller* and *Benjamin Foſter*, and their Succeſſors, to be elected in Manner hereinafter mentioned, ſhall be, and they are hereby appointed Commiſſioners for putting this Act into Execution.

Election of new Commiſſioners in caſe of Death, &c.

III. And be it further enacted, That when any of the Commiſſioners hereinbefore particularly named, or hereafter to be elected, ſhall die or reſign, or ſhall, for the Space of Twelve Calendar Months together, refuſe or neglect to act (ſuch Death, Reſignation, Refuſal, or Neglect, being declared at a public Meeting of the ſaid Commiſſioners) then, and in every ſuch Caſe, it ſhall and may be lawful to and for the ſurviving or remaining Commiſſioners, or the major Part of them who ſhall be preſent at a Meeting to be appointed within Three Calendar Months next after ſuch Vacancy ſhall be ſo declared, to elect ſome other Perſon being a Reſident within the ſaid Town and Borough, to be a Commiſſioner in the Place of every Commiſſioner ſo dying, reſigning, refuſing, or neglecting to act; and every Perſon ſo elected ſhall have the ſame Powers veſted in him for putting this Act in Execution as if he had been named a Commiſſioner in or by virtue of this Act.

Qualification of Commiſſioners.

IV. And be it further enacted, That no Perſon, except the Mayor, Recorder, and Jurats of the ſaid Town and Borough for the Time being, the Rector of the Pariſh Church of Saint *Leonard* at *Deal* for the Time being, and the Curate of the Chapel of Saint *George* at *Deal* for the Time being, ſhall be capable of acting as a Commiſſioner in the Execution of this Act (except in adminiſtering the Oath or Affirmation hereinafter mentioned),

mentioned), unleſs he ſhall be in his own Right, or in the Right of his Wife, in the actual Enjoyment of the Rents and Profits of a Freehold or Leaſehold Eſtate, of the clear yearly Value of Fifteen Pounds above Reprizes, ſituate in the ſaid Town and Borough, or ſhall be poſſeſſed of a Perſonal Eſtate to the Amount or Value of Four hundred Pounds, nor until he ſhall have taken and ſubſcribed an Oath or Affirmation, to the Effect following: (which Oath or Affirmation any one of the ſaid Commiſſioners is hereby empowered to adminiſter) that is to ſay;

Oath.

'I *A. B.* do ſwear, [or *being a Quaker*, do ſolemnly affirm] That I am in my own Right, or in the Right of my Wife, in the actual Poſſeſſion or Receipt of the Rents and Profits of a Freehold or Leaſehold Eſtate, lying within the Town and Borough of *Deal*, in the County of *Kent*, of the clear yearly Value of Fifteen Pounds, or poſſeſſed of, or entitled to, a Perſonal Eſtate of the Value of Four hundred Pounds; and that I will truly and impartially, according to the beſt of my Skill and Judgment, execute and perform all and every the Powers and Authorities repoſed in me as a Commiſſioner by virtue of an Act paſſed in the Fifty-ſecond Year of the Reign of His preſent Majeſty, intituled, [*here ſet forth the Title of this Act.*] So help me GOD.'

Penalty on Perſons unqualified acting.

And if any Perſon hereby deemed unqualified or incapable to act, ſhall nevertheleſs preſume to act in the Execution of this Act, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay the Sum of Fifty Pounds, together with full Coſts of Suit, to any Perſon or Perſons who ſhall ſue and proſecute for the ſame, to be recovered in any of His Majeſty's Courts of Record, by Action of Debt or on the Caſe, or by Bill, Suit, or Information, wherein no Eſſoign, Protection, or Wager at Law, nor more than one Imparlance, ſhall be allowed; and every Perſon ſo ſued or proſecuted ſhall prove that he was qualified as aforeſaid at the Time of his acting as a Commiſſioner, or otherwiſe ſhall pay the ſaid Penalty, without any other Proof or Evidence being given on the Part of the Plaintiff or Proſecutor than that ſuch Perſon had acted as a Commiſſioner in the Execution of the ſaid Acts, or this Act, or either of them: Provided nevertheleſs, that all Acts and Proceedings of any Perſon acting as a Commiſſioner in the Execution of this Act, though not duly qualified as aforeſaid, previous to his or their being convicted of the ſaid Offence, ſhall, notwithſtanding ſuch Conviction, be as good, valid, and effectual, as if ſuch Perſon had been qualified according to the Directions of this Act.

No Perſon to act as a Commiſſioner who is a Victualler, or is concerned in any Contract.

V. Provided alſo, and be it further enacted, That no Perſon ſhall be capable of acting as a Commiſſioner under this Act during the Time he ſhall enjoy any Office of Profit, or be concerned directly or indirectly in any Contract made by virtue of this Act, upon Pain of forfeiting the Sum of Fifty Pounds for each Time of ſuch acting, to be recovered and applied, with full Coſts of Suit, as aforeſaid; but ſuch Commiſſioners as are Juſtices of the Peace may nevertheleſs act as ſuch in the Execution of this Act, except in Caſes where they are perſonally intereſted.

VI. And

Meetings.

VI. And be it further enacted, That the ſaid Commiſſioners ſhall meet and aſſemble in the Guildhall of the ſaid Town and Borough of *Deal* on the Second *Tueſday* after the paſſing of this Act, between the Hours of Ten and Four, in order to put this Act in Execution; and ſhall and may then, and from Time to Time afterwards, adjourn themſelves to meet at the Place aforeſaid (not interfering with any other public Meeting or Buſineſs of the ſaid Town and Borough) or at any other convenient Place within the ſaid Town and Borough, as they or the major Part of them preſent at ſuch Meeting ſhall appoint; and if it ſhall happen that there ſhall not appear at any ſuch Meeting of the ſaid Commiſſioners a ſufficient Number to act or to adjourn to another Day (Three Commiſſioners to be deemed ſufficient for the Purpoſe of Adjournment) or if they ſhall refuſe or neglect to adjourn, then, and in every ſuch Caſe, their Clerk, or any Three or more of the ſaid Commiſſioners ſhall and may call a Meeting at the Place where the laſt Meeting was to have been holden, by Notice in Writing to be affixed or put up at the Market place of *Deal*, at leaſt Ten Days before the next Meeting; and that at all Meetings to be holden in purſuance of this Act the Commiſſioners ſhall defray their own Expences, but no Act of the ſaid Commiſſioners ſhall be valid,

Number to act.

unleſs made or done at ſome public Meeting to be held by virtue of this Act: and that all the Powers and Authorities by this Act granted to or veſted in the ſaid Commiſſioners hereby conſtituted, ſhall and may, from Time to Time, be exerciſed by the major Part of them, who ſhall attend any public Meeting to be holden as herein mentioned, the Number of Commiſſioners preſent at any ſuch Meeting not being leſs than Five, and the Mayor of *Deal* for the Time being, ſhall preſide at every Meeting of the ſaid Commiſſioners, and be called Preſident; and in caſe of his Abſence, the Deputy Mayor ſhall be the Preſident; and in the Abſence of the Deputy Mayor, the Senior Jurat preſent at ſuch Meetings ſhall be the Preſident; and if neither the Mayor, Deputy Mayor, or any of the Jurats ſhall be then preſent, then and in that Caſe One of the Commiſſioners preſent, whom the major Part attending ſuch Meeting ſhall appoint, ſhall be the Preſident; and in caſe of Equality of Votes, including the Preſident's Vote, ſuch Preſident ſhall upon every ſuch Occaſion have the deciſive and caſting Vote; and that all the Orders and Proceedings of the major Part of the Commiſſioners preſent at ſuch Meetings, ſhall have the ſame Force and Effect as if done or made by all the Commiſſioners conſtituted by this Act; and that no Act, Order or Determination of the ſaid Commiſſioners ſhall be valid, unleſs done or made at a public Meeting held by virtue of this Act; and that the Names of all the Commiſſioners who ſhall duly qualify in purſuance of this Act, and of ſuch Commiſſioners as ſhall be preſent at their reſpective Meetings, and all the Acts, Orders, and Proceedings of the Commiſſioners ſhall be entered in a Book or Books to be kept for that Purpoſe, and ſigned by the Chairman or Clerk to the ſaid Commiſſioners; and the Book or Books ſo ſigned, ſhall be depoſited with the Clerk of the ſaid Commiſſioners, to be produced or ready for Production at all and every the ſaid Meetings; and all ſuch Acts, Orders

Proceedings to be entered.

and Determinations ſo entered, ſhall be deemed and taken to be Originals,

and

and such Book or Books shall and may be produced and read in Evidence, and allowed as such in all Courts of Justice whatsoever, and the same shall at all seasonable Times be open to the Inspection of all Persons interested; and that any Action which shall or may be brought by or against the said Commissioners or any of them, for any Thing done touching or relating to the Execution of the Purposes of this Act, shall be brought or instituted in any of His Majesty's Courts of Record in the Name of the Clerk or Treasurer to the said Commissioners; and that no such Action shall abate or be discontinued by the Death or Removal of such Clerk or Treasurer, but the Clerk or Treasurer for the Time being, to the said Commissioners shall be deemed the Plaintiff or Defendant in such Action as the Case shall be.

In whose Names Actions may be brought.

VII. And be it further enacted, That if after any Adjournment of any Meeting of the said Commissioners, it shall be thought necessary that an earlier Day of Meeting should be appointed than the Day appointed by such Adjournment, in that case the Clerk or Clerks to the said Commissioners, upon an Order in Writing, signed by Three or more of the said Commissioners, mentioning the Time, Place and Purpose of such Meeting, shall forthwith give Notice thereof by Writing affixed on some conspicuous Part of the Market Place of *Deal*, and of the Time and Place which shall be mentioned in the Order of the said Commissioners (such Time not being less than Three Days after such Notice,) and such earlier Meeting shall and may be held accordingly; and all the Proceedings of the Commissioners at all such Meetings shall be as valid and effectual as they would have been in case such Meetings had been held in pursuance of any Adjournment.

Meetings on Emergencies.

VIII. And be it further enacted, That in all Cases of Meetings of the said Commissioners for electing any Commissioner in the Room of such as shall die, resign, neglect or refuse to act, Fourteen Days Notice, at the least, shall be given of such intended Meeting to each of the Commissioners residing within the said Town and Borough by leaving a written or printed Paper at their respective Houses or Places of Abode, and by affixing the same on the Market-place of the said Town.

Notice of Meetings for electing new Commissioners.

IX. And be it further enacted, That no Order made by the said Commissioners at any of their Meetings shall be revoked or altered, unless at some Meeting to be held for that Purpose (of which Seven Days Notice shall be given as aforesaid, therein expressing such proposed Revocation or Alteration,) and also unless a greater Number of Commissioners than were present to make such Order shall attend and vote at such Meetings to revoke and alter the same, such greater Number consisting of Eleven Commissioners at the least.

How Orders may be revoked.

X. And be it further enacted, That the said Commissioners shall and they are hereby authorized and required, by Writing under their Hands, to elect, appoint, and employ such Clerks, Treasurers, and Collectors of the Rates or Assessments, and Duties, to be levied and collected by virtue of this Act, and also such Surveyors, Paviours, Scavengers, and other Officers and Persons for the Execution thereof, as they shall from Time to Time think proper; any such Clerks, Collectors, Treasurers, Surveyors,

Power to elect Officers;

Paviours, Scavengers, and other Officers and Persons from Time to Time to remove or displace, as they shall think fit; and to choose and appoint others in the Room of such of them as shall be so removed, or shall die, or resign their Office, Seven Days Notice being first given as aforesaid of such Removal, Death, or Resignation, and of the Time and Place of Meeting for filling up the Vacancy or Vacancies thereby occasioned: and the said Commissioners may and are hereby authorized and empowered, by and out of the Monies to be raised and received by virtue of this Act, to annex and pay such Salaries or Allowances to such Officers, and to all other Persons by the said Commissioners to be employed in the Execution of this Act as they shall think reasonable; and the said Commissioners shall and are hereby required to take such Security from their Clerk, Treasurer, and other Officers for the due Execution of their respective Offices as the said Commissioners shall think proper; and all such Officers and Persons so to be appointed as aforesaid shall, upon Demand of the said Commissioners, duly account to them upon Oath for all Monies which shall come to his or their Hands, and touching the several Matters and Things to be committed to their Charge by virtue of this Act; and also shall, upon Demand of the said Commissioners, pay and deliver over to their Treasurer for the Time being, all the Monies appearing upon the Balance of such Accounts, together with the Vouchers in support of such Accounts, and also the Books, Papers, and Writings in their respective Custody or Power, relating to the Proceedings to be had under this Act; and in Default thereof, for the Space of Fourteen Days after such Demand made as aforesaid it shall be lawful for the said Commissioners, and they are hereby authorized and empowered to commence and prosecute any Action or Actions against any Person making such Default for the Recovery of the Monies that shall be in the Hands of such Person, with Costs of Suit; or if Complaint shall be made by the said Commissioners, or by such Person or Persons as shall be appointed by them for that Purpose, of any such Default as aforesaid, to any Justice of the Peace for the County or Place wherein the Party so making Default shall reside or be, such Justice is hereby authorized and required by Warrant to cause the Person or Persons so making Default to be brought before him, and upon his appearing or not appearing, to hear and determine the Matter in a summary Way; and if, upon the Confession of the Party, or by the Testimony of any credible Witness upon Oath, it shall appear to such Justice that any of the Monies that shall have been collected or raised by virtue of this Act, shall be in the Hands of such Person or Persons, such Justice is hereby authorized and required to cause, by Warrant, such Monies to be levied by Distress and Sale of the Goods and Chattels of such Person or Persons offending as aforesaid; and if no such Goods and Chattels can be found sufficient to satisfy such Monies, and the Charges of distraining and selling the same, or in case of Refusal to account as aforesaid, or that it shall appear to such Justice by the Confession of the Party so offending, or by the Testimony of any credible Witness upon Oath, that any Books, Papers, or Writings relating to the Execution of this Act shall be in the Custody or Power of any such Person, and he shall refuse to deliver up the same as aforesaid, in either of the said Cases, such Justice shall commit every such Offender to the Common Gaol or House of Correction of the County or Place where such Offender shall reside or be, there to remain until he shall

and take Security.

Officers to account.

ſhall give a true and perfect Account, and make a Payment as aforeſaid, or until he ſhall compound with the ſaid Commiſſioners in ſuch Manner as they ſhall think fit, and until he ſhall deliver up ſuch Books, Papers, and Writings as aforeſaid, or give Satisfaction in reſpect thereof: Provided always, that no Perſon ſo committed for want of ſufficient Diſtreſs ſhall be confined or detained in Priſon by virtue of this Act, for any longer Space of Time than Six Calendar Months.

Officers under former Acts to hold their Offices.

XI. Provided always, and be it further enacted, That the Treaſurer, Clerk, and all other Servants, and Officers, appointed by virtue and in purſuance of the ſaid Acts, ſhall hold and enjoy their ſeveral and reſpective Offices and Employments, together with the ſeveral and reſpective Salaries, Gratuities, and Allowances thereto annexed, until he or they ſhall be removed therefrom reſpectively by the ſaid Commiſſioners; and every ſuch Treaſurer, Clerk, and other Servants and Officers, ſhall be ſubject to the like Pains and Penalties, and Powers of Removal, and the like Rules and Regulations, as if he, ſhe, or they had been nominated or appointed by virtue of this Act.

Puniſhing Perſons preventing Execution of the Act.

XII. And be it further enacted, That if any Perſon ſhall at any Time obſtruct, hinder, or moleſt any of the ſaid Commiſſioners, or their Collector, Clerk, Surveyor or other Perſon or Perſons whomſoever, who are or ſhall be employed to put this Act in Execution, in the Performance or Execution of his or their Duty; every ſuch Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Forty Shillings.

Puniſhing Officers miſbehaving.

XIII. And be it further enacted, That if any Treaſurer, Clerk, Collector, or other Officer or Perſon, who ſhall or may be continued or be appointed by the ſaid Commiſſioners in the Execution of this Act, ſhall from and after the paſſing of this Act, exact, demand, or wilfully take any Fee or Reward whatſoever, other than ſuch Salaries and Reward as ſhall be appointed and allowed by ſuch Commiſſioners on account of any Thing ordered or directed by the Commiſſioners for putting this Act into Execution, or on any Account whatſoever relating to the Execution thereof, or ſhall any way be concerned or intereſted in any Bargain made or to be made by ſuch Commiſſioners, or any of them, for any of the Purpoſes intended to be executed by virtue of this Act; every Perſon ſo offending, ſhall for ever be incapable of being employed under this Act, and ſhall forfeit and pay the Sum of Fifty Pounds to any Perſon or Perſons who ſhall ſue for the ſame, by Action of Debt, Bill, Plaint, or Information, in any of His Majeſty's Courts of Record, within Six Calendar Months next after the Offence committed, with full Coſts of Suit, wherein no Protection, Eſſoign, nor Wager of Law, or more than one Imparlance ſhall be allowed.

Purchaſe of Houſes, &c. for widening Streets.

