ANNO NONO

GEORGII IV. REGIS.

Cap. lvi.

An Act for rebuilding, or for improving, regulating, and maintaining, the Town Quay of *Gravesend* in the County of *Kent*, and the Landing Place belonging thereto. [23d *May* 1828.]

WHEREAS by a Charter of His late Majesty King *Charles* the First, bearing Date the Thirtieth Day of *March* in the Seventh Year of His said Majesty's Reign, the Foreman, Jurats, and Inhabitants of the Villages and Parishes of *Gravesend* and *Milton* in the County of *Kent* were incorporated by the Name, Style, and Title of "The Mayor, Jurats, and Inhabitants of the Villages and Parishes of *Gravesend* and *Milton* in the County of *Kent*;" and the whole Passage or Ferry upon the River *Thames* from the said Villages and Parishes to the City of *London*, and the sole Liberty of such Passage or Ferry, and all and singular the Profits, Commodities, and Emoluments belonging and appertaining thereto, were granted unto the said Mayor, Jurats, and Inhabitants; and the said Passage or Ferry is governed and regulated by the Mayor, Jurats, and Common Councillors of the said Villages and Parishes, in pursuance of the said Charter: And whereas for Ages past there have been received by the said Mayor, Jurats, and Common Councillors, certain Tolls or Duties on the landing and embarking of all Goods, Wares and Merchandize upon and from the Town Quay

or Landing Place of the said Villages and Parishes of *Gravesend* and *Milton;* and a Toll or Duty hath heretofore been accustomed to be received of or from Persons using the said Quay or Landing Place, for the Repair and Maintenance thereof: And whereas, since the Establishment of regular Sailing Packets and the Use of Steam Vessels on the said Passage or Ferry between *Gravesend* and *London*, and the Accommodation for Bathing at *Gravesend*, and from other Circumstances, the Number of Persons resorting to *Gravesend* has greatly increased; and the Town and Villages have much increased in Extent, and are yet increasing, both in Number of Buildings and Inhabitants: And whereas it would tend much to the Advantage of the Inhabitants of the said Town and Parishes, and to the Safety and Convenience of the Public resorting thereto, and to the Protection of Vessels, Craft, and Passage Boats resorting or belonging to *Gravesend*, if the said Quay were widened, heightened, extended, and enlarged, and if a new or enlarged Landing Place were erected in the Place of the present one: And whereas the said Mayor, Jurats, and Common Councillors are possessed of certain Premises situate on the West Side of the present Quay, and standing partly across the Line of a certain Street called *High Street*, in the said Town, which they are willing should be pulled down and removed, so as to open a View of the River from the said High Street, and of the said High Street from the River; and they are willing that the Site of the said Premises should be appropriated to the Enlargement and Improvement of the present Quay and Landing Place: And whereas it is expedient to make better Provision for the Recovery of the aforesaid Tolls or Duties, and for providing a Fund for the improving, rebuilding, maintaining, and better securing of the said Quay or Landing Place, and for the other Purposes of the Act: And whereas the beneficial Purposes aforesaid 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 it shall be lawful for the Mayor, Jurats, and Common Councillors for the Time being of the Villages and Parishes of *Gravesend* and *Milton* aforesaid, and they are hereby authorized and empowered, to make and maintain any new Quay or Landing Place, and other Works which they shall deem necessary and proper, upon or immediately adjoining the present Quay, or the Site of the Lands and Premises mentioned and described in the First Schedule to this Act annexed; or to enlarge, extend, widen, improve, and repair the present Quay or Landing Place, and render the same useful and convenient for the Security of Craft and Boats belonging or resorting to *Gravesend*, and for the more convenient lading and unlading of Goods and Merchandizes, and the more safe, easy, and convenient Embarkation and Disembarkation of Passengers; provided the said Mayor, Jurats, and Common Councillors reserve or appoint a fit and proper Place for, and with Liberty of Way to and from a Toll, to be erected and set up according to the Direction of an Act made in the last Session of Parliament, intituled *An Act for the better Regulation of the Watermen and Lightermen on the River* Thames, *between* Yarnett Creek *and* Windsor;

Corporation to make new Quay and Landing Place, or improve the present one.

7 & 8 G. 4. c. 75.

Windsor; and also to make and provide, or cause to be made and provided, such Accommodations for the Residents of, and for the Persons resorting to *Gravesend*, as the said Mayor, Jurats, and Common Councillors, and their Successors for the Time being, shall from Time to Time deem necessary or expedient: Provided always, that the said Quay or Landing Place, or other Work or Works hereby authorized to be made or improved, shall be built, erected, and constructed upon an Arch of at least Fifteen Feet in the Span.