XIV. And whereas by the ſaid Act paſſed in the Thirty-firſt Year of His preſent Majeſty, it was enacted, that it ſhould be lawful for the Commiſſioners thereby appointed to widen the Footpaths, Highways, Streets, and Lanes in the ſaid Town and Borough, or any Paſſage or Avenue, leading into or through the ſame; and for that Purpoſe to purchaſe any Walls, Meſſuages, Buildings, Lands, or Tenements; and in

in cafe the Parties intereſted ſhould refuſe to treat with the ſaid Commiſſioners, then the Value thereof was directed to be ſettled and aſcertained by a Jury in Manner therein mentioned: And whereas many Parts of the Streets in the ſaid Town and Borough ſtill continue narrow and dangerous, and in order to widen and improve the ſame, it will be neceſſary that Power ſhould be continued to the ſaid Commiſſioners to purchaſe Part or Parcel of certain Houſes, Buildings, and Grounds; be it therefore enacted, That the ſaid Commiſſioners ſhall and may, and they are hereby authorized and empowered at any Time or Times hereafter when they ſhall think fit to widen the ſaid Footpaths, Highways, Streets, and Lanes, or any Paſſage or Avenue leading into or through the ſame, to treat, contract, and agree for, and purchaſe from the Owners, Proprietors, and Occupiers of and all other Perſons intereſted in any ſuch Dwelling-houſes, Buildings, Lands, Grounds, or Tenements for the Purchaſe thereof, or ſo much or ſuch Parts thereof as they the ſaid Commiſſioners ſhall judge neceſſary to be purchaſed for effecting the Purpoſes of this Act, and to cauſe ſuch Dwelling-houſes or Buildings, or ſo much thereof as they ſhall judge neceſſary, to be taken down, and the Scite thereof, and the Ground ſo to be purchaſed, to be made Part of the ſaid Streets, Lanes, Paſſages, and Public Places, for the Purpoſe of widening and improving the ſame, making any new Entrances into the ſaid Town, or forming any new Streets; and for effecting the Ends aforeſaid, it ſhall and may be lawful for all Bodies Politic or Corporate, Corporations Aggregate or Sole, Truſtees and Feoffees in Truſt, Guardians, Committees of Lunatics or Ideots, Executors, Adminiſtrators, and all other Truſtees, not only for and on the Behalf of themſelves, their Heirs and Succeſſors, but alſo for and on Behalf of their *Ceſtuique* Truſts, whether Infant or Iſſue unborn, Lunatics, Ideots, Femes Covert, or other Perſon or Perſons whomſoever, who are or ſhall be ſeized, poſſeſſed of, intereſted in, or entitled to any of the ſaid Dwelling-houſes, or other Buildings and Grounds, to treat, contract, and agree with, and abſolutely ſell, convey, aſſign, or ſurrender to the ſaid Commiſſioners, or to ſuch Perſon or Perſons as they ſhall appoint, all or any ſuch Dwelling-houſes or other Buildings and Grounds, or any Part thereof, or any Eſtate, Term of Years, or other Intereſt therein; and that all ſuch Contracts, Agreements, Sales and Conveyances which ſhall be ſo made, ſhall be good and valid in Law to all Intents and Purpoſes to convey the ſaid Premiſes and the Rights, Title, Property, Claim, and Demand whatſoever, of ſuch Perſon or Perſons, of, in, and to the ſame, any Law, Statute, Uſage, or any other Matter or Thing whatſoever to the contrary thereof in anywiſe notwithſtanding; and all Bodies Politic or Corporate, Corporations Aggregate or Sole, Truſtees and Feoffees in Truſt, Executors, Adminiſtrators, Guardians, and other Truſtees, and all other Perſons ſhall be, and are hereby indemnified for what they ſhall do therein by virtue or in purſuance of this Act.

Jury to be ſummoned in caſe of Diſpute as to Value.

XV. And be it further enacted, That if any Body Politic, Corporate, or Collegiate, or any Corporation, whether Aggregate or Sole, Spiritual or Lay, or any Femes Covert, or any Tenant for Life, or Tenant in Tail General or Special, Owner or Owners, Occupier or Occupiers, or other Perſon

ſon or Perſons whomſoever, intereſted in any ſuch Dwelling-houſes, Buildings, or Grounds, ſhall refuſe to treat, contract or agree as aforeſaid, or by reaſon of Abſence or otherwiſe, ſhall be prevented from treating, contracting, or agreeing, or ſhall decline or refuſe to ſell, convey, and diſpoſe of the Premiſes, whereof, or wherein, or whereunto they reſpectively ſhall be ſo ſeized, poſſeſſed, intereſted, or entitled as aforeſaid, or their reſpective Rights, Titles, Claims, or Intereſts in, to, or upon the ſame, or any Part thereof unto the ſaid Commiſſioners, or to ſuch Perſon or Perſons as they ſhall nominate for the Purpoſes, and according to the Tenor, true Intent and Meaning of this Act, or ſhall not or cannot produce or make out a clear Title to the Premiſes they are in Poſſeſſion of, or to the Intereſt they claim therein, to the Satisfaction of the ſaid Commiſſioners; or if any Diſpute or Difference ſhall ariſe touching ſuch Purchaſe or Purchaſes, then and in every ſuch Caſe, it ſhall and may be lawful to and for the ſaid Commiſſioners to cauſe it to be enquired into, and aſcertain by and upon the Oaths of a Jury of Twelve indifferent Men of the ſaid Town and Borough, (which Oaths the ſaid Commiſſioners are hereby empowered to adminiſter,) what Damages will be ſuſtained by, and what Recompence and Satisfaction ſhall be made to ſuch Owner, Proprietor, Occupier, or other Perſon or Perſons intereſted for or upon account of the taking or uſing of ſuch Dwelling-houſes, Buildings, or Grounds for the Purpoſes aforeſaid; and in order thereto the ſaid Commiſſioners are hereby empowered and required from Time to Time to ſummon and call before them, all and every Perſon and Perſons who ſhall be thought neceſſary and proper to be examined as a Witneſs or Witneſſes touching or concerning the Premiſes, and ſhall examine ſuch Witneſs or Witneſſes before the ſaid Jury upon Oath, (which Oath the ſaid Commiſſioners, or any Two or more of them, are hereby empowered and required to adminiſter); and they ſhall order and cauſe the ſaid Jury to view the Place in Queſtion, and uſe all other lawful Ways and Means, as well for their own as for the ſaid Jury's Information, in the Premiſes; and after the ſaid Jury ſhall have ſo aſcertained and ſettled ſuch Damages and Recompence, they, the ſaid Commiſſioners, ſhall thereupon order, adjudge, and determine the Sum or Sums of Money ſo aſſeſſed by the ſaid Jury, to be paid to the Owners, Proprietors, or Occupiers of the ſaid Premiſes, or other Perſons intereſted therein, according to the Verdict or Inquiſition of the ſaid Jury; which ſaid Verdict or Inquiſition, and Judgment, Order or Determination, ſo had and made, ſhall be final, binding, and concluſive to all Intents and Purpoſes whatſoever, againſt all Parties and Perſons claiming in Poſſeſſion, Reverſion, Remainder, or otherwiſe; and all and every ſuch Owners, Proprietors, Occupiers, and other Perſons anywiſe intereſted in ſuch Dwelling-houſes, Buildings, or Grounds, ſhall thereby be from thenceforth to all Intents and Purpoſes, diveſted of all Right, Title, Claim, Remainder, Reverſion, Intereſt, or Property of, in, to, or out of the ſame; and upon Payment of the Money, ſo aſſeſſed to the reſpective Perſons entitled thereto, or their Agents, or upon paying the ſame into the Bank of *England*, in Manner by this Act directed, it ſhall and may be lawful to and for the ſaid Commiſſioners to cauſe the Premiſes, in reſpect whereof ſuch Money ſhall be aſſeſſed, to be diſpoſed of, and ſuch Acts to be done thereto, as if the Purchaſe thereof had been agreed upon and completed, and the ſaid reſpective Premiſes were untenanted, and the Purchaſe or Conſideration-money had been received by the Perſon or Perſons entitled thereto; and for ſummoning and re-

turning such Jury, the said Commissioners are hereby empowered to issue out their Warrant or Warrants, signed by any Five or more of them, to the Mayor, and in his Absence to the Deputy Mayor of the said Town and Borough of *Deal*, thereby commanding and requiring such Mayor, or Deputy Mayor, to impannel, summon and return an indifferent Jury of Twenty-four Persons to appear before the said Commissioners, at such Time and Place, as in such Warrant shall be appointed; and such Mayor or Deputy Mayor is hereby required thereupon to impannel, summon and return such Twenty-four Persons accordingly; and out of the Persons so impannelled, summoned and returned, or out of such of them as shall appear according to or upon such Summons, the said Commissioners shall swear, or cause to be sworn, Twelve Persons who shall be the Jury for the Purposes aforesaid; and in default of a sufficient Number of Jurymen, the said Mayor or Deputy Mayor shall return other honest and indifferent Men of the Standers-by, or that can be speedily procured or summoned, to attend that Service, to the Number of Twelve: Provided always, that all Persons concerned shall have their lawful Challenges against any of the Jurymen to be summoned in pursuance of this Act, in such and the like Manner as any Party in any Action depending in any of His Majesty's Courts of Record at *Westminster*, is or shall be by Law entitled to; and the said Commissioners are hereby empowered to impose any reasonable Fine or Fines on such Mayor or Deputy Mayor, who shall make Default in the Premises, and also on any of the Persons who shall be summoned and returned to serve on such Jury, and shall not appear, or after having appeared, shall refuse to be sworn on the said Jury, or having been sworn, shall refuse to give, or shall not give his or their Verdict on the Matter in question, or shall in any other Manner wilfully neglect his or their Duty therein; and on any of the Persons who being summoned, or required to give Evidence before the said Jury touching the Premises, shall without sufficient excuse neglect or refuse to appear, or refuse to be sworn, or be examined, or give Evidence touching the same; but no such Fine shall exceed the Sum of Five Pounds upon any One Person for One Offence.

Expences of Jury.

XVI. And be it further enacted, That in all Cases where any Verdict shall have been given for a greater Sum or Recompence than shall have been previously offered by or on behalf of the said Commissioners, for any such Dwelling-houses, Buildings, or Grounds, or for Damages as aforesaid, all the Expences of taking such Inquest, and of the Witnesses attending thereon, and recording or entering the Verdict and Judgment thereupon, shall be paid by the said Commissioners out of the Monies to arise by virtue of the said Act and this Act; but if a Verdict shall be given for no greater or for a less Sum than shall have been so previously offered by or on the behalf of the Commissioners, then, and in every such Case, such Expences shall be paid by the Owners of or Persons interested in the Premises in Question: Provided, that whenever by Absence any Person or Persons shall have been prevented from treating with the said Commissioners, the whole of such Costs and Expences shall be borne and paid by the said Commissioners; and whenever any Costs or Charges shall or may be payable to the said Commissioners, such Costs or Charges shall and may be deducted out of the Sum to be paid by the said Commissioners to the said Owners or Persons respectively interested.

XVII. And

Application of Compensation Money when amounting to 200l.

XVII. And be it further enacted, That if any Money ſhall be agreed to be paid for any Lands, Tenements, or Hereditaments purchaſed, taken, or uſed by virtue of the Powers of this Act for the Purpoſes thereof, which ſhall belong to any Corporation, Feme Covert, Infant, Lunatic, or Perſon or Perſons under any Diſability or Incapacity as herein mentioned, ſuch Money ſhall, in caſe the ſame ſhall amount to the Sum of Two Hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant-General of the High Court of Chancery, to be placed to his Account *ex parte* the Commiſſioners for executing this Act, 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 Perſon or Perſons who would have been entitled to the Rents and Profits of the ſaid Lands, Tenements, and Hereditaments, in the Purchaſe of Land-Tax, or towards the Diſcharge of any Debt or Debts, or ſuch other Incumbrance or Part thereof, as the ſaid Court ſhall authorize to be paid affecting the ſame Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments ſtanding ſettled therewith to the ſame or the like Uſes, 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 Meſſuages, Lands, Tenements and Hereditaments, which ſhall be conveyed and ſettled to, for, and upon ſuch and the like Uſes, Truſts, Intents and Purpoſes, and in the ſame Manner as the Meſſuages, Lands, Tenements and Hereditaments, which ſhall be ſo purchaſed, taken, or uſed as aforeſaid, ſtood ſettled or limited, or ſuch of them as at the Time of making ſuch Conveyance and Settlement ſhall be exiſting, undetermined and capable of taking Effect; and in the mean Time, and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall by Order of the Court of Chancery, upon Application thereto, be inveſted by the ſaid Accountant-General in his Name, in the Purchaſe of Three Pounds *per Centum* Conſolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time, and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and Annual Produce of the ſaid Conſolidated or Reduced Bank Annuities ſhall from Time to Time be paid by Order of the ſaid Court to the Perſon or Perſons who would for the Time being have been entitled to the Profits and Rents of the Lands, Tenements and Hereditaments ſo hereby directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

When leſs than 200l. and exceeding 20l.

XVIII. Provided always, and be it further enacted, That if any Money ſo agreed to be paid for any Lands, Tenements, or Hereditaments, purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Corporation, or to any Perſon or Perſons under Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two Hundred Pounds, and ſhall exceed the Sum of Twenty Pounds, then and in all ſuch Caſes the ſame ſhall, at the Option of the Perſon or Perſons for the Time being entitled to the Rents and Profits of the Hereditaments ſo purchaſed, taken, or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees, in caſe of Infancy or Lunacy, to be ſignified in Writing under their reſpective Hands, be paid into the Bank, in the Name

Name and with the Privity of the ſaid Accountant-General of the High Court of Chancery, and be placed to his Account as aforeſaid, in Order to be applied in Manner hereinbefore directed, or otherwiſe the ſame ſhall be paid at the like Option to Two Truſtees, to be nominated by the Perſon or Perſons making ſuch Option, and approved of by Five or more of the ſaid Commiſſioners (ſuch Nomination and Approbation to be ſignified in Writing under the Hands of the nominating and approving Parties) in order that ſuch Principal Money and the Dividends ariſing thereon, may be applied in any Manner hereinbefore directed, ſo far as the Caſe be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

When leſs than 20l.

XIX. Provided alſo, and be it further enacted, That where ſuch Money ſo agreed to be paid as laſt before mentioned ſhall be leſs than Twenty Pounds, then, and in all ſuch Caſes, the ſame ſhall be applied to the Uſe of the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Hereditaments ſo purchaſed, taken, or uſed for the Purpoſes of this Act, in ſuch Manner as the ſaid Commiſſioners ſhall think fit, or in caſe of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Uſe and Benefit of ſuch Perſon or Perſons ſo entitled reſpectively.

In caſe of not making out Titles, or where Parties cannot be found.

XX. And be it further enacted, That in caſe the Perſon or Perſons to whom any Sum or Sums of Money ſhall be ſo ordered to be paid as aforeſaid, ſhall not be able to make a good Title to the Premiſes, to the Satisfaction of the ſaid Commiſſioners, or ſhall refuſe to execute ſuch Conveyance or Conveyances, or in caſe ſuch Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be ſo ordered to be paid as aforeſaid, cannot be found; or if the Perſon or Perſons entitled to ſuch Lands, Tenements, or Hereditaments, be not known or diſcovered, then, and in every ſuch Caſe, it ſhall and may be lawful to and for the ſaid Commiſſioners to order the ſaid Sum or Sums of Money ſo awarded to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant-General of the ſaid Court of Chancery, to be placed to his Account, to the Credit of the Parties intereſted in the ſaid Lands, Tenements, or Hereditaments (deſcribing them) ſubject to the Order, Controul, and Diſpoſition of the ſaid Court of Chancery; which ſaid Court, on the Application of any Perſon or Perſons making Claim to ſuch Sum or Sums of Money, or any Part thereof, by Motion or Petition, ſhall be and is hereby empowered in a ſummary Way of Proceeding, or otherwiſe, as to the ſame Court ſhall ſeem meet, to order the ſame to be laid out and inveſted in the Public Funds, or to order Diſtribution thereof or Payment of the Intereſt thereof, according to the reſpective Eſtate or Eſtates, Title or Intereſt of the Perſon or Perſons making Claim thereunto, 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 ſuch Sum or Sums of Money, mentioning and ſpecifying for what and for whoſe Uſe the ſame is or are received, to ſuch Perſon or Perſons as ſhall pay any ſuch Sum or Sums of Money into the Bank as aforeſaid.

XXI. Pro-

Where any Queſtion ſhall ariſe reſpecting Money to be paid the Perſon in Poſſeſſion to be deemed entitled.

XXI. Provided always, and be it further enacted, That where any Queſtion ſhall ariſe touching the Title of any Perſon, to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant-General of the Court of Chancery, in purſuance of this Act, for the Purchaſe of any Meſſuages, Lands, Tenements or Hereditaments, or of any Eſtate, Right or Intereſt in any Meſſuages, Lands, Tenements, or Hereditaments to be purchaſed in purſuance of this Act, or to any Bank Annuities to be purchaſed with any ſuch Money, or to the Dividends or Intereſt of any ſuch Bank Annuities, the Perſon or Perſons who ſhall have been in Poſſeſſion of ſuch Meſſuages, Lands, Tenements or Hereditaments at the Time of ſuch Purchaſe, and all Perſons claiming under ſuch Perſon or Perſons, or under the Poſſeſſion of ſuch Perſon or Perſons, ſhall be deemed and taken to have been lawfully entitled to ſuch Meſſuages, Lands, Tenements, or Hereditaments according to ſuch Poſſeſſion, until the contrary ſhall be ſhewn to the Satisfaction of the ſaid Court of Chancery; 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 Perſon or Perſons was or were lawfully entitled to ſuch Meſſuages, Lands, Tenements, or Hereditaments, or to ſome Eſtate or Intereſt therein.

Court of Chancery may order Expences of Purchaſes to be paid by the Commiſſioners.

XXII. Provided alſo, and be it further enacted, That where, by reaſon of any Diſability or Incapacity of the Perſon or Perſons, or Corporation entitled to any Lands, Tenements or Hereditaments to be purchaſed under the Authority of this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the Court of Chancery, and 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 and may be lawful to and for the ſaid Court of Chancery to order the Expences of all Purchaſes from Time to Time to be made in purſuance of this Act, or ſo much of ſuch Expences as the ſaid Court ſhall deem reaſonable, to be paid by the ſaid Commiſſioners, out of the Monies to be received by virtue of this Act, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Mortgagees to convey.

XXIII. And be it further enacted, That every Mortgagee of any Meſſuages, Buildings, Lands and Hereditaments which ſhall be purchaſed or acquired by the ſaid Commiſſioners in purſuance of this Act, his, her, or their Heirs, Executors, Adminiſtrators and Aſſigns reſpectively, on having Six Calendar Months Notice in Writing given to him, her or them from the ſaid Commiſſioners, or any Perſon authorized by them, of paying off the Principal and Intereſt Money, which ſhall be due on ſuch Mortgages reſpectively, ſhall at the End of the ſaid Six Calendar Months after ſuch Notice, on Payment or Tender of the Principal Money and Intereſt which ſhall be then due, convey and aſſign his, her, and their reſpective Eſtates and Intereſts in and to the ſaid mortgaged Premiſes to the ſaid Commiſſioners, or to ſuch Perſon or Perſons as they ſhall nominate and appoint in Truſt, for the Uſes and Purpoſes of this Act; and if any ſuch Mortgagee, his, her or their Heirs, Executors, Adminiſtrators or Aſſigns ſhall refuſe ſo to do, then all Intereſt on every ſuch Mortgage from the Expiration of the ſaid Six Calendar Months after any ſuch Notice, ſhall ceaſe and determine.

Tenants at Rack-Rent to give up Poſſeſſion on Notice.

XXIV. And be it further enacted, That in caſe the ſaid Commiſſioners, or any Perſon authorized by them ſhall, after, any Meſſuages, Buildings, Lands or Hereditaments ſhall be purchaſed in purſuance of this Act, give Six Calendar Months Notice, in Writing, to all or any of the Tenants at Rack Rent, or Occupiers of ſuch Meſſuages, Buildings, Lands or Hereditaments to quit or deliver up the Poſſeſſion thereof, then every ſuch Tenant ſhall at the End of every ſuch Six Calendar Months, peaceably and quietly deliver and yield up the Poſſeſſion of the ſaid Premiſes ſo by him, her or them reſpectively held or occupied, whether upon Demiſe, Leaſe, or otherwiſe, to the ſaid Commiſſioners or to the Perſon or Perſons who ſhall be appointed by them to take Poſſeſſion thereof; and all Leaſes, Demiſes, or Agreements for renting or holding the ſame at Rack Rent or otherwiſe theretofore made, ſhall from the End of the ſaid Six Calendar Months be abſolutely void and of none Effect as againſt the ſaid Commiſſioners, or any of them; and the ſaid Commiſſioners ſhall and they are hereby required to make ſuch Satisfaction and Compenſation to every ſuch Tenant and Leſſee as aforeſaid, in caſe he or ſhe ſhall be required to quit before the Expiration of his or her Term in the Premiſes, as the ſaid Commiſſioners ſhall deem juſt and reaſonable, and in caſe any Difference or Diſpute ſhall ariſe touching or concerning the ſame, ſuch Satisfaction and Compenſation ſhall be ſettled and determined by a Jury in Manner hereinbefore directed, when any Diſpute or Difference ſhall ariſe touching the Purchaſe Money to be paid for any Lands, Tenements or Hereditaments to be taken or made uſe of for the Purpoſes of this Act; and if any Perſon or Perſons ſo in Poſſeſſion, ſhall refuſe to give up ſuch Poſſeſſion at the Expiration of ſuch Six Calendar Months after ſuch Notice, it ſhall and may be lawful for the ſaid Commiſſioners to iſſue their Precept or Precepts to the Conſtables of the ſaid Town and Borough for the Time being, or to any or either of them, to cauſe Poſſeſſion thereof to be delivered to ſuch Perſon or Perſons who ſhall be in ſuch Precept or Precepts nominated to receive the ſame; and the ſaid Conſtable or Conſtables is and are hereby reſpectively required to deliver Poſſeſſion according to ſuch Precept or Precepts of the Premiſes therein mentioned, and to levy ſuch Coſts as ſhall accrue by Means of the iſſuing and executing of every ſuch Precept or Precepts, by Diſtreſs and Sale of the Goods and Chattels of any Perſon or Perſons who ſhall have refuſed to give up Poſſeſſion as aforeſaid, and ſhall refuſe or neglect to pay ſuch Coſts.

Form of Conveyance.

XXV. And be it further enacted, That all Sales, Conveyances, and Aſſurances of any Lands, Tenements or Hereditaments to be made to the ſaid Commiſſioners, ſhall be made on Parchment, in the Form or to the Effect following (videlicet):

'I *A. B.* of , in Conſideration of the Sum of
'to be paid by the Commiſſioners acting by virtue of an Act made
'in the Fifty-ſecond Year of the Reign of King *George* the Third,
'intituled, [*here ſet forth the Title of this Act*] do hereby grant and
'convey to the ſaid Commiſſioners all [*here deſcribe the Premiſes to be*
'*conveyed*] and all my Right, Title, and Intereſt to and in the ſame and
'every Part thereof, to hold to the ſaid Commiſſioners for ever. In
'Witneſs whereof I have hereunto ſet my Hand and Seal this
'Day of in the Year of our Lord

And

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.

Sale of Lands not wanted.

XXVI. And whereas by reaſon of the Purchaſes which the ſaid Commiſſioners are hereby empowered to make, they may happen to be poſſeſſed of ſome Building or Buildings, Piece or Pieces of Ground over and above what may be neceſſary for effecting the Improvements hereby directed to be made, or for other the Purpoſes of this Act; be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners to ſell and diſpoſe of ſuch Building or Buildings, Piece or Pieces of Ground, either together or in Parcels, as they ſhall find moſt advantageous and convenient, to ſuch Perſon or Perſons as ſhall be willing to contract for and purchaſe the ſame; and the Money to ariſe by Sale of ſuch Building or Buildings, Piece or Pieces of Ground ſhall be applied to the Purpoſes of this Act; but the Purchaſer or Purchaſers thereof ſhall not be anſwerable or accountable for the Miſapplication or Non-application thereof.

Perſons from whom Lands ſhall have been purchaſed, to have firſt Offer for Repurchaſe.

XXVII. Provided always, and be it further enacted, That the ſaid Commiſſioners, before they ſhall ſell and diſpoſe of any ſuch Buildings, or Grounds, ſhall firſt offer the ſame for Sale to the Perſon or Perſons reſpectively from whom they ſhall have purchaſed ſuch Buildings, or Grounds; and in caſe ſuch Perſon or Perſons ſhall not then and thereupon agree, or ſhall refuſe to repurchaſe the ſame, then, and in every ſuch Caſe, any Affidavit to be made, and ſworn before a Maſter Extraordinary in the High Court of Chancery, or before One or more of His Majeſty's Juſtices of the Peace for the ſaid Town and Borough, by ſome Perſon or Perſons no Way intereſted in the ſaid Buildings, or Grounds, ſtating that ſuch Offer was made by or on Behalf of the ſaid Commiſſioners, and that ſuch Offer was not then and thereupon agreed to, or was refuſed by the Perſon or Perſons to whom the ſame was ſo offered, ſhall in all Courts whatſoever be ſufficient Evidence and Proof that ſuch Offer was made, and was not agreed to, or was refuſed by the Perſons to whom it was made (as the Caſe may be); and in caſe ſuch Perſon or Perſons ſhall be deſirous of purchaſing or repurchaſing the ſame, and he, ſhe, or they, and the ſaid Commiſſioners ſhall differ, and not agree with reſpect to the Price thereof, in ſuch Caſe the Price or Prices thereof ſhall be aſcertained by a Jury, in Manner hereinbefore directed, with reſpect to diſputed Value of Premiſes to be purchaſed by the ſaid Commiſſioners in purſuance of this Act; and the Expence of hearing and determining ſuch Difference ſhall be borne and paid in like Manner as hereinbefore directed, with reſpect to ſuch Purchaſes made by the ſaid Commiſſioners, *mutatis mutandis*, and the Money to ariſe by the Sale or Sales which may be made by the ſaid Commiſſioners of ſuch Building or Buildings, Piece or Parcel of Ground as aforeſaid, ſhall be applied to the Purpoſes of this Act; but the Purchaſer or Purchaſers thereof ſhall not be anſwerable or accountable for any Miſapplication or Nonapplication of ſuch Money.

XXVIII. And

Pavement, &c. vested in the Commissioners.

XXVIII. And be it further enacted, That the Property of and in all the present and future Pavements in the Highways, Streets, Lanes, and other public Passages and Places within the said Town and Borough, as well in the Footways as Carriage Ways; and of all Materials, Implements, Watch-houses, Stands, Lamp Irons, Posts, and other Things which were provided for the Purposes of the said Acts, or shall be provided for the Purposes of this Act; and all the Soil, Dung, Manure, and Dirt which shall arise or be made in any of the said Streets, Lanes, Passages and Places, and of all Ashes, Cinders, Dirt and Rubbish to be taken and carried away from the Houses into the said Streets, Lanes, Passages and Places, shall belong to, and be the Property of, and the same are hereby vested in the said Commissioners; and they are hereby authorized to bring, or cause to be brought any Action, or to prefer any Bill of Indictment, as the Case shall require, against any Person or Persons whomsoever who shall steal, take, or carry away, detain, spoil, injure or destroy any of the Matters or Things herein so mentioned and vested, or any Part or Parts thereof; and the said Commissioners shall have full Power and Authority to sell or dispose of all or any Part of the old Pavement and other Materials; and such Soil, Manure, Dirt, Ashes, Cinders and Rubbish as they shall take and carry away as aforesaid.

Power to get Materials.

XXIX. And be it further enacted, That the said Commissioners or any Surveyor or other Person to be employed under their Authority, shall and may, and they are hereby empowered to dig for, take, and carry away any Gravel, or other Materials, fit and proper for the paving and covering the Pavements in the said Highways, Streets, and Lanes, or which they shall judge necessary or fitting to be used in and about the said Highways, Streets, and Lanes, or the Pavements thereof, or any other Purposes whatsoever in the Execution of this Act, or any of the Powers or Authorities herein contained, in such and the same Manner and in and from the same Places as Surveyors of the Highways are now empowered by Law to do.

Paving Streets.

XXX. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered to new pitch and pave or repair any of the Streets, Lanes, Highways, Footpaths, public Passages and Places in the said Town and Borough, and from Time to Time, when and as often as they shall think proper, to cause all or any of the present or future Pavements in the several Highways, Streets, Lanes, Passages and Places in the said Town and Borough already erected or made, or which shall hereafter be erected or made therein, both in the Carriage and Footways, to be taken up, raised, lowered, altered, relaid, pitched, paved, or repaired in such Manner as the said Commissioners may think proper; provided that sufficient Footways in the said several Highways, Streets, Lanes, Passages and Places where the same can properly be set out and left, shall be laid with a Pavement of Flag Stones, and the Remainder of the said Highways, Streets, Lanes, Passages and Places shall be paved with good Pebbles, Quarry Stones, Lime Stones, or other good and lasting Materials as they shall judge necessary and proper; and also to cause the said several Highways, Streets, Lanes, Passages and Places to be cleansed, and all Annoyances, Obstructions, Nuisances and Encroachments therein to be removed, and the present and all future Drains, Sinks, Gutters and Watercourses for conveying the Water

Water off and from the ſaid Highways, Streets, Lanes, Paſſages and Places to be amended, repaired, cleanſed, and ſcoured, and new ones to be made in ſuch Manner as the ſaid Commiſſioners ſhall think proper.

Purchaſe of Lands for depoſiting Materials.

XXXI. And be it further enacted, That the ſaid Commiſſioners ſhall have full Power to buy from any Perſon or Perſons willing or deſirous to ſell or to rent Lands within the ſaid Town and Borough, for depoſiting of Stone and other Materials for paving, Soil, Aſhes, Cinders, and Rubbiſh, and for Water-drains, in caſe they ſhall think proper ſo to do; and the Purchaſe Money or Rent thereof ſhall be paid out of the Money ariſing by virtue of this Act; and the Property thereof ſhall be and is hereby veſted in the ſaid Commiſſioners for the Purpoſes of this Act.

Perſons altering Pavement to reinſtate the ſame.

XXXII. And be it further enacted, That if any Perſon or Perſons ſhall at any Time hereafter, without the Conſent or Approbation of the ſaid Commiſſioners, make or cauſe to be made any Alteration in the Form of the Pavement of any Street, Lane, public Paſſage or Places, by this Act directed to be paved or repaired, ſuch Perſon or Perſons ſhall, at his or their own Expence, (within Five Days after Notice given for that Purpoſe by the ſaid Commiſſioners or their Clerk or Surveyor,) put the Pavement which ſhall have been ſo altered into the ſame Form and Condition as it was, on or before making ſuch Alteration; and in caſe of Neglect or Refuſal ſo to do, then the ſaid Commiſſioners ſhall and may cauſe the ſame to be done, and the Expence and Charges thereof ſhall be borne and defrayed by the Perſon or Perſons ſo neglecting or refuſing the ſame, to be recovered (in caſe of Nonpayment thereof upon Demand) in like Manner as any Penalty is hereinafter authorized or directed to be recovered.

Repair of defective Pavement on Notice.

XXXIII. And be it further enacted, That if any Five Houſeholders within the ſaid Town and Borough ſhall make Complaint, in Writing under their Hands, to the ſaid Commiſſioners, or their Clerk or Surveyor, of any Defect or Want of Reparation in any of the Pavements which ſhall have been made, laid or repaired by virtue of the ſaid Acts or this Act, then and in every ſuch Caſe, the ſaid Commiſſioners ſhall forthwith cauſe the Pavements ſo complained of to be inſpected, and if the ſame ſhall be found defective, or in want of Repair, and ſhall be ſo reported to them, then they ſhall forthwith cauſe the ſame to be repaired by their Paviour, or the Perſon contracting with them for repairing the Pavement; and if the Paviour or Contractor to whom ſuch Order ſhall be given ſhall not within Five Days next after the Receipt thereof, repair the ſaid defective Pavement, he ſhall forfeit and pay to the Perſons making Complaint as aforeſaid, the Sum of Ten Shillings for every Day that the ſaid defective Pavement ſhall remain unrepaired after the Expiration of the ſaid Five Days.

Footpaths to be ſwept.

XXXIV. And be it further enacted, That all Perſons inhabiting within the ſaid Town and Borough, or within ſuch Parts thereof as ſhall be directed by the ſaid Commiſſioners, ſhall, from and after the paſſing of this Act, cauſe the Footpaths before or on the Sides of their reſpective Houſes, Buildings and Walls, and other Fences, to be ſwept and cleanſed between the Hours of Six and Nine in the Morning,

twice or oftener in every Week, as the ſaid Commiſſioners ſhall from Time to Time order and require at all Times hereafter throughout the Year; and alſo cauſe the Dirt and Soil ariſing from ſuch ſweeping and cleanſing to be immediately taken and carried away, or laid in the ſaid Streets, Lanes, public Paſſages and Places, near to the ſaid Footpaths, without obſtructing the Way or Road; and every Perſon making Default herein ſhall for every ſuch Default forfeit and pay any Sum not exceeding Five Shillings.

Sign Boards and other Obſtructions to be removed.

XXXV. And be it further enacted, That the reſpective Occupiers of Houſes and other Buildings, within the ſaid ſeveral Streets and other Places already paved or to be paved, cleanſed and lighted by virtue of this Act, ſhall at their own Coſts and Charges, within ſuch Time and in ſuch Manner as the ſaid Commiſſioners ſhall from Time to Time, by Notice in Writing under the Hand of the Clerk, to be delivered to ſuch Occupiers, or left at their reſpective Dwelling-houſes, direct and appoint, cauſe all Signs and Shew Boards which now or hereafter ſhall belong to or be fixed up, near or againſt ſuch reſpective Houſes or other Buildings as aforeſaid, to be fixed or placed flat on the Fronts thereof, and all Sign Irons, Sign Poſts, Barbers' Poles and other Poſts, Bow Windows projecting over the Footways ſo as to obſtruct the ſame, Pent-houſes, Porches, Sheds, Butchers' Hooks, Spouts, Water Pipes, Steps, Bars, or projecting Window Blinds, and Cellar Windows, Doors, Gates, Hatchways, and all and every other Matter or Thing, which do or ſhall cauſe or occaſion any Nuiſance, Annoyance, Encroachment or Obſtruction in the ſaid Streets, Lanes, Paſſages and Places, either in the Footway or Carriage-way, to be removed, altered, or otherwiſe reformed; and alſo to cauſe the Water to be conveyed from the Roofs, Cornices and Penthouſes of or belonging to ſuch reſpective Houſes or other Buildings, by proper and ſufficient Pipes or Trunks, to be fixed to the Sides of ſuch Houſes and other Buildings reſpectively, in ſuch Manner as the ſaid Commiſſioners, by Writing ſigned by their Clerk, ſhall direct; and in caſe the Occupier of any ſuch Houſe or other Building as aforeſaid ſhall neglect or refuſe to cauſe any ſuch Sign, Shew Board, Sign Iron, Sign Poſt, or other Poſt, Bow Windows, Penthouſe, Spout, Water Pipe, Step, Porch, Shed, Butchers' Hooks, Bars, or Window Blinds, Cellar Window, Door, Gate, Hatchway, or other Encroachment, Obſtruction, Projection or Annoyance as aforeſaid, to be removed, altered or reformed, or to cauſe the Water to be conveyed from the Roofs, Cornices or Penthouſes of or belonging to ſuch Houſe or other Building within ſuch Time and in ſuch Manner as in ſuch Notice ſhall be expreſſed, it ſhall be lawful for the ſaid Commiſſioners to cauſe the ſame to be done, and to cauſe the Coſts and Charges attending the ſame to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Occupier ſo neglecting or refuſing; and if the Tenant of any ſuch Houſe or other Building ſhall remove, alter, or reform any ſuch Encroachments, Obſtructions or Annoyances as aforeſaid, it ſhall be lawful for him or her to deduct and retain the Charges and Expences thereof, and alſo any Money which ſhall or may be levied upon his or her Goods and Chattels as aforeſaid out of his or her Rent; and the Owner, Proprietor, or Landlord of every ſuch Houſe or other Building is hereby required to allow the ſame accordingly: Provided always, that in caſe any Houſe Steps ſhall be taken down, altered or removed under this Act, the ſame ſhall be ſo taken down,

altered

altered or removed at the Coſt and Expence of the ſaid Commiſſioners, to be paid for out of the Funds granted and eſtabliſhed for the Purpoſe of this Act.