Corporation, with the Consent of the Owners, to remove the Houses, &c. described in the First Schedule.

II. And be it further enacted, That from and immediately after the passing of this Act, the said Mayor, Jurats, and Common Councillors shall remove or cause to be removed, with the Consent of the Owners and Occupiers thereof, the several Houses and Premises mentioned or described in the First Schedule to this Act annexed, and to appropriate the Site thereof to the Purposes of this Act: Provided also, that it shall not be lawful for the said Mayor, Jurats, and Common Councillors, at any Time hereafter, to erect or suffer to be erected any Buildings or Erections upon the said Site, or on the East Side thereof, save and except a Counting-house and Clock over it, not exceeding Twenty Feet in Height, and Seven Feet in the Base, so as to hinder, impede, or prejudice a View of the River from the said High Street, or a View of the said High Street from the River.

Toll on Passengers in Vessels carrying Passengers for Hire.

III. And be it further enacted, That as soon as and from and immediately after the Time when the Works hereby athorized shall have been completed, but not till then, it shall be lawful for the said Mayor, Jurats, and Common Councillors to ask, demand, receive, and recover, for the Purposes of this Act, of and from every Passenger who shall land from or embark in any Ship, Hoy, Packet, or other Vessel used and employed for the Purpose of carrying Passengers for Hire from *London* to *Gravesend*, or from *Gravesend* to *London*, at any Place or Places within the Villages and Parishes of *Gravesend* and *Milton*, or either of them, whether such Vessels shall belong to the Town of *Gravesend* or not, in respect of every Passage to or from the same, such Sum or Sums of Money as they the said Mayor, Jurats, and Common Councillors shall think proper, not exceeding the Sum of One Penny; which Toll or Duty, together with the Rates herein-after imposed and authorized to be collected, shall respectively be in lieu of the Tolls and Duties now payable in respect of Goods and Passengers landed or embarked at or from the said Quay or Landing Place, and the same shall no longer be demanded or taken.

Not to deprive the Corporation of their Right to Tolls.

IV. Provided always, and it is hereby further enacted, That nothing herein contained shall deprive the said Mayor, Jurats, and Common Councillors of their Right to demand and receive all Tolls and Duties now due and payable at the old Quay or Landing Place, until the Works hereby authorized shall have been completed.

Exempting Soldiers, Sailors, &c.

V. Provided always, and be it further enacted, That nothing in this Act contained shall authorize or empower the said Corporation to ask, demand, receive, or recover any Rate, Toll, or Duty of or from

from or for or in respect of any Soldier or Sailor while on Duty in His Majesty's Service, who shall land from or embark in any such Ship, Hoy, Packet, or other Vessel so carrying Passengers as aforesaid, nor for or in respect of any Ordnance, Barrack, Commissariat or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces.

Tolls to be collected by Masters of Vessels, and paid by them to the Corporation.

VI. And be it further enacted, That the said Toll or Duty so charged upon such Passengers shall and the same is hereby required to be collected and received by the Master of the Ship, Hoy, Packet, or other Vessel carrying such Passenger or Passengers, or by the Person for the Time being acting as such, or having the Charge thereof, before the Departure of such Passenger or Passengers from on board such Ship, Hoy, Packet, or other Vessel; and shall be, by such Master or Person as aforesaid, within the Space of Seven Days paid over to the Chamberlain of or some other Collector or Person to be appointed by the said Corporation for the Time being.

Masters of Ships liable for Duties.

VII. And to prevent Frauds be it further enacted, That from and after the Completion of the Works hereby authorized to be made, all such Masters of Ships, Hoys, Packets, or other Passage Boats or Vessels, or other Persons acting as such, shall be liable to the Toll or Duty by this Act imposed in respect of every Passenger landed from or embarked in any such Ship, Hoy, Packet, or other Vessel as aforesaid, whether such Toll or Duty in respect of Passengers shall have been charged and demanded, or collected or received by such Masters, or other Persons acting as such, or not, upon Proof only of such Passenger having been on board.

Allowance to Master on the Amount of Duty received.

VIII. Provided always, and be it further enacted, That it shall be lawful for the said Mayor, Jurats, and Common Councillors, and they are hereby authorized and required, to allow to all such Masters of such Ships, Hoys, Packets, and other Vessels, or other Person acting as such, at and after the Rate of One Shilling in the Pound upon the Amount of the aforesaid Toll or Duty on Passengers, by such Masters respectively received and duly accounted for.

Rates specified in Schedule to be taken for Goods.