Names of Streets to be fixed up.

XXXVI. And be it further enacted, That the ſaid Commiſſioners ſhall and may cauſe to be painted, engraved, or deſcribed in Stone, Wood, or otherwiſe to be affixed on a conſpicuous Part of One or more Houſe or Houſes, Building or Buildings at or near each End, Corner, or Entrance of each of the ſaid Streets, Lanes, Paſſages, and Places, the Name by which each reſpective Street, Lane, Paſſage, and Place is properly and uſually called or known; and may alſo cauſe every Houſe, Building, Shop, or Warehouſe in each of the ſaid Streets, Lanes, and Places to be marked and numbered in ſuch Manner as they ſhall judge moſt proper for diſtinguiſhing the ſame; and in caſe any Perſon or Perſons ſhall wilfully deſtroy, pull down, injure, obliterate, or deface any ſuch Names, Deſcriptions, Marks, or Numbers, or any Part or Parts thereof, or cauſe or procure the ſame to be done, every Perſon or Perſons ſo offending, ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Twenty Shillings.

Name to be reinſtated when obliterated.

XXXVII. And be it further enacted, That in all Caſes where any Number painted or put on any Houſe or Tenement within the Limits aforeſaid, under the Direction of this Act, ſhall be altered, defaced, or rubbed out, and the Offender therein ſhall not in the mean time be diſcovered, the Owner or Occupier of any ſuch Houſe or Tenement where the Number or Numbers ſhall have been altered, defaced, or rubbed out, ſhall, upon perſonal Notice given him, her, or them, or upon Notice in Writing left at his, her, or their laſt or moſt uſual Place of Abode by the Clerk to the ſaid Commiſſioners, or by ſuch other Perſon or Perſons as the ſaid Commiſſioners ſhall direct or appoint, cauſe the ſame Number to be in the ſame or like Manner painted or put on each Houſe or Tenement within Seven Days after ſuch Notice, and in caſe of Neglect or Refuſal to comply with ſuch Order, every ſuch Owner or Occupier ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Twenty Shillings.

Lighting the Streets.

XXXVIII. 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 cauſe Lamp Irons or Lamp Poſts to be put or affixed into, upon or againſt the Walls or Palliſades of any of the Houſes, Tenements, or Buildings within the Limits aforeſaid, or in ſuch other Manner as they ſhall think proper and convenient; and alſo to cauſe ſuch Number of Lamps, of ſuch Sizes and Sorts, to be provided and affixed or put upon ſuch Lamp Irons or Lamp Poſts as they ſhall think proper and neceſſary for lighting all or any of the ſaid Streets, Lanes, and other Public Paſſages and Places, and to light the ſame for and during ſuch Hours and Seaſons as from Time to Time ſhall be thought proper; and if any Perſon or Perſons ſhall wilfully break, throw down, take away, ſpoil, or damage any of the Lamps already put up, or to be put up by virtue of this Act, or any of the Irons, Poſts, or other Furniture thereof, or wilfully extinguiſh the Light of any ſuch Lamps; every Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Five Pounds; and ſuch Offender or Offenders ſhall alſo pay to the ſaid

ſaid Commiſſioners ſuch Sum of Money as ſhall be a full Satisfaction for the Damage done by him, her. or them; and it ſhall be lawful for any Perſon who ſhall ſee any ſuch Offence committed to apprehend, and alſo for any Perſon or Perſons to aſſiſt in apprehending the Offender or Offenders, and by Authority of this Act, without any other Warrant, to deliver him, her, or them into the Cuſtody of a Peace Officer or Watchman, in order to be ſecured and conveyed before ſome Juſtice of the Peace of the ſaid Town and Borough; and in caſe any Perſon ſhall accidentally, careleſsly, or negligently break, throw down, or otherwiſe ſpoil or damage any of the ſaid Lamps, or the Irons, Poſts, or other Furniture thereof, and ſhall not upon Demand, make Satisfaction for the Damage done thereto, then and in ſuch Caſe it ſhall be lawful for any Juſtice of the Peace for the ſaid Town and Borough, to award ſuch Sum or Sums of Money by way of Satisfaction for ſuch Damages, as ſuch Juſtice ſhall think reaſonable, and in default of Payment thereof, upon Demand, to cauſe the ſame to be levied by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons who ſhall have done ſuch Damage; and in caſe any ſuch accidental, careleſs, or negligent Damage ſhall be cauſed by any Coach, Chaiſe, Waggon, Cart, or other Carriage, it ſhall be lawful for the ſaid Commiſſioners, and they are hereby authorized to proceed againſt the Perſon or Perſons whoſe Name or Names ſhall appear on ſuch Coach, Chaiſe, Waggon, Cart, or other Carriage as the Owner or Owners thereof; and ſuch Perſon or Perſons ſhall, in every ſuch Caſe, be held and deemed liable to make good ſuch Damage, and ſhall and may be proceeded againſt in the ſame Manner, as if he, ſhe, or they were the Driver or Drivers of ſuch Coach, Chaiſe, Waggon, Cart, or other Carriage: Provided always, that ſuch Owner or Owners ſhall and may recover the Amount of any ſuch Damage from his, her, or their Servant, in ſuch and the like Manner as any Penalties are hereby authorized to be recovered.

Commiſſioners may contract for Works.

XXXIX. 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 contract and agree with any Perſon or Perſons for the paving, relaying, raiſing, lowering, amending, altering, cleanſing, keeping in repair, and lighting the ſaid Streets, Lanes, Public Paſſages, and Places, and for the performing of any of the Works hereby authorized, which Contract or Contracts ſo to be entered into ſhall be reduced into Writing, and ſigned by the Clerk to the ſaid Commiſſioners, and the Perſon or Perſons contracting to perform ſuch Works, and ſhall ſpecify the Works to be done, and the Prices to be paid for the ſame, and the Time or Times when ſuch Works ſhall be performed and completed, and the Penalties to be ſuffered in caſe of Non-performance thereof, provided that Seven Days Notice, at leaſt, be given previous to the Meeting for entering into any ſuch Contract, by Writing, to be affixed on the Market-place of *Deal*, in which Notice ſhall be ſpecified the Buſineſs to be contracted for at ſuch Meeting, to the End that Perſons may give in their Propoſals for contracting to perform ſuch Works; and it ſhall be lawful for the ſaid Commiſſioners, and they are hereby directed, to cauſe the Works to be done in purſuance of ſuch Contracts, to be inſpected by their Surveyor or Surveyors, or by ſuch other Perſons as they ſhall from Time to Time appoint; and in caſe the ſame ſhall not be well and ſufficiently performed, according to the true Intent and Meaning of ſuch

Contract

Contract or Contracts, or ſhall not be finiſhed and completed at or within the Time or Times to be by ſuch Contract or Contracts limited for completing the ſame, the ſaid Commiſſioners ſhall and may bring or order to be brought an Action at Law againſt any Perſon or Perſons ſo contracting and neglecting to perform ſuch Contract or Contracts, and for any Penalty or Damage which ſhall be contained in ſuch Contract or Contracts, or ſuffered or ſuſtained on account of the Non-performance thereof, and upon proving the Signing of the ſaid Contract or Contracts and Non-performance thereof, the ſaid Commiſſioners ſhall be entitled to, and ſhall recover ſuch Penalty or Damage, with Coſts of Suit: Provided always, that it ſhall be lawful for the ſaid Commiſſioners from Time to Time, and at all Times hereafter, to compound and agree with any Perſon or Perſons againſt whom the ſaid Commiſſioners ſhall bring or cauſe to be brought any Action or Actions, Suit or Suits, for any Penalty or Penalties contained in any Contract or Contracts hereafter to be made or entered into in purſuance of this Act, on account of any Breach or Non-performance of any ſuch Contract or Contracts for ſuch Sum or Sums of Money as they ſhall think proper, ſo as the Sums ſo compounded and agreed for be not leſs than the Injury or Damage ſuſtained by the Breach or Non-performance of ſuch Contract or Contracts, and all Coſts, Charges, and Expences which ſhall be occaſioned thereby.

Commiſſioners not perſonally liable.

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

Scavenger to remove Dirt, Duſt, &c.

XLI. And be it further enacted, That the Scavenger or Scavengers, or Perſon or Perſons employed in or contracting for cleanſing the ſaid Streets, Lanes, Public Paſſages and Places ſhall, once in every Week, or oftener, if the ſaid Commiſſioners ſhall ſo direct, and on ſuch Days as they ſhall appoint, bring, or cauſe to be brought, ſome proper Cart or other Carriage into the ſaid ſeveral Streets, Ways, Lanes, Paſſages, and Places, where ſuch Carts and Carriages can paſs, and ſhall at or before his or their Approach, by Sound of Bell, or otherwiſe, give Notice to the Inhabitants of his or their coming, and give the like Notice in ſuch Parts of the ſaid Town in which ſuch Carts or Carriages cannot paſs; and ſuch Scavenger or Scavengers, or other Perſon or Perſons ſhall, upon

the Requeſt of any of the Inhabitants, or their Servants or Lodgers, go into any of the Houſes, or other Places where any Dirt, Duſt, Aſhes, or Filth, (except the Filth from any Neceſſary Houſe or Privy, Slaughter Houſe, or Dunghole) ſhall be depoſited, and ſhall take and put the ſame into ſuch Cart or Carriage, and carry away the ſame, and ſhall alſo ſweep, cleanſe, and carry away the Dirt and Soil ariſing in the ſaid Streets, Lanes, Paſſages, and Places, upon pain of forfeiting any Sum, not exceeding Five Pounds for every ſuch Offence or Neglect therein.

Inhabitants may preſerve Dirt, &c. for their own Uſe.

XLII. Provided always, and be it further enacted, That nothing herein contained ſhall extend to prevent any of the Inhabitants of the ſaid Town and Borough from preſerving or keeping any Aſhes, Duſt, Dirt, Filth, or Rubbiſh within their Houſes, Yards, or Gardens for their own Uſe, ſo as ſuch Aſhes, Duſt, Dirt, Filth, or Rubbiſh, be not laid down or placed in any of the ſaid Streets, Lanes, Public Paſſages or Places, for any longer Time than ſhall be neceſſary for the loading and carrying away the ſame, or ſuffered to annoy any of the Inhabitants of the ſaid Town and Borough; but in caſe any Perſon ſo preſerving in their Houſes, Yards, or Gardens ſuch Aſhes, Duſt, Dirt, Filth or Rubbiſh, ſhall thereby annoy any of the ſaid Inhabitants, and ſhall not remove the ſame within the Space of Two Days, after Notice in Writing, given to him or her, under the Hands of the ſaid Commiſſioners, or their Clerk, or left at ſuch Perſon's Dwelling-houſe to remove the ſame, ſuch Perſon ſhall forfeit and pay the Sum of Five Shillings a Day for every Day ſuch Annoyance ſhall be permitted to remain after ſuch Notice given as aforeſaid.

Scavenger may lodge Dirt in vacant Places.

XLIII. Provided always, and be it further enacted, That the Perſon or Perſons contracting to cleanſe the ſaid Streets, Ways, Lanes, Paſſages and Places or any Part thereof, ſhall have Liberty, by the Approbation and Order of the ſaid Commiſſioners to lodge any Dirt, Duſt, Aſhes or other Filth, in ſuch vacant or public Places, in or near the ſaid Streets, Lanes, Public Paſſages and Places, as ſhall be thought proper and convenient by the ſaid Commiſſioners; the Perſon ſo contracting, making ſuch Satisfaction to the Owners and Occupiers of ſuch vacant Places as the ſaid Commiſſioners ſhall direct.

Watering Streets.

XLIV. And be it further enacted, That the ſaid Commiſſioners ſhall and they are hereby authorized and empowered to cauſe all or any of the Streets, Lanes, Public Paſſages and Places paved or repaired under the Authority of the ſaid Acts or this Act, to be watered when they ſhall think proper, and for that Purpoſe to cauſe ſuch Number of Wells and Pumps to be dug, ſunk and made in any of the ſaid Streets, Lanes, Public Paſſages and Places as they ſhall think neceſſary, and from Time to Time to alter and repair the ſame as there ſhall be Occaſion, and to defray the Expences thereof out of the Monies to be raiſed by virtue of this Act: Provided, that no ſuch Well or Pump ſhall be ſunk or made, ſo as to injure any Houſe or other Buildings in, or any Vault or Cellar under any of the ſaid Streets, Lanes or other Public Paſſages or Places.

Watchmen to be appointed.

XLV. And be it further enacted, That the ſaid Commiſſioners ſhall be, and they are hereby authorized and empowered from Time to Time to appoint a proper Number of fit and able bodied Men to patrole, watch, and

and guard the ſaid Streets, Lanes, Paſſages and Places, and to make ſuch Allowance to ſuch Watchmen for their Trouble and Attendance, and to give ſuch Orders and Directions concerning the Manner in which the ſaid Watchmen ſhall be armed, and ſtationed for the due and regular Performance of the ſaid Service, as the ſaid Commiſſioners ſhall judge proper and expedient, and from Time to Time to remove any of the ſaid Watchmen and appoint others in their ſtead; and it ſhall be lawful for the ſaid Watchmen, ſo to be appointed as aforeſaid, or any of them, and they are hereby reſpectively authorized, directed and required to apprehend and ſecure in the Watch-houſes, or ſome Place of Safety, all ſuſpicious Perſons, Proſtitutes, Night-walkers, and Perſons miſbehaving themſelves during the Time of keeping Watch and Ward, and to carry all ſuch Perſons, as ſoon as conveniently may be, before ſome Juſtice of the Peace for the ſaid Town and Borough, to be examined and dealt with acccording to Law.

Watch-Boxes.

XLVI. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, from Time to Time, to place and fix Boxes againſt the Sides of Houſes, Buildings, and proper Places in the Streets, Lanes, and Paſſages in the ſaid Town and Borough aforeſaid, proper for the Uſe and Accommodation of Watchmen, in caſe they ſhall think proper to appoint Watchmen for the Safety and Protection of the Inhabitants thereof; and in caſe any Perſon or Perſons ſhall diſplace, overturn, damage, or injure ſuch Boxes when ſo fixed, ſuch Perſon or Perſons ſhall, for every ſuch Offence, forfeit and pay any Sum of Money not exceeding Five Pounds.

Watch-Houſes may be erected.

XLVII. And be it further enacted, That the ſaid Commiſſioners may, and they are hereby empowered, if they ſhall think it neceſſary, to purchaſe, rent or hire, for any Term of Years, convenient Places or Pieces of Ground within the ſaid Town and Borough, for ſuch Price, Rent, or Term as can be agreed upon, for the Purpoſe of erecting Watch-houſes, and ſhall and may there erect and build one or more ſufficient Watch-houſes, with convenient Places of Confinement, and that from and after the Erection of ſuch Watch-houſes it ſhall and may be lawful to confine therein ſuch Perſons and Offenders as may lawfully be apprehended and confined by virtue of the Powers and Authorities given by this Act.

Commiſſioners may reward Watchmen.

XLVIII. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners to cauſe Rewards in Money to be paid to the Watchmen appointed or to be appointed, who may be diſabled or wounded in the Execution of their Office as they the ſaid Commiſſioners ſhall think reaſonable, to be paid out of the Monies ariſing by virtue of this Act.

Puniſhing Victuallers, &c. permitting Watchmen to remain in their Houſes.

XLIX. And be it further enacted, That if any Victualler, or Keeper of a Public-houſe ſhall, knowingly and willingly, harbour or entertain any Watchmen belonging to the ſaid Town and Borough, or permit or ſuffer any ſuch Watchman to remain in ſuch his or her Public Houſe, during any Part of the Time appointed for their being on Duty as aforeſaid, every ſuch Victualler, or Keeper of a Public Houſe ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Twenty Shillings.

L. And

Regulating Chairmen, Porters, &c.

L. And be it further enacted, That from and after the paſſing of this Act, it ſhall be lawful for the ſaid Commiſſioners to make, conſtitute, ordain, and provide, from Time to Time, ſuch Bye Laws, Rules and Orders, as they the ſaid Commiſſioners ſhall think fit, for licenſing and authorizing a ſufficient Number of Sedan Chairs, Porters, Carts and Carmen, to ply for Hire, and for regulating and ordering ſuch Sedan Chairs, Porters, Carts and Carmen, and in what Manner the Owners and Carriers of ſuch Chairs and ſuch Carmen reſpectively ſhall conduct and demean themſelves in their Employments; and alſo in what Manner and Order, and how ſuch Sedan Chairs and Carts ſhall be furniſhed, provided, kept, and numbered; and concerning the Parcels and Things to be carried by ſuch Porters, or any of them, and the reſpective Numbers which each of them ſhall have and keep; and for aſcertaining, fixing, altering, and removing the Stands of ſuch Chairs and Carts, from Time to Time; and for puniſhing the Miſconduct of ſuch Chairmen, Porters and Carmen within the ſaid Town and Borough, and the Diſtances hereby provided within which they are reſpectively to go; and for aſcertaining and defining what Fares, Rates and Prices, as well for Time as Diſtance, ſhall be allowed to be taken by ſuch Chairmen Porters, and Carmen, and to what Diſtances ſuch Chairmen, Porters and Carmen ſhall be obliged to go, not exceeding the Limits of the ſaid Town and Borough, and the Rates and Fares to be taken for the ſame; ſuch Bye Laws, Rules or Orders not being repugnant to the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland*, called *England*, or to the Proviſions of this Act; and the ſaid Commiſſioners may, from Time to Time, as they ſhall think fit, repeal, alter, or amend and new make ſuch Bye Laws, Rules and Orders, or any of them, and ſhall aſcertain and ſet down what pecuniary Penalties or Forfeitures ſhall be incurred by Perſons breaking or avoiding the ſame, or any of them, provided, that no ſuch Penalty or Forfeiture ſhall exceed the Sum of Forty Shillings for one Offence: Provided always, that the ſaid Bye Laws, Rules and Orders, and the Fares, Rates and Prices payable to ſuch Chairmen, Porters and Carmen, ſhall be painted on a Board, and affixed on the Cuſtom-houſe, and alſo on the Market-place of *Deal*, and ſhall be printed and circulated, and ſuch Bye Laws, Rules and Orders ſhall be ſubject to Appeal, in Manner hereinafter mentioned.

Puniſhing Perſons plying for Hire without a Licence, or contrary to the Rules made by the Commiſſioners.

LI. And be it further enacted, That if the Carrier or Carriers of any Sedan Chair, or any Porter or Carman ſhall be found ſtanding or plying for hire, or uſing ſuch Sedan Chair, or driving any Cart, or carrying any Matter or Thing for hire directed to be carried by a Licenced Porter, in any Part of the Limits before-mentioned, without a Licence, or having ſuch Licence, ſhall be found plying for Hire, contrary to or againſt ſuch Rules or Regulations as ſhall be made by the ſaid Commiſſioners as aforeſaid, the Perſon or Perſons ſo offending ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Twenty Shillings.

Licences for Sedan Chairmen, Porters, and Carters.

LII. And be it further enacted, That every Licence to be granted to any of the Perſons aforeſaid, for the Purpoſes aforeſaid, under this Act, ſhall be ſigned by Five of the ſaid Commiſſioners for the Time being, preſent at any Meeting to be held purſuant to this Act; and every Licence not ſo ſigned ſhall be void, and every Licence ſo granted and

and ſigned for the Purpoſes aforeſaid ſhall expreſs the Number with which ſuch Perſon is licenced; and every ſuch Licence ſhall continue and be in force for one whole Year from the Day of the Date of ſuch Licence, or until the next General Annual Licencing of ſuch Perſons for the Purpoſes aforeſaid; and no One Licence ſhall include more than One Chair, or One Porter, or One Cart; and every ſuch Licence ſhall be made out by the Clerk to the ſaid Commiſſioners for the Time being, and be duly entered in a Book to be provided and kept for that Purpoſe in his Office, with the Name of the Perſon to whom licenced, and his Number and Place of Reſidence; and in ſuch Book ſhall be contained Columns or Places of Entries to be made of every Offence committed by any Chairman, or any Porter or Carman; and for each of which Licences there ſhall be paid to the Clerk to the ſaid Commiſſioners for the Time being, for his Trouble and Charges, the following Sums:

For each Licence for a Sedan Chair, the Sum of Three Shillings.
For each Licence to be a Porter or Carter, the Sum of One Shilling.

And the Carrier of any Chair and the Driver of every Cart ſhall affix and keep ſuch Figure or Number as ſhall be reſpectively appointed by the ſaid Commiſſioners, on ſome conſpicuous Part of ſuch Chair or Cart, and every ſuch Porter ſhall affix and keep on his outward Garment ſuch Ticket or Number thereon as ſhall be reſpectively licenced by the ſaid Commiſſioners; and the Carrier of any Chair, and every Porter and Carman changing his Place of Reſidence after the granting of the Licence to them reſpectively, for the Purpoſes aforeſaid, ſhall, within the Space of Seven Days next after, or as often as any ſuch Change ſhall be made during the Continuance of ſuch Licence, deliver, in Writing, his Name, and to what Street or Place he is removed, to the Clerk to the ſaid Commiſſioners for the Time being, to the End the ſame may be duly entered in ſuch Book, to be kept by the ſaid Clerk for the Purpoſes aforeſaid, and the Perſon or Perſons more eaſily diſcovered, if any Complaint ſhall be made againſt him or them; and the Carrier or Carriers of every ſuch Chair, and every Porter or Carman, ſhall, for every Refuſal or Neglect, forfeit and pay any Sum not exceeding Twenty Shillings: Provided always, that this Act, or any Thing herein contained, or any Bye Law, Rule, or Order, to be made by the ſaid Commiſſioners for the Time being, for any of the Purpoſes aforeſaid, ſhall not extend, or be conſtrued to extend, to prohibit or hinder any Perſon or Perſons from having or uſing his, her, or their own Chair within the ſaid Town and Borough, ſo as the ſame be not uſed for Hire, or plying for Hire.

Puniſhing Perſons refuſing to pay Chairmen, &c. or damaging Chairs or Carts.

LIII. And be it further enacted, That if any Perſon or Perſons ſhall refuſe or neglect to pay, on Demand, any licenced Chairman, Porter or Carman, the Money juſtly due to him for the Fare there, or Service done under or in purſuance of any Licence or Bye Law made in purſuance of this Act, or ſhall wilfully cut, deface, break or injure any ſuch licenced Chair or any Cart, it ſhall be lawful for any one Juſtice of the Peace for the ſaid Town and Borough, upon Complaint thereof made to him, to grant his Summons againſt the Perſon or Perſons complained of, to appear before him at ſome Time and Place to be mentioned in ſuch Summons, to anſwer the Matter of the ſaid Complaint; and upon Proof on Oath of the Service thereof, to proceed in and hear the Matter of the ſaid Complaint on Oath, whether the Perſons ſummoned ſhall

appear or not, and to make such Order therein as to the said Justice shall appear to be just; and if the Person or Persons against whom such Order shall be made, do not immediately pay down or cause to be paid down the Money (if any) which shall be ordered as a Satisfaction to the Person or Persons for the Service or Injury done, it shall be lawful for the said Justice to grant a Warrant of Distress against the Goods and Chattels of the Person or Persons so refusing or declining to pay, to be taken in any Place wherever found within the said Town and Borough, and the same to sell and dispose of; and out of the Monies arising by or from such Sale, to pay the Monies so awarded to the Person or Persons entitled, together with such Costs as the said 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 or Persons against whom such Order shall be made to the common Gaol of the said Town and Borough of *Deal*, for any Time not exceeding One Calendar Month, there to remain without Bail or Mainprize unless the Money be sooner paid.

Recovery of Penalties incurred by Chairmen, &c.

LIV. And be it further enacted, That all Offences, Penalties and Forfeitures which may be committed or done, or arise, happen or be incurred by any Carrier or Carriers of any Sedan Chair, or any Porter or Carman whether licenced or not, against any of the Provisions of this Act, for licencing or regulating all or any of the Persons, Matters and Things aforesaid, or against any Bye Law to be made by the said Commissioners for the Purposes of licencing and regulating the several Persons aforesaid, shall be tried, heard and determined by any one Justice of the Peace for the said Town and Borough, in Manner hereinbefore directed; and in case the Person or Persons against whom any Order shall be made for the Payment of any Penalty or Forfeiture shall not have any Goods or Chattels to distrain upon, or not sufficient to answer and pay the same, or in case of any Disobedience to such Order, it shall in either Case be lawful for the said Justice to commit such Person or Persons so convicted, to the common Gaol of the said Town and Borough for any Time not exceeding One Calendar Month, there to remain without Bail or Mainprize, unless in case of such Order being for the Payment of any Money, the Money shall be sooner paid; and the said Justice may, if he thinks proper, transmit a Copy of the Conviction of such Person or Persons to the said Commissioners, who may thereupon suspend such Person or Persons from using or exercising his or their Licence or Licences for the Purposes aforesaid, for all or any Part of the remainder of the Time for which such Licence or Licences shall have been granted, or wholly to take away such Licence or Licences at the Option of the said Commissioners.

Taking down ruinous Houses.

LV. And whereas several Houses and other Buildings in the said Town and Borough have been, and some now are, in so ruinous and decayed a State as to be dangerous to Passengers, and other Houses and Buildings may become so: And whereas the Owners and Proprietors of some of such Houses and other Buildings may be unknown, or cannot be found: be it therefore enacted, That in all Cases where any Houses or other Buildings are or may be in so ruinous or decayed a State as to be dangerous to Passengers, it shall and may be lawful for the said Commissioners, after the View and Presentment of the same by the Grand Jury of

of the ſaid Town and Borough, and after giving Twenty-one Days Notice to any Owner or Owners of ſuch Houſes or Buildings, if he, ſhe, or they can be found; or if the Place of Reſidence of ſuch Owner or Proprietor cannot be diſcovered, then, upon affixing ſuch Notice for Twenty-one Days upon the Houſe or other Building ſo preſented, to cauſe the ſame to be taken and pulled down, and the Materials compoſing the ſame, to be ſold; and the Produce thereof, after deducting the Expences of taking down the ſame, to be paid to the Treaſurer of the ſaid Commiſſioners, in Truſt for the Perſon or Perſons who ſhall or may be entitled thereto.

Preventing Nuiſances.

LVI. And be it further enacted, That if any Perſon ſhall wilfully run, drive, carry, or place on any of the Footways, paved or repaired by virtue of the ſaid Acts or this Act, any Wheel, Sledge, Dray, Wheelbarrow, Handbarrow, Truck or Carriage, or ſhall roll any Caſk, other than for the neceſſary loading or unloading thereof, upon or out of any Carriage, or empty the Contents thereof, or drag any Timber or Log of Wood along or upon, or wilfully ride, drive, or lead any Horſe or other Beaſt or Cattle, on any of the Footways paved or repaired as aforeſaid, or wilfully, careleſsly, or negligently ſuffer any Horſe or other Beaſt or Cattle, to go aſtray, be, or remain upon any ſuch Footways, or ſhall wilfully ride or drive any Horſe, Mare, or Gelding in a furious Manner, or wilfully or careleſsly break or damage the ſaid Pavement or Pitching, or ſhall kill, ſlaughter, ſinge, ſcald, dreſs, or cut up any Beaſt, Swine, Calf, Sheep, Lamb, or other Cattle, or hoop, cleanſe, waſh, or ſcald any Caſk, or hew or ſaw any Stone, Wood, or Timber, or bind, make or repair the Wheel of any Carriage, or ſhoe, bleed, dreſs, or farry any Horſe or other Beaſt or Cattle (except in Caſes of Accident) or keep, or ſuffer to wander or be at large any Swine in any of the ſaid Streets, Paſſages, or Places; or if the Occupier of any Houſe, Cellar, or other Tenement within the ſaid Town ſhall ſuffer any Door or Hatchway leading into or giving Light to any Kitchen, Cellar, or other Place to be left open longer than ſhall be neceſſary for ſtoring or taking any Goods or other Articles therein or thereout, or ſhall ſet, place, or expoſe to Sale, or cauſe to be ſet, placed, or expoſed to Sale any Goods, Wares or Merchandize, whether on the Footways or Carriage-ways of any of the ſaid Streets, Lanes or other Public Paſſages or Places (except at the uſual and accuſtomed Places on Fair-days and Market-Days) or hang up, or expoſe to Sale any Goods, Wares or Merchandize, or any other Thing upon any Flap, Window, or otherwiſe, ſo as to obſtruct or incommode the Paſſage of any Footway or Carriage-way, or ſhall beat any Carpet in any of the ſaid Streets, Lanes, Public Paſſages or Places after Seven of the Clock in the Morning in Summer, or Eight of the Clock in the Morning in Winter, or ſhall make or aſſiſt in the making any Fire or Fires commonly called Bonfires, or ſhall ſet fire to or let off or throw any Squib, Serpent, Rocket, Cracker, or other Fire-work whatſoever therein; or if at any Time hereafter any Perſon or Perſons ſhall ſuffer any Waggon, Cart, Dray, or other Carriage to ſtand or remain in any public Street, Way, Lane, or other Paſſage or Place within the ſaid Town and Borough, with or without Horſes or other Cattle, for any longer Time than ſhall be neceſſary for the loading or unloading thereof, or ſuffer any Coach, Poſt Chaiſe, or other Carriage to ſtand or remain in any ſuch Public Street, Way, Lane, or other Paſſage or Place, without or with Horſes, for any longer

longer Time than ſhall be neceſſary for the taking up, ſetting down, or waiting for the Perſon or Perſons belonging thereunto, or for loading or unloading their Baggage, or ſuffer the ſame, or any Horſe to ſtand upon any of the Foot Pavements, or upon or ſo near to any of the Croſſings made for Foot-Paſſengers as to obſtruct the ſame, and ſhall, when required by any Perſon, refuſe or neglect to remove the ſame, or ſuffer any Timber, Bricks, Stones, Slates, Aſhes (except in Time of Froſt), Rubbiſh, Lime, Mortar, Dung, Duſt, Filth, Hay, Straw, Coal, Wood, Faggots, Furze, Fern, Hurdles, Boards, Blocks, Goods, Wares, Merchandize, or other Things to be laid or placed, and left to remain in any of the ſaid Streets, Lanes, or other Public Paſſages or Places during the Night, or for any longer Time during the Day than ſhall be neceſſary for removing and houſing the ſame, or ſhall permit or ſuffer any Blood to run or drain from any Slaughter-houſe into any of the ſaid Streets, Ways, Lanes, or other Public Paſſages or Places; or if any Perſon ſhall ſift, throw, caſt or lay any Aſhes (except in Time of Froſt only, and to prevent Accidents), or any Dirt, Duſt, Muck, Dung, Soil, Filth, Rubbiſh, Refuſe of Fiſh or Garden Stuff, Blood, Offal, Carrion, or any other Matter or Thing, in any of the ſaid Streets, Ways, Lanes, or Public Paſſages or Places, or ſhall ſift, ſcreen, or ſlack any Lime (except within the Hoard or Incloſure hereinafter mentioned) or ſhew or expoſe any Stallion in any of the ſaid Streets, Ways, Lanes, or other Public Paſſages or Places, (except in ſuch Place or Places as the ſaid Commiſſioners ſhall in that Behalf appoint), or ſhall permit or ſuffer any Bull-dog, Maſtiff, or any ferocious Dog or Bitch to go at large, not being muzzled, in any of the ſaid Streets, Lanes, or any other public Paſſages or Places, then, and in every ſuch Caſe aforeſaid, every Perſon and Perſons ſo offending ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Five Pounds.

Impounding Beaſts found wandering in the Streets.

LVII. And be it further enacted, That if any Horſe, Beaſt, or Swine ſhall at any Time be found wandering about any of the Streets, Lanes, or other Public Paſſages or Places within the ſaid Town and Borough aforeſaid, it ſhall be lawful for any Perſon or Perſons to be appointed by the ſaid Commiſſioners, or any Inhabitant, to ſeize and impound ſuch Horſe, Beaſt or Swine in one of the common Pounds within the ſaid Town and Borough, or in ſuch other Place as the ſaid Commiſſioners ſhall appoint, and the ſame there to retain, until the Owner or Owners thereof ſhall, for each Horſe, Beaſt or Swine ſo impounded, pay a Sum of Money not exceeding Ten Shillings to the Treaſurer for the Time being to the ſaid Commiſſioners, to be applied for the Purpoſes of this Act; and alſo the Sum of One Shilling to the Perſon impounding the ſame, beſides the reaſonable Charges and Expences of impounding and keeping the ſame; and in caſe the ſaid Sums, Charges and Expences ſhall not be paid within Three Days after ſuch impounding, it ſhall be lawful for the Pound-keeper, or ſuch other Perſon as ſhall be appointed by the ſaid Commiſſioners for that Purpoſe, to ſell the Horſe, Beaſt, or Swine ſo impounded, or cauſe the ſame to be ſold, giving Two Days previous Notice of the intended Sale to the Owner or Owners of ſuch Horſe, Beaſt or Swine; or, if the Owner thereof cannot be found, cauſing Two Days public Notice of ſuch intended Sale to be given by the public Cryer of the ſaid Town, by Proclamation; and the Money ariſing by ſuch Sale, after deducting the ſaid Sums, and the Charges and Expences

Expences aforeſaid, and of ſuch Notice and Sale, ſhall be paid to the ſaid Treaſurer, to be by him paid to the Perſon whoſe Property the Horſe, Beaſt, or Swine ſo ſold ſhall appear to have been, upon his or her claiming the ſame.

Puniſhing Perſons firing Guns, &c. in the Streets.

LVIII. And be it further enacted, That if any Perſon or Perſons ſhall (except for Prevention of Robbery or in Self-defence) wilfully or negligently fire or diſcharge any Cannon, Gun, Muſquet, Piſtol or any other Fire-Arms, loaded with Ball or Shot, in any of the ſaid Streets, Lanes, Paſſages or Places, every Perſon ſo offending, ſhall forfeit and pay any Sum not exceeding Five Pounds.

Removing Nuiſances on Complaint.

LIX. And be it further enacted, That in caſe any Hogſtye, Layſtall, Dunghill, Neceſſary Houſe, Dung, Carrion, Soil, Filth, Aſhes, Cinders, Rubbiſh or other Thing, ſhall be a Nuiſance to any of the Inhabitants of the ſaid Town and Borough, it ſhall be lawful for the ſaid Commiſſioners, if they ſhall think fit, upon Complaint thereof made to them by any ſuch Inhabitant, to cauſe Notice in Writing, under the Hand of their Clerk, to be given to, and to order the Perſon occaſioning ſuch Nuiſance, or to whom the ſame ſhall belong, to remove ſuch Nuiſance within ſuch Time as they ſhall think fit; and in caſe the ſame ſhall not be removed according to ſuch Notice, the Perſon who ought to remove the ſame, and ſhall wilfully neglect or omit ſo to do, ſhall forfeit and pay the Sum of Ten Shillings a Day for every Day the ſame ſhall continue unremoved after the Time to be mentioned in ſuch Notice.