IX. And be it further enacted, That it shall and may be lawful for the said Mayor, Jurats, and Common Councillors, or such Person or Persons as they shall appoint, and they are hereby authorized and empowered from Time to Time, and at all Times hereafter, to ask, demand, take, collect, receive, and recover, for or in respect of any Goods, Wares, or Merchandize, Baggage, Parcels, or other Article whatsoever, landed or embarked at the said Quay or Landing Place, hereby authorized to be made, enlarged, or improved, the several Rates, Tolls, and Duties mentioned in the Second Schedule hereunto annexed.

Power to recover Tolls on Passengers.

X. And be it further enacted, That if any Owners or Part Owners, or Masters, or other Persons acting as such, shall refuse or neglect to give in to the Chamberlain of the said Mayor, Jurats, and Common

mon Councillors, a Bill of Lading or List of the Number of his Passengers, or shall refuse or neglect to pay the Tolls or Duties in respect of such Passengers hereby made payable, it shall be lawful for any One of His Majesty's Justices of the Peace for the County of *Kent*, or for the said Villages and Parishes of *Gravesend* and *Milton*, within their respective Jurisdiction, and he is hereby authorized and required, by Writing under his Hand, on Complaint made to him by the Chamberlain of the said Mayor, Jurats, and Common Councillors, or by any Officer or other Person to be appointed by the said Mayor, Jurats, and Common Councillors to receive the same, to summon such Owner or Part Owner, or Master, or other Person acting as such, who shall have refused or neglected as aforesaid, to appear at a Time and Place to be mentioned in such Summons, before such Justice, or before any other Justice of the Peace who shall be then and there present, the said Chamberlain, or other Officer or Person to be appointed as aforesaid, having previously made Oath that he had applied to such Owner or Part Owner, or Master, or other Person acting as such, for Payment of the same, and that the same was then in arrear and unpaid; and all and every such Summons and Summonses shall be served upon all and every Owner or Part Owner, or Masters, or other Persons acting as such, so refusing or neglecting to pay as aforesaid, either by delivering the same to the Person or Persons thereby intended to be summoned, or by leaving the same at his, her, or their last or usual Place or Places of Abode, or on board the Vessel of which such Person so to be summoned is Owner or Master, or acting as such; and if any Owner, Part Owner, or Master, or other Person so summoned as aforesaid, shall refuse or neglect to attend at the Time and Place mentioned in such Summons, or if he or she shall attend, and shall not show good or sufficient Cause to the Justice or Justices who may then and there be present, that he or she is not chargeable with such Tolls or Duties, then and in every such Case such Person shall pay the Tolls or Duties in respect of which such Summons was issued, and also the Costs and Charges of such Summons; and in all Cases where such Tolls or Duties shall not be paid upon the Return of such Summons, it shall be lawful for the Justice who shall have signed and issued such Summons or Summonses, or for any other Justice of the said County, or of the said Villages and Parishes, and he is hereby authorized and required, upon Oath or Affirmation made before him of the due Service of such Summons or Summonses, by the Person who shall have served the same, and upon Proof on Oath that such Tolls or Duties is or are actually due and owing, to grant a Warrant under his Hand and Seal, authorizing or directing any such Person appointed to collect such Tolls or Duties as aforesaid, or other Person or Persons, to levy such Tolls or Duties, and all Arrears thereof, and the said Costs and Charges of the Summons (if the same shall not have been paid before), and the Costs and Charges of every such Warrant, and also the Costs, Charges, and Expences of executing the same, by Distress of the Tackle, Apparel, and Furniture of any Ship, Hoy, Packet, or other Vessel of or belonging to or under the Charge of the Person or Persons so neglecting or refusing; and if within Five Days next after any Distress shall have been made the said Tolls or Duties, with all Arrears due thereon, together with all the Charges

for the said Warrant, and the Charges and Expences of executing such Warrant, and of making such Distress, and of keeping such Goods and Chattels, shall not be paid, then the said Person appointed to collect as aforesaid, or other Person authorized by the said Warrant, shall cause the said Goods and Chattels to be appraised by some Appraiser, and to be sold, or such Part or Parts thereof as in his or their Judgment shall be sufficient to pay the said Tolls or Duties, together with all Arrears due thereon, and the Costs, Charges, and Expences of the said Summons, Warrant, Distress, removing and keeping Possession as aforesaid of such Goods and Chattels so distrained, and the reasonable Costs, Charges, and Expences of appraising and selling the same, and shall return the Overplus (if any) to the Owner or Owners of such Goods and Chattels respectively, upon Demand thereof made by him, her, or them: Provided always, that if any Person so summoned before any of the Corporate Magistrates of the Villages and Parishes of *Gravesend* and *Milton* shall, upon appearing according to the Exigency of such Summons, desire that the Subject of Complaint shall be heard and determined before some Magistrate of the County at large, then and in any such Case the Parties so summoned shall be at liberty to claim such Hearing accordingly before such County Magistrate, who is hereby authorized and empowered to hear and determine the same according to the Provisions of this Act.