Empyting Neceſſary-Houſes.

LX. And be it further enacted, That no Neceſſary Houſe, or Privy Ceſs-pools, Slaughter Houſes and Dung Holes, now being or which hereafter ſhall be within the ſaid Town and Borough, ſhall be emptied or cleanſed at any other Time than between the Hours of Eleven of the Clock at Night, and Five of the Clock in the next Morning; and if any Perſon or Perſons ſhall empty or cleanſe ſuch Neceſſary Houſe or Privy, Ceſs-pool, Slaughter Houſe, or Dung Hole at any other Time, then, and in every ſuch Caſe, every Perſon ſo offending, ſhall for every ſuch Offence, forfeit and pay any Sum not exceeding Twenty Shillings; and if any Perſon or Perſons ſhall wilfully or negligently ſpill any of the Soil of any ſuch Neceſſary Houſe or Privy, Ceſs-pool, Slaughter Houſe or Dung Hole in any of the Streets, Lanes, public Paſſages or Places already made or which ſhall be hereafter made within the ſaid Town and Borough, every Perſon ſo offending ſhall for every ſuch Offence, forfeit and pay any Sum not exceeding Twenty Shillings.

Materials for building or repairing Houſes may be placed in Streets.

LXI. Provided always, and be it further enacted, That no Perſon ſhall be ſubject to any Penalty by virtue of this Act, on account of any Lime, Mortar, Rubbiſh, Dirt, or Materials being in the ſame Streets, or other Public Places, before the Houſe or Tenement of ſuch Perſon, occaſioned by the building, pulling down, or repairing of ſuch Houſe or Tenement, ſo that there be convenient Room left for Carriages to paſs and repaſs, and ſo as the Owner or Occupier of ſuch Houſe or Tenement, before which ſuch Lime, Mortar, Rubbiſh, Dirt, or Materials ſhall be, ſhall cauſe the ſame to be removed out of ſuch Street or Place, at his own Coſts and Charges, within a reaſonable Time after ſuch building, pulling down, or repairing ſhall be completed, or upon Notice to be given to him,

him, her, or them, or left at such House or Tenement for that Purpose, in Writing, signed by the said Commissioners or their Clerk; so that, whilst the same shall be lying in such Street or Place, such Owner or Occupier shall set up and maintain a sufficient Light upon, or against the same during the Night-time, to prevent Mischief happening to Passengers or Cattle, and so as that the same shall, whilst lying in such Street or Place, be inclosed within Boards, in such Manner as the said Commissioners shall direct.

Directions respecting building Houses.

LXII. And be it further enacted, That all Houses and Buildings hereafter to be built, or new fronted in the said Streets, Lanes, Passages, and Places, shall be made to rise perpendicularly from the Foundation thereof; and if any Person or Persons shall at any Time build or new front any House, or other Building within the said Town and Borough, or cause the same to be done otherwise than rising perpendicularly from the Foundation, it shall be lawful for the said Commissioners, by Writing under their Hands, to cause the same to be pulled down and removed by such Person or Persons as they shall direct and appoint; and the Costs and Charges thereof shall be paid and reimbursed to the said Commissioners, or their Order, by the Owner or Owners of such Houses or Buildings; and in Default of Payment thereof on Demand, the same may be recovered in like Manner as any Penalties or Forfeitures are by this Act authorized to be recovered; provided always, that in such Regulations of the Fronts of new Buildings to be made as aforesaid, it shall be lawful for the said Commissioners, when any such new Building shall be made as aforesaid, to admit, at their Discretion, the said new Building to be advanced in Front thereof, so as to be on a Line with other adjoining Buildings.

Houses to be placed in Line with others when rebuilding.

LXIII. And be it further enacted, That whenever any House or other Building standing in any Street, Lane, or any other public Passage or Place within the said Town and Borough, projecting beyond the regular Line of such Street, Lane, or other public Passage or Place, or of the Range of Buildings adjoining thereto, shall be taken down and rebuilt, it shall be lawful for the said Commissioners, if they think proper, to require and compel the Owner or Owners thereof, when the same shall be rebuilt, to cause such House or other Building to be set back in and according to such regular Line as aforesaid, and to give such Directions, and make such Orders in Writing for that Purpose as the said Commissioners shall think proper, and to cause the same to be delivered or left at the House or last or usual Place of Abode of such Owner or Owners, some or one of them; and if any House or other Building shall be built, erected, or rebuilt contrary to such Directions and Orders, the same shall be deemed an Encroachment, Nuisance, and Annoyance, within the Intent and Meaning of this Act, and be removed or removeable as such: Provided always nevertheless, that full Recompence and Satisfaction shall be made to the Owner or Owners of and all Persons interested in the Premises, for any Lots or Damage he, she, or they may sustain by such House or other Building being so set back; and all the Powers, Provisions, and Clauses contained in this Act, with respect to the Houses or other Buildings hereby authorized to be taken down, shall extend and apply, and be applicable to any House or other Building so to be set back

as

as aforesaid, and to make Compensation and Satisfaction to the Owner or Owners thereof, and Persons interested therein.

Commissioners to direct Manner of making Vaults, &c.

LXIV. And be it further enacted, That if any Person or Persons shall make, erect, or build any Vault or Cellar under any of the said Streets, Lanes, Ways, public Passages or Places in any other Manner or Form than shall be directed by the said Commissioners at any of their Meetings to be held in pursuance of this Act, it shall and may be lawful for the said Commissioners to order the same to be pulled down, removed, and filled in at the Expence of such Person or Persons, and to recover the Expences attending the same, if not paid within Seven Days after being demanded by the Clerk or Treasurer to the said Commissioners, in such or the like Manner as any Penalties are hereby authorized to be recovered.

Openings in Pavements to be covered with Gratings.

LXV. And be it further enacted, That where any Opening is now or shall be made in the paving or flagging of any of the said Streets, Lanes, or Public Passages or Places, for the Purpose of conveying Coals or other Things into any Vault or Cellar under the same, or for the Purpose of admitting Light into any Room or Cellar, the Covering or Grating to such Opening shall be made at the Expence of the Person or Persons requiring the same, and shall be made of Iron or such other Materials, of such Dimensions and in such Manner and Form as the said Commissioners, at a Meeting as aforesaid, shall direct and approve of; and such Grating or Covering shall, from Time to Time, be repaired, varied and altered at the like Expence, of the Person or Persons for whose Use and Benefit the same shall be possessed or enjoyed, and in such Manner and Form as the said Commissioners, at a Meeting as aforesaid, 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 Direction or Appointment as aforesaid, every such Person shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds for every Week the said Offence shall be continued.

Course of Gutters may be altered.

LXVI. And be it further enacted, That it shall be lawful for the said Commissioners, from Time to Time, to direct and cause the Course of any Gutter, Watercourse, or Channel, running in or through the said Streets, or any of them, to be turned or altered in such Manner as they shall think proper; and to direct the Grates already placed, or hereafter to be placed over any Sewers, to be removed and replaced in such Manner, and at such Place and Places as they shall think most proper, all which shall, from Time to Time, be done at the Expence of the said Commissioners, and paid for, out of the Money arising by virtue of this Act, any Law, Usage, or Custom to the contrary notwithstanding.

Act to extend to all new Streets.

LXVII. And be it enacted, That this Act shall extend to all new Streets and other Public Passages and Places which shall be built within the Town and Borough aforesaid, and shall be put in Execution for the Purposes of paving, cleansing, lighting, and watching the same, and for raising Money to defray the Expences thereof, in like Manner and as fully and effectually to all Intents and Purposes, as if such Streets and other Passages and Places were now erected and built.

LXVIII. And

No Houſes to be covered with Thatch.

LXVIII. And be it further enacted, That if any Perſon or Perſons ſhall at any Time or Times after the paſſing of this Act, cover or cauſe to be covered any Dwelling Houſe, or any Out-Houſe, Building, or Erection, or any Part thereof, adjoining or belonging to any Dwelling Houſe ſituate in any Part of the Town which ſhall be paved or be liable to be paved under the Authority of this Act, with Thatch, any Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Forty Shillings; and any further Sum not exceeding Ten Shillings, for every Day ſuch Offence ſhall continue; and it ſhall be lawful for the ſaid Commiſſioners, and they are hereby authorized and empowered to order the ſame to be taken down and removed in ſuch Manner as to them ſhall ſeem meet; and the Perſon or Perſons ſo ordered by the ſaid Commiſſioners ſhall and may take down and remove the ſame accordingly, upon giving Notice or Warning to the Owner or Occupier of ſuch Houſe, Out-houſe, or other Building, or Erection, to take down the ſame, and One Moiety of the ſaid reſpective Penalties ſhall be paid to the Informer.

Commiſſioners may make Rules, &c.

LXIX. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners from Time to Time at any of the ſaid Meetings, to make ſuch Rules, Orders, Regulations, and Bye Laws, (not repugnant to any Thing in this Act contained, or contrary to any Law or Statute of that Part of the United Kingdom called *England*) as the Nature of each particular Circumſtance ſhall ſeem to require; and from Time to Time to alter, vary, revoke, or make void any of their Rules, Orders, Regulations, and Bye Laws at their Diſcretion, and do ſuch other Things as to them ſhall ſeem neceſſary and expedient for putting this Act and every Part thereof into Execution, which Rules, Orders, Regulations, and Bye Laws, ſo as aforeſaid to be from Time to Time made, ſhall be valid and effectual to all Intents and Purpoſes; and all and every ſuch Officer or Officers as aforeſaid ſhall obſerve and obey the ſame in all Things touching their reſpective Offices; and all other Perſons ſhall obſerve and obey the ſame on Pain of forfeiting any Sum not exceeding Forty Shillings for every Default in the due Obſervance thereof: Provided always, that Copies of the ſeveral Rules, Orders, Regulations, and Bye Laws by this Act authorized to be made, ſhall be fairly written out or printed, and ſigned by the Clerk to the ſaid Commiſſioners, and that Public Notice thereof ſhall be given by affixing ſuch Copies on the Market-place of *Deal*, Five Days at leaſt before any ſuch Rule, Order, Regulation, or Bye Law ſhall be executed or take Effect; and ſuch Rules, Orders, Regulations, and Bye Laws ſhall be ſubject to appeal in Manner hereinafter mentioned.

Commiſſioners to make Rates.

LXX. And be it further enacted, That the ſaid Commiſſioners ſhall, and they are hereby authorized and required, once in every Year, to rate and aſſeſs the ſeveral Tenants or Occupiers of all Houſes, Buildings, Yards, Gardens, Lands, Tenements, Rents, Revenues, and Hereditaments, which do or ſhall adjoin unto or abut upon any of the Streets, Lanes, Public Paſſages, or Places which have been or ſhall be paved by virtue of the ſaid Acts and this Act, within the ſaid Town and Borough, in the Sum of Two Shillings in the Pound, of the annual Value of ſuch Houſes, Buildings, Yards, Gardens, Lands, Tenements Rents, Revenues, and Hereditaments reſpectively; and the ſeveral Tenants or Occupiers

Occupiers of all other Houſes, Buildings, Yards, Gardens, Lands, Tenements, Rents, Revenues, and Hereditaments, within the ſaid Town and Borough, in the Sum of One Shilling in the Pound, of the annual Value of ſuch Houſes, Buildings, Yards, Gardens, Lands, Tenements, Rents, Revenues, and Hereditaments reſpectively; ſuch annual Value to be from Time to Time ſettled and fixed according to the reſpective Rents which ſuch Houſes, Buildings, Yards, Gardens, Lands, Tenements, Rents, Revenues, and Hereditaments, are or ſhall be taxed at for the Relief of the Poor; but if in any ſuch Poor Rates any Perſon or Perſons ſhall be omitted to be rated, then the Name or Names of ſuch Perſon or Perſons ſo omitted ſhall be added to the Rate or Aſſeſſment hereby directed to be made, and he, ſhe, or they ſhall be rated and aſſeſſed according to the juſt and true annual Value or Letting of the Premiſes by him, her, or them occupied; and where any Lands, Buildings, Tenements, or Hereditaments hereinafter exempted, or not rateable under this Act, ſhall be intermixed and jointly aſſeſſed with other Meſſuages, Lands, Tenements, or Hereditaments, in ſuch Poor Rates, then ſuch Parts thereof as are liable to be aſſeſſed under this Act ſhall be rated at ſuch annual Sums as the ſaid Commiſſioners ſhall think juſt and reaſonable; and the firſt Year for which ſuch Rate or Aſſeſſment ſhall be made, ſhall commence on the Twenty-fourth Day of *June* One thouſand eight hundred and twelve; and the Monies to be rated and aſſeſſed ſhall, from Time to Time, be paid by equal Quarterly Payments, to the Collector or Collectors to be appointed as aforeſaid, and ſhall be paid over by ſuch Collector or Collectors, into the Hands of the Treaſurer to the ſaid Commiſſioners, or to ſuch Perſon or Perſons as the ſaid Commiſſioners ſhall from Time to Time appoint to receive the ſame.

Buildings to be rated by Meaſure.

LXXI. And be it further enacted, That the ſaid Commiſſioners ſhall, and they are hereby authorized and required, once in every Year, to rate and aſſeſs the Sum of Money hereinafter mentioned, upon the ſeveral and reſpective Houſes, Buildings, Gardens, Tenements, and Hereditaments hereinafter directed to be rated and aſſeſſed, by the Foot, running Meaſure; and the firſt Year for which ſuch Rate or Aſſeſſment ſhall be made, ſhall commence at and be computed from the Twenty-fourth Day of *June* One thouſand eight hundred and twelve; and the Monies ſo to be rated and aſſeſſed ſhall, from Time to Time, be paid by equal Quarterly Payments to the Collector or Collectors to be appointed as aforeſaid, and to be paid over by ſuch Collector or Collectors into the Hands of the Treaſurer to the ſaid Commiſſioners; (that is to ſay), the Sum of Twopence, and no more, for every Foot, running Meaſure, of the Length in Front of all Houſes, Buildings, Gardens, Tenements, and Hereditaments, within the ſaid Town and Borough which do or ſhall adjoin unto or abut upon any of the Streets, Lanes, Public Paſſages or Places which are or ſhall be paved under the Authority of the ſaid recited Acts or this Act.

Rates apportioned between Owners and Tenants.

LXXII. And be it further enacted, That One Moiety of all and every the Rates or Aſſeſſments hereby ordered to be made, ſhall be allowed by the reſpective Owners of all and every the ſaid Houſes, Buildings, Yards, Gardens, Lands, Rents, Revenues, and Hereditaments, to the Tenants or

or Occupiers thereof respectively who shall pay the same; and such Tenants or Occupiers are hereby authorised and empowered to deduct and retain out of their respective Rents such Sums of Money as they shall respectively pay for, and on behalf of the respective Landlords or Owners of such respective Premises; and the Payments of such Moiety by the said Tenants or Occupiers, shall be considered as Money actually paid for Rent due or to become due to such Owners of the said Estates, Hereditaments, and Premises, who shall allow the same to their respective Tenants out of their Rents accordingly, and the other Moiety thereof shall be borne and sustained by such Occupiers.

Commissioners to rate Landlords in certain Cases.

LXXIII. Provided always, and be it further enacted, That for and in respect of such Houses, Lands, Tenements and Hereditaments in the said Town and Borough, whereof the Tenants or Occupiers shall, on account of their Poverty, be not rated to the said Poor Rates, or any of them, it shall be lawful for the said Commissioners to rate and assess the Landlords or Owners thereof, according to the Rents which such Tenants or Occupiers shall respectively pay for the same, and in such Manner as Tenants and Occupiers are in and by this Act directed to be rated and assessed.

No Tythe, &c. to be rated.

LXXIV. Provided also, That nothing in this Act shall extend, or be construed to extend, to rate or assess any Person or Persons for any Tythe or Tythes, nor for any Meadow, Pasture or Arable Land.

Rates apportioned between Occupiers quitting and coming into any House, &c.

LXXV. Provided always, and be it further enacted, That in all Cases where any Person or Persons shall remove from, or quit any House, Building, Yard, Garden, Land, Tenement, or Hereditament, rated or assessed, or liable to be rated or assessed by virtue of this Act, such Person or Persons shall be liable to pay such Rate or Assessment, in proportion to the Time that he, she or they occupied the same respectively, in like Manner as if such Person or Persons had not removed from or quitted the same; and in all Cases where any Person or Persons shall come into or occupy any House, Building, Yard, Garden, Land, Tenement or Hereditament, rated or assessed, or liable to be rated or assessed as aforesaid, out of or from which any other Person or Persons, who shall have been rated or assessed for the same shall be removed, or which at the Time of making any such Rate or Assessment was empty or unoccupied, the Person or Persons coming into or occupying the same shall be liable to pay such Rate or Assessment in proportion to the Time that such Person or Persons shall occupy the same, in like Manner as if he, she, or they had been originally rated or assessed for such House, Building, Garden, Lands, Tenements or Hereditaments; which said respective Proportions, in case of Dispute, shall be settled and ascertained by the said Commissioners.

Recovery of Rates.

LXXVI. And be it further enacted, That in case any Person or Persons who shall be rated or assessed, or subject or liable to the Payment of any Rate or Assessment to be made or laid as aforesaid, shall refuse or neglect to pay any such Rate or Assessment to any Collector to be appointed as aforesaid, for the Space of Ten Days after personal Demand thereof made, or Demand thereof in Writing, left at the usual or last Place of Abode of such Person or Persons, it shall be lawful for any Justice of the Peace of

of the Town, County or Place wherein such Person or Persons so neglecting or refusing shall be or reside, or whereto he, she or they shall have removed, upon Proof made upon Oath of such Demand and Nonpayment (which Oath such Justice is hereby empowered and required to administer without Fee or Reward), by Warrant under the Hand and Seal of such Justice (which he is hereby empowered to grant), to authorize and direct the said Collector to levy such Rate or Monies so in Arrear, together with the Costs and Charges attending the same, to be ascertained by such Justice, by Distress and Sale of the Goods and Chattels of the Person or Persons so refusing or neglecting to pay as aforesaid, rendering the Overplus (if any) to the Owner or Owners of such Goods and Chattels, on Demand.

Rates on Houses let to divers Tenants to be paid by the Landlord.

LXXVII. Provided always, and be it further enacted, That the said Commissioners shall and may rate or assess the Landlord or Owner of any Houses or Buildings which shall be let to or occupied by Two or more Tenants, and the same shall be deemed as One House or Tenement, and such Rates or Assessments shall be paid by One or more of the Occupiers of any Part or Parts of such Houses or Buildings, who is, and are hereby required to pay such Sum and Sums of Money as shall be so rated or assessed upon every such Landlord or Owner, in pursuance of this Act, and to deduct the same out of his, her or their Rent; and the Occupier or Occupiers paying such Rates or Assessments, or any Part thereof, shall be acquitted and discharged of and for so much Money as he, she or they shall have so paid, as if the same had been actually paid to the Landlord or Owner to whom his, her or their Rent shall be due and payable; and every such Landlord or Owner is hereby required to allow such Deduction upon the Receipt of the Residue of his, her or their Rent; but no Occupier or Occupiers shall at any Time pay, or be liable to pay, any greater Sum for or toward the Discharge of the said Rates or Assessments and Arrears thereof than the Amount of the Rent due and payable by such Occupier or Occupiers to the Landlord or Landlords, Owner or Owners of the Premises occupied by him, her, or them.

Power to mitigate or remit Rates where Rents do not exceed Six Pounds.

LXXVIII. Provided also, That it shall be lawful for the said Commissioners, and they are hereby empowered, upon the Complaint of any Occupier of a Dwelling House subject to the Payment of the said Rates or Assessments, whose Rent for such Dwelling House shall not exceed Six Pounds a Year, to mitigate, reduce, lessen, remit, or excuse, for and on account of his, her or their Poverty or Inability only, the Payment of that Part of the said Rate or Assessment, which by this Act is made payable by such Occupier for such Dwelling House, in such Manner as they the said Commissioners shall in their Discretion think just and reasonable; but the respective Landlords of such Dwelling Houses shall nevertheless bear and pay their Proportion of such Rates or Assessments, in respect of such Premises.

Appeal.

LXXIX. Provided always, and be it further enacted, That if any Person shall think himself or herself aggrieved by any Rate or Assessment which shall be made in pursuance of the said Acts or this Act, he or she may apply to the said Commissioners, at their First or Second Meeting to be holden after the demanding of such Rate or Assessment; and the said Com-

Commiſſioners are hereby authorized and empowered, if they ſhall think ſuch Perſon aggrieved, to give ſuch Relief in the Premiſes as to them ſhall ſeem reaſonable; and if any Perſon ſhall be diſſatisfied with the Determination of the ſaid Commiſſioners therein, ſuch Perſon or Perſons may appeal, in Manner hereinafter mentioned, to the General Seſſions of the Peace to be holden in and for the ſaid Town and Borough, whoſe Determination therein ſhall be final and concluſive.

Juſtices to amend Rates appealed againſt, without altering the other Rates.

LXXX. Provided alſo, and be it further enacted, That, upon all Appeals from any of the Rates or Aſſeſſments to be made or impoſed by the Authority of the ſaid Acts or this Act, the Juſtices of the Peace (where they ſhall ſee juſt Cauſe of Relief) ſhall, and are hereby empowered to amend the ſaid Rates or Aſſeſſments, in ſuch Manner only as ſhall be neceſſary for giving Relief to the Perſon or Perſons ſo appealing, without altering ſuch Rates or Aſſeſſments with reſpect to any other Perſon or Perſons mentioned in the ſame.

Rate upon Coals.

LXXXI. And whereas by the ſaid Acts paſſed in the Thirty-firſt and Thirty-ſixth Years of his preſent Majeſty, certain Duties were impoſed on all Coals, Coke, or Cinder brought into, or carried into the ſaid Town of *Deal*; be it therefore enacted, That for all Sorts of Coals, Coke, or Cinder, which from and after the Twenty-fourth Day of *June* One thouſand eight hundred and twelve ſhall be landed or delivered within the Limits of the Pariſh of *Deal*, or brought into or carried through the ſaid Town or Borough of *Deal*, or through any Part thereof, there ſhall be paid by Way of Impoſition thereon, over and above all other Impoſitions and Duties due and payable for Coals, Coke, and Cinder, by virtue of any Law or Statute now in Force, the Rates hereinafter mentioned; that is to ſay, for ſuch Coals, Coke, or Cinder, as are, or ſhall, or may be uſually ſold by the Chaldron, for every Chaldron thereof, containing Thirty-ſix Buſhels, *Wincheſter* Meaſure, the Sum of Three Shillings, and ſo in proportion for any leſs Quantity than a Chaldron; and for all ſuch Coals, Coke, or Cinder, as are, or ſhall, or may be uſually ſold by the Ton, for every Ton thereof, containing Twenty hundred Weight, the like Sum of Three Shillings, and ſo in proportion for any leſs Quantity than a Ton: which ſaid Impoſition of Three Shillings, for every Chaldron or Ton of Coals, Coke or Cinder reſpectively, ſhall from Time to Time be paid to ſuch Perſon or Perſons as the ſaid Commiſſioners ſhall from Time to Time appoint to collect and receive the ſame.

Rates to be collected before Ships are permitted to depart from the Pariſh.

LXXXII. And, to the Intent the ſaid Rates upon or in reſpect of Coals, Coke, or Cinder, may be truly anſwered and paid, be it further enacted, That no Collector, Cuſtomer, or Collector of His Majeſty's Cuſtoms, Comptroller, Receiver of Entries, or Ship's Surveyor or Searcher, or other Officer of the Cuſtoms whatſoever, belonging to the Town and Borough of *Deal*, ſhall give or make out any Cocquet or other Diſcharge, or take any Report outwards, for any Ship, Bark, or other Veſſel to go out of the ſaid Pariſh of *Deal*, until the Maſter or Owner, or other Perſon or Perſons having the Rule or Command of any ſuch Ship, Bark, or other Veſſel, ſhall produce a Certificate from the Collector or Collectors, Receiver or Receivers of the ſaid Rates, to be appointed by the ſaid Commiſſioners in purſuance of this Act, that the ſaid Rates are paid, or ſecured

to

to be paid; which ſaid Certificate the ſaid Collector or Collectors, Receiver or Receivers, is and are hereby required to give without Fee or Reward.

Power for Collectors to detain Veſſels for Payment of Rates.

LXXXIII. And be it further enacted, That in caſe any Owner or Maſter, or other Perſon having the Rule or Command of any Ship, Bark, or other Veſſel, laden with Coals, Coke, or Cinder, charged and chargeable with the ſaid Rates, or any Perſon or Perſons bringing, or cauſing to be brought, into the ſaid Town and Borough any Coals, Coke, or Cinder, charged and chargeable with the ſaid Rates, ſhall refuſe to pay the ſame, then and in ſuch Caſe, it ſhall and may be lawful to and for any ſuch Perſon or Perſons, as the ſaid Commiſſioners ſhall appoint, to collect or receive the ſaid Rates as aforeſaid, from Time to Time to go on board ſuch Ship, Bark, or other Veſſel, and to ſtop any Waggon, Cart, or other Carriage, to demand, collect, and receive the ſame; and for Non-payment of the ſame, to take and detain every ſuch Ship, Bark, or other Veſſel, and all her Tackle, Apparel, and Furniture thereto belonging, or any Part thereof, and alſo ſuch Waggon, Cart or other Carriage, and the Horſes, Harneſs, and Furniture thereof, or all or any Part of the ſaid Coals, Coke, or Cinder, charged and chargeable with the ſaid Rates, either on board of or in ſuch Ship, Bark, or other Veſſel, or Waggon, Cart, or other Carriage, or on Land, and the ſame to detain until he or they be paid or ſatisfied the ſaid Rates, and the Expences of taking and detaining the ſame; and in caſe of any Delay or Neglect in Payment of the ſaid Rates, and ſuch Expences as aforeſaid, for the Space of Five Days next after any Diſtreſs ſo taken as aforeſaid, then it ſhall and may be lawful to and for any ſuch Collector or Collectors, Receiver or Receivers, to cauſe the ſame to be appraiſed, and afterwards to ſell the ſaid Diſtreſs, and therewith to ſatisfy themſelves or himſelf, as well for and concerning the ſaid Rates ſo neglected or delayed to be paid, and for which ſuch Diſtreſs ſhall be taken as aforeſaid, as alſo for their or his reaſonable Charges in taking, keeping, appraiſing, and ſelling ſuch Diſtreſs, paying to the Owner or Owners, or the Perſon or Perſons under whoſe Command or Rule, or in whoſe Cuſtody or Care ſuch Ship, Bark, Veſſel, Waggon, Cart, Carriage, Horſes, Harneſs, Tackle, Apparel, Furniture, Coals, Coke, Cinder, or other Thing, was or were at the Time of the ſaid Detainer or Diſtreſs being made, the Overplus (if any) upon Demand.

To prevent evading the Payment of the Rates.

LXXXIV. And, the better to prevent the Evaſion of Payment of the ſaid Rates, be it further enacted, That if any Maſter or Owner, or other Perſon or Perſons, having the Rule or Command of any Ship, Bark, or other Veſſel laden with Coals, Coke, or Cinder, charged and chargeable with the ſaid Rates, or the Owner or Driver of any Waggon, Cart, or other Carriage, or any other Perſon or Perſons whomſoever, ſhall obſtruct or hinder, or endeavour to obſtruct or hinder any Collector or Receiver, to be appointed by the ſaid Commiſſioners, from levying or collecting the ſaid Rates hereby impoſed, or ſhall bring or cauſe to be brought within the ſaid Town and Borough, any Coals, Coke, or Cinder, for which the ſaid Rates hereby impoſed ſhall not have been firſt paid, or if any Perſon or Perſons ſhall purchaſe, or cauſe to be purchaſed any Coals, Coke, or Cinder, for which the ſaid Rates hereby impoſed ſhall not have been paid, and knowing the ſaid Rates have not been paid, all and every ſuch Perſon and Perſons ſo offending, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Twenty Shillings.

General Highway Act to remain in force within the Limits of the Act.

LXXXV. And be it further enacted, That nothing in this Act contained ſhall extend to repeal, aboliſh, or in anywiſe alter the Proviſions made by an Act of Parliament of the Thirteenth Year of His preſent Majeſty's Reign, relating to the Public Highways within that Part of *Great Britain* called *England*, or by any other Act or Acts of Parliament made for the Amendment and Preſervation of the Highways of or in the ſaid Town and Borough of *Deal*, ſave and except the ſaid two recited Acts, or to repeal, aboliſh, or in anywiſe alter the Remedies, Powers, and Authorities for enforcing and recovering ſuch Proviſions, but that the ſaid Commiſſioners ſhall be inveſted with all and ſingular the Powers and Authorities created and given by the ſaid Act or Acts, or in any other Act or Acts now in Force, to the Surveyors of the Highways, in all Caſes whatſoever.

Surveyors of Highways to produce Accounts to the Commiſſioners.

LXXXVI. And be it further enacted, That the preſent Surveyors of the Highways for the ſaid Town and Borough of *Deal*, ſhall on a certain Day to be appointed by the ſaid Commiſſioners, within Three Weeks after the Firſt Meeting of the ſaid Commiſſioners, produce their Accounts for the Highways, from the Time of their entering upon the ſaid Office of Surveyor to the ſaid Day, to the ſaid Commiſſioners for their Inſpection; and the ſaid Commiſſioners are hereby authorized and directed to peruſe and examine ſuch Accounts, and if the ſame appear to be juſt and fair, the ſaid Commiſſioners are hereby directed to ſign and paſs the ſaid Accounts; and ſuch ſigning and paſſing of the ſaid Accounts by the ſaid Commiſſioners ſhall be final and concluſive, and the ſaid Surveyors ſhall not from that Time be liable to any Demand or Appeal from any Perſon or Perſons whomſoever: and the ſaid Surveyors are hereby directed to pay into the Hands of the Treaſurer to the ſaid Commiſſioners, or ſuch other Perſon or Perſons as the ſaid Commiſſioners ſhall direct or appoint for the Uſes and Purpoſes of this Act, whatſoever Balance or Sum or Sums of Money may remain in the Hands of the ſaid Surveyors after paſſing and ſigning the ſaid Accounts, and at the ſame Time ſhall deliver all Accounts, Books, and Papers relative to the Highways which ſhall then be in their Cuſtody, and all Tools and Implements for working on the Highways, and which at any Time ſhall have been purchaſed with the Money collected for amending the ſaid Highways, to ſuch Perſon or Perſons as the ſaid Commiſſioners ſhall appoint; and that from the Time of paſſing the ſaid Accounts and Payment of the Balance, the Office or Appointment of Surveyor within the ſaid Town and Borough ſhall ceaſe, any Thing contained in this or any former Act or Acts to the contrary notwithſtanding.

For appropriating Part of the Highway Rate towards the Pavement.

LXXXVII. And whereas ſeveral of the Streets and Lanes paved by virtue of the ſaid recited Acts, have uſually been repaired out of the Money ariſing from the Highway Rate, be it therefore further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners to appropriate a Part of the Money to be raiſed by the ſaid Highway Rate to the Uſe of the Pavement made purſuant to the ſaid recited Acts; but that the ſaid Commiſſioners ſhall not appropriate more than Eighty Pounds in any One Year of the Money to be raiſed by the ſaid Highway Rate to the Uſe of the ſaid Pavement.

LXXXVIII. And

Carriages to be drawn as on Turnpike Roads.

LXXXVIII. And be it further enacted, That no Cart, Waggon, or other Carriage, ſhall be drawn upon any of the ſaid new Pavements with any other Tire, or larger Number of Horſes, or a greater Weight than they may lawfully paſs upon any Turnpike Road, by virtue of an Act paſſed in the Thirteenth Year of the Reign of His preſent Majeſty, relating to the Turnpike Roads of this Kingdom, under a Penalty not exceeding Forty Shillings for every Offence, to be paid by the Owner or Driver of ſuch Carriage; and it ſhall be lawful for the ſaid Commiſſioners, if they think fit, to cauſe to be built and erected, at ſome convenient Place within the ſaid Town and Borough, a Crane, Machine, or Engine proper for weighing Carriages paſſing upon the ſaid Pavement, and to order every ſuch Cart, Waggon, or Carriage, which ſhall paſs loaded upon the ſaid Pavement, to be weighed, as they ſhall think proper; and it ſhall be lawful for any One of the ſaid Commiſſioners, or any of their Officers, whenever they ſhall think fit, to cauſe any ſuch Cart, Waggon, or Carriage, together with the Loading thereof, to be weighed at any Engine or Machine erected or provided by the ſaid Commiſſioners within the ſaid Town and Borough; and if any Owner of ſuch Cart, Waggon, or other Carriage, or the Driver thereof, ſhall refuſe to permit any Perſon acting under the Authority of the ſaid Commiſſioners, to weigh any ſuch Cart, Waggon, or other Carriage, or hinder, obſtruct, or interrupt any ſuch Perſon in the weighing thereof, or if any Perſon ſhall wilfully break, injure, or ſpoil any ſuch Engine or Machine, or any Part thereof, or any Thing belonging thereto, every Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay a Sum not exceeding Forty Shillings.

Commiſſioners may erect a Weighing Engine.

Carriages may be weighed.

Power to borrow Money.

LXXXIX. And, for the more ſpeedy carrying of this Act into Execution, be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, from Time to Time, to borrow and take up at Intereſt any Sum or Sums of Money for the Purpoſes of this Act, upon the Credit of the ſaid reſpective Rates and Compoſition for Statute Duty, and all other Sums of Money authorized by Law to be raiſed for the Amendment and Preſervation of the Highways within the ſaid Town and Borough, not exceeding in the whole the Sum of Eight thouſand Pounds, excluſive of the Money already borrowed by virtue of the ſaid recited Acts, and by Writing under their Hands and Seals, to aſſign all or any Part of the ſaid reſpective Rates, Compoſition, and other Money, to ſuch Perſon or Perſons as ſhall lend or advance any Money thereon, as a Security for the Payment of the Principal Money ſo to be advanced, with Intereſt for the ſame, the Expence of ſuch Aſſignment to be, from Time to Time, defrayed by the ſaid Commiſſioners; and every ſuch Aſſignment ſhall be in the Words or to the Effect following:

'BY virtue of an Act of Parliament, paſſed in the Fifty-ſecond Year of the Reign of King *George* the Third, intituled, [*ſet forth the Title of the Act*], We of the Commiſſioners appointed by and in purſuance of the ſaid Act, in Conſideration of the Sum of advanced and lent by *A. B.* upon the Credit and for the Purpoſes of the ſaid Act, do grant, bargain, ſell, and demiſe unto the ſaid *A. B.* his Executors, Adminiſtrators, and Aſſigns, ſuch Proportion of the Rates, Compoſition, and other Money ariſing by virtue of the ſaid Act, as the ſaid Sum of doth or ſhall bear to the whole Sum which may at any Time be borrowed

'rowed or become due and owing, or charged upon the Credit of the 'said Act; to be had and holden from this Day of 'until the said Sum of with Interest, at '*per Centum per Annum*, for the same, shall be repaid and satisfied.' In Witness whereof we have hereunto set our Hands and Seals the Day of

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

Money may be raised by Annuities;

XC. And be it further enacted, That in case the said Commissioners shall think it adviseable or more advantageous to raise all or any Part of the Money authorized to be borrowed under this Act, by the granting of Annuities for Lives, instead of Assignments as aforesaid, it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, by Writing under their Hands and Seals, to grant Annuities to any Person or Persons who shall contribute, advance, and pay into the Hands of the Treasurer to the said Commissioners, any Sum or Sums of Money for the absolute Purchase of any Annuity or Annuities, to be paid and payable during the natural Life of every such Contributor, or the natural Life of such Person as shall be nominated by or on the Behalf of such Contributor, at the Time of the Payment of his or her Contribution or Purchase Money, and either with or without Benefit of Survivorship as the said Commissioners shall think proper, so as that no such Annuity do exceed the Rate of Ten Pounds for One hundred Pounds for a Year; and the Grant of every such Annuity shall be in the Words or to the Effect following;

not exceeding 10l. per Centum.