Proviso.

Form of Warrant of Distress.

XI. And be it further enacted, That every Warrant of Distress for the Nonpayment of such Toll to be made under this Act shall be in the Words or to the Effect following:

'To the Collector or Collectors of the Tolls or Duties to wit charged and made payable in respect of Persons using the Ferry or Passage between the Town of *Gravesend* and the City of *London*, and to all Constables and other Officers acting for [*here insert the Jurisdiction*]:

'WHEREAS the under or herein-after mentioned Persons [*or* Person] were and are [*or* was and is] liable to a Sum [*or* several Sums] of [*here insert the Amount of the Tolls*] due under and by virtue of an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled [*here insert the Title of this Act*]: And whereas the said Persons [*or* Person] have [*or* has] refused or neglected to pay the said several Sums [*or* the said Sum] of Money, and the said several Sums [*or* the said Sum] are [*or* is] still remaining due, in arrear and unpaid, as appeareth upon Oath to me One of His Majesty's Justices of the Peace for the said [*here insert the Jurisdiction*]; and the said several Persons [*or* Person] having been summoned to appear before me to answer the Premises, as also appeareth to me the said Justice upon Oath; and the said several Persons [*or* Person] so summoned [*or* any of them] not having shewn any sufficient Cause why such Sums [*or* Sum] of Money shall not be paid; These are therefore in His Majesty's Name to will and require you, or any of you, forthwith to levy the said several Sums [*or* Sum] so due from the said Persons [*or* Person] as aforesaid, by Distress and Sale of the Tackle, Apparel, or Furniture of any of their [*or* his *or* her] respective

'Ships, Hoys, Packets, or other Vessels, such Tackle, Apparel, or 'Furniture being kept for the Space of Five Days before the same 'are sold, rendering to them respectively [*or* him *or* her] the Over-'plus (if any), the reasonable Charges of such Distress, Sale, and 'Keeping being first deducted; and if no sufficient Distress can be 'had or taken, then that you certify the same, to the end that such 'Proceedings may be had therein as to the Law do appertain: And I 'do hereby strictly charge and command all and singular the said 'Constables and other His Majesty's Peace Officers to be aiding 'and assisting in all things relating to the Premises. Given under 'my Hand and Seal, this Day of in the Year of our 'Lord .'

Masters of Boats, &c. to give an Account in Writing to the Collectors, of Passengers on board.

XII. And for the more easy collecting the said Tolls or Duties hereby granted and directed to be paid, be it further enacted, That the Master, Owner, or other Person having the Care or Charge of, or navigating any Ship, Hoy, Packet, or other Vessel passing along the said Ferry or Passage, or any Part thereof, shall give a just and true Account, in Writing signed by him, to the Collectors of the said Tolls or Duties, or other Officers or Persons to be appointed in pursuance of this Act, at the Place or Places where they shall attend for that Purpose, of the Number of Passengers which shall have been carried in such Ship, Hoy, Packet, or other Vessel, at any Place upon the said Ferry or Passage within the said Villages or Parishes or either of them; and in case any such Master, Owner, or other Person shall neglect or refuse to give such Account to such Collector or Collectors, if demanded, or shall give a false Account, every Person so offending shall forfeit and pay to the said Mayor, Jurats, and Common Councillors, for the Purposes of this Act, or their Assignees or Mortgagees, the Sum of Forty Shillings for every Passenger who shall be in such Ship, Hoy, Packet, or other Vessel, over and above the respective Tolls or Duties payable for the same.

Recovery of Rates.

XIII. And be it further enacted, That all Rates becoming due to the said Mayor, Jurats, and Common Councillors, under and by virtue of this Act, shall be paid to such Person or Persons, at such Place or Places near to the said Quay or Landing Place, and in such Manner as the said Mayor, Jurats, and Common Councillors shall in that Behalf direct or appoint; and in case of Refusal or Neglect of Payment of such Rates or any Part thereof, or any Arrears of such Rates, on Demand, to the Person or Persons who shall be appointed by the said Mayor, Jurats, and Common Councillors to receive the same as aforesaid, it shall be lawful for the said Mayor, Jurats, and Common Councillors to sue for the same by Action of Debt or upon the Case in any of His Majesty's Courts of Record; and in every such Action it shall be sufficient for the Plaintiffs to declare, that under or by virtue of a certain Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled [*here set forth the Title of this Act,*] the said Mayor, Jurats, and Common Councillors