Form of Grant.

'WE of the Commissioners appointed by or 'in pursuance of an Act of Parliament, made in the Fifty-second 'Year of the Reign of King *George* the Third, intituled, [*set forth the 'Title of the Act*], in Consideration of the Sum of 'paid by *A. B.* to *C. D.*, the Treasurer appointed in pursuance of the 'said Act, do hereby grant unto the said *A. B.* his Executors, Administrators, and Assigns, an Annuity or yearly Sum of 'out of the Rates, Composition and other Money granted or arising by 'virtue of the said Act, which Annuity or yearly Sum of 'shall be paid to the said *A. B.* his Executors, Administrators, 'and Assigns, at the Guildhall of the said Town and Borough, upon 'the and in every Year during the 'natural Life of ; and the First Payment 'thereof shall be made upon the now next 'ensuing the Date hereof. In Witness whereof we have hereunto set 'our Hands and Seals the Day of '.

And every such Grant shall be good, valid, and effectual in the Law; 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, Composition, and other Money, according to the Grant of such Annuity.

XCI. And

Securities for Monies lent, and Annuities, may be transferred.

XCI. And be it further enacted, That it shall be lawful for the Persons entitled to any of the Securities for the Money to be borrowed or raised by the granting of Annuities as aforesaid, and their respective Executors, Administrators or Assigns, at any Time, by Writing under their Hands and Seals, to transfer such Securities to any Person or Persons whomsoever, which Transfer may be in the Words or to the Effect following:

Form of Transfer.

'I *A. B.* being entitled to the Sum of [*or* an Annuity of] secured to *C. D.* his Executors, Administrators, and Assigns, by virtue of an Assignment, [*or* Grant of Annuity] bearing Date the Day of under the Hands and Seals of of the Commissioners acting in the Execution of a certain Act of Parliament, made in the Fifty-second Year of the Reign of King *George* the Third, intituled [*set forth the Title of the Act*], upon the Credit or arising out of the Rates, Composition, and other Money granted or payable by the said Act, do hereby transfer all my Right and Title in and to the same, and all Interest and other Money now due and owing thereon, unto *E. F.*, his Executors, Administrators, and Assigns. Dated the Day of

Transfers to be entered.

And Copies of all Assignments and Grants of Annuities which shall be made in pursuance of this Act, and Extracts or Memorials of all Transfers thereof, shall be entered in a Book to be kept for that Purpose by the Clerk to the said Commissioners; which Extracts or Memorials shall specify and contain the Dates, Names of the Parties, and the Sums of Money thereby transferred, to which Book any Person interested shall at all seasonable Times have Access, and shall have free Liberty to inspect the same, without Fee or Reward; and for the Entry of every such Transfer the Clerk shall be paid by the Person to whom such Transfer shall be made the Sum of Two Shillings and Sixpence, and no more; and after such Entry made of any such Transfer, every such Transfer so entered shall entitle the Person to whom the same shall be made, and his or her Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred.

Application of the Money.

XCII. And be it further enacted, That all the Monies to arise by or from the Duties, Rates, or Assessments hereby authorized or directed to be made, collected or levied, and by or from the Duties, Rates, or Assessments payable in pursuance of the said former Acts, and which may be borrowed on the Credit thereof, or advanced for Annuities thereupon as aforesaid, and also all other Money which shall come to the Hands, Custody, or Power of the said Commissioners, or their Treasurer, by virtue, or for the Purposes of the said former Acts, and this Act, shall be applied and disposed of, in the first Place, in the Payment and Discharge of all Costs, Charges, and Expences incident to, and attending the obtaining and passing this Act, and afterwards, from Time to Time, in paying and discharging the Interest and Principal of the Monies borrowed in pursuance of the said former Acts, and to be borrowed, and the Annuities granted, or to be granted by virtue of the said former Acts, and this Act, and towards defraying the Charges and Expences of paving and repairing the Pavements of the several Streets, Lanes, and other Passages and Places within the said Town and Borough aforesaid, and in cleaning, lighting, and watching the same, and all other Charges and Expences of carrying the said Acts, and this Act, into Execution, and to and for no other Use, Intent, or Purpose whatsoever.

When the Money borrowed is paid off, the Rates may be reduced.

XCIII. Provided always, and be it further enacted, That when and so soon as the respective Sums of Six thousand Pounds and Two thousand Pounds authorized to be borrowed by the said recited Acts, and the said Sum of Eight thousand Pounds hereinbefore authorized to be borrowed, or such Part thereof as shall be borrowed by virtue of this Act, and the Interest thereof respectively, shall be paid off and discharged, and the Annuities granted under the Authority of the said Acts, and to be granted under this Act, shall be determined, the said Commissioners shall, and they are hereby required and directed to assemble and call together the Inhabitants of the said Town and Borough, charged with the Payment of the Rates made for the Relief of the Poor (Ten Days publick Notice being given of such Meeting, and specifying in such Notice the Cause thereof); and if the Majority of the Inhabitants of the said Town and Borough, present at such Meeting, shall signify their Consent in Writing that the said respective Rates shall continue to be collected for the further Term of Ten Years, then the same shall continue to be collected for such further Term of Ten Years; but in case the Majority of the said Inhabitants so assembled as aforesaid, shall not signify their Consent in Writing to the Collection of the said Rates for the said Term of Ten Years, then no higher Rate shall, by virtue of this Act, be charged in respect of the said Houses, and other Tenements and Hereditaments, than One Shilling in the Pound of the annual Value thereof, and in respect of such Coals, Coke, and Cinder as aforesaid than One Shilling and Sixpence *per* Chaldron, and One Shilling and Sixpence *per* Ton; and such reduced Rates shall be collected, levied, and recovered by the same Ways and Means as the respective Rates hereinbefore granted can or may be collected, levied, and recovered; any Thing hereinbefore contained to the contrary hereof notwithstanding.

Account annually to be made out.

XCIV. And be it further enacted, That the said Commissioners, shall, upon the First *Tuesday* of *June* in every Year, cause a fair and true Account to be made and drawn out in Writing of all the Monies received and paid in pursuance of the said Acts and this Act, and to whom and for what Purposes, and at what Times the same have been paid, laid out, and expended; and such Account, or a Copy or Duplicate thereof, signed by the said Commissioners, shall be deposited with and kept by their Clerk, who is hereby required to permit any Person charged with the Payment of any of the said Rates or Assessments to inspect the same at any seasonable Time without paying any Thing for such Inspection.

Commissioners may direct the Clerk to prefer Indictments.

XCV. And be it further enacted, That it shall and may be lawful for the said Commissioners to direct their Clerk for the Time being to prefer Indictments against any Person or Persons for any Nuisance committed within the said Town and Borough, and to pay the Expences thereof out of the Monies arising by the said Acts and this Act.

Recovery and Application of Penalties.

XCVI. And be it further enacted, That all Penalties and Forfeitures by this Act imposed, the manner of levying and recovering whereof is not otherwise particularly directed, and the Costs and Charges of levying the same, shall be levied and recovered by Distress and Sale of the Goods and Chattels of the Offender or Offenders, rendering the Overplus (if any) on such Distress to such Offender or Offenders, by Warrant of any Justice of the Peace for the said Town and Borough, or other Place or County

County where the Offender ſhall reſide, which Warrant ſuch Juſtice is hereby empowered to grant, upon the Confeſſion of the Party or Parties, or upon the Information of any credible Witneſs, upon Oath; and all ſuch Penalties and Forfeitures, when recovered, ſhall, if not otherwiſe directed to be applied by this Act, be paid One-half to the Informer or Informers, and the other Half to the Treaſurer to the ſaid Commiſſioners; and in caſe of there being no Informer, or ſuch Informer being a Commiſſioner appointed under the ſaid Acts or this Act, then the whole ſhall be paid to the ſaid Treaſurer, ſuch Payments to the ſaid Treaſurer to be applied for the Purpoſes of the ſaid Acts or this Act; and in caſe ſufficient Diſtreſs ſhall not be found, or ſuch Penalties and Forfeitures ſhall not be paid forthwith, it ſhall be lawful for ſuch Juſtice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cauſe the Offender or Offenders to be committed to the Common Gaol or Houſe of Correction for the County, Town, or Place, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unleſs ſuch Penalties and Forfeitures, and all reaſonable Charges attending the Recovery thereof, ſhall be ſooner paid and ſatisfied.

Juſtices may adminiſter Oaths to Witneſſes

XCVII. And be it further enacted, That in all Caſes in Execution of this Act, where any Matter or Thing is directed to be done, enquired of, or examined into, upon the Oath of any Witneſs or Witneſſes, or other Perſon or Perſons, before the ſaid Commiſſioners, or any of them, or any Juſtice of the Peace, ſuch Commiſſioners or Juſtice are or is hereby authorized to adminiſter ſuch Oath to ſuch Witneſs or Witneſſes, or other Perſon or Perſons; and that in caſe of the Party or Parties from whom ſuch Oath may be required, being of the People commonly called Quakers, an Affirmation may be made and taken inſtead of ſuch Oath.

Puniſhing Perſons ſwearing falſely.

XCVIII. And be it further enacted, That any Perſon or Perſons who ſhall be convicted of wilfully and corruptly taking a falſe Oath or Affirmation in any of the Caſes in which an Oath or Affirmation is by this Act directed or required to be taken, ſhall be liable to the Pains and Penalties to which Perſons are liable for wilful and corrupt Perjury.

Appeals

XCIX. And be it further enacted, That if any Perſon or Perſons ſhall think himſelf, herſelf or themſelves aggrieved by any Rate or Aſſeſſment made in purſuance of this Act, after any Appeal made to the ſaid Commiſſioners in Manner hereinbefore directed, or if any Perſon or Perſons ſhall think himſelf, herſelf or themſelves aggrieved by reaſon of any Judgment, Conviction or Determination of any Juſtice or Juſtices of the Peace acting in Execution of this Act, or by reaſon of any of the Bye Laws, Rules, Orders and Regulations of the ſaid Commiſſioners by this Act authorized to be made, he, ſhe or they may appeal to the next General Seſſions of the Peace to be holden in and for the ſaid Town and Borough, which ſhall happen next after the Expiration of Fourteen Days after the cauſe of Complaint ſhall have ariſen, in every or either of ſuch Caſes ſuch Appellant or Appellants firſt giving or cauſing to be given Eight Days' Notice at leaſt, in Writing, of his her or their Intention to bring ſuch Appeal, and of the Matter thereof, to the Clerk or Clerks to the ſaid Commiſſioners, and within Two Days' after

after such Notice, entering into a Recognizance in the Sum of Twenty Pounds with Two Sureties in the Sum of Ten Pounds each, before some Justice of the Peace for the said Town and Borough conditioned for prosecuting such Appeal, and to abide the Order of, and to pay such Costs as shall be awarded by the Justices at the General Sessions; and the said Justices at such General Sessions, upon due Proof of such Notice given as aforesaid, and of entering into such Recognizance, shall hear and determine the Cause and Matters of such Appeal in a summary Way, and award such Satisfaction and Costs to the Party or Parties appealing or appealed against, as they the said Justices shall think proper; and the Determination of such Justices shall be final, binding and conclusive.

Delivery of Notices.

C. And be it further enacted, That where Notices or Summonses are directed or required to be given by this Act, or where the same shall or may be necessary for carrying into Execution any of the Powers thereof, (except where otherwise directed) the Delivery of any such Notice or Summons or a true Copy thereof to the Person or Persons to whom the same shall be directed, or to whom Notice ought to be given, or the leaving the same or a true Copy thereof, at his, her or their Dwelling House or Dwelling Houses or usual or last Place or Places of Abode, shall be a good and sufficient Service of every such Notice or Summons.

Form of Conviction.

CI. And be it further enacted, That all and every Justice or Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn up in the following Form or to the like Effect: that is to say,

'County of } BE it remembered, that on the Day of in the
'to wit. } Year of the Reign of His Majesty,
'*A. B.* is convicted before
'of His Majesty's Justices of the Peace for the
'by virtue of an Act of Parliament made in the
'Fifty-second Year of the Reign of His Majesty King *George* the Third,
'(*as the Case may be,*) intituled, [*here insert the Title of the Act, and*
'*specify the Offence and the Evidence thereof, and the Time and Place*
'*when and where the same was committed, as the Case shall be.*] Given
'under my Hand and Seal the Day and Year aforesaid.'

Witnesses not incompetent.

CII. And be it further enacted, That in all Actions, Prosecutions, Informations, Causes and Proceedings whatsoever, relating to or concerning the Execution of this Act, none of the said Commissioners nor any Inhabitant within the said Town and Borough shall be deemed incompetent by reason of his being rated and assessed to or paying any Rate or Assessment by virtue of the said Acts or this Act; and every Justice as aforesaid, on any Complaint as aforesaid, may summon before him any competent Witness, under a Penalty not exceeding Forty Shillings to be paid by any such Witness so summoned and making Default, without sufficient Excuse to be allowed by such Justice; and shall give reasonable Costs to the Plaintiff or Defendant on the Determination of every such Complaint, which Costs shall be levied and paid as in Cases of Distress for Nonpayment of any Penalty imposed by this Act.

CIII. And

Distreſs not unlawful for Want of Form.

CIII. And be it further enacted, That when any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Diſtreſs or other Proceedings relating thereunto, nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſſpaſſers *ab initio* on account of any Irregularity which ſhall afterwards be done by the Party or Parties diſtraining; but the Perſon or Perſons aggrieved by ſuch Irregularity ſhall and may recover full Satisfaction for the Special Damage in an Action upon the Caſe.

Proceedings not to be vacated for Want of form.

CIV. And be it further enacted, That no Order, Judgment, or other Proceeding made, touching, or concerning any of the Matters aforeſaid, or touching or concerning the Conviction or Convictions of any Offender or Offenders againſt the ſaid Acts or this Act, ſhall be quaſhed or vacated for Want of Form only, or be removed or removable by *Certiorari* or any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record, any Law or Statute to the contrary thereof in any wiſe notwithſtanding.

Tender of Amends before Action brought.

CV. Provided always, and be it enacted, That no Plaintiff or Plaintiffs ſhall recover in any Action or Actions for ſuch Irregularity unleſs Notice in Writing ſhall be given Eight Days before ſuch Action ſhall be commenced, of ſuch intended Action, ſigned by the Attorney for the Plaintiff, ſpecifying the Cauſe of ſuch Action; nor ſhall the Plaintiff recover in ſuch Actions, if ſufficient Tender of Amends hath been made to him, her, or them, or his, her, or their Attorney, by or on behalf of the Defendant or Defendants before ſuch Action brought; and in caſe no ſuch Tender ſhall have been made, it ſhall and may be lawful to and for the Defendant or Defendants in any ſuch Action, by Leave of the Court, after ſuch Action ſhall have been brought at any Time before Iſſue joined, to pay into Court ſuch Sum or Sums of Money as he, ſhe, or they ſhall think fit, whereupon ſuch Proceedings, Order, and Judgment ſhall be made and given in and by ſuch Court as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation of Actions.

CVI. And be it further enacted, That no Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done in purſuance of the ſaid Acts or this Act, until Twenty-one Days Notice thereof ſhall have been given to the Clerk or Treaſurer of the ſaid Commiſſioners, nor after a ſufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, nor after the Expiration of Six Calendar Months from the Time of the Fact being committed; and every ſuch Action or Suit ſhall be laid or brought in the County of *Kent*, and not elſewhere, and the Defendant or Defendants in every ſuch Action ſhall or may at his, her, or their Election, plead ſpecially the General Iſſue, and give this 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 this Act; and if the ſame ſhall appear to have been ſo done, or that ſuch Action or Suit ſhall have been brought before Twenty-one Days Notice thereof was given as aforeſaid, or after a ſufficient Satiſfaction made or tendered as aforeſaid, or after the Expiration of the Time

limited for bringing the ſame as aforeſaid, or ſhall be brought in any other County, then the Jury ſhall find for the Defendant or Defendants; and upon ſuch Verdict, or if the Plaintiff or Plaintiffs ſhall be non-ſuited, 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, then the Defendant or Defendants ſhall recover treble Coſts, and have ſuch Remedy for the ſame as any Defendant hath in other Caſes by Law.

Saving of Rights.

CVII. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend or be conſtrued to extend in any Way to leſſen, prejudice, or deſtroy any Rights, Privileges, Juriſdictions, Immunities, Rents, Tolls, or lawful Cuſtoms belonging, due, or in anywiſe appertaining to the Mayor, Jurats, and Common Councilmen of *Deal*, or to any of their Officers, or to any Porters, Coal-Meters, or other Perſons appointed by or acting under the ſaid Mayor, Jurats, and Common Councilmen.

Public Act.

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

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's moſt Excellent Majeſty. 1812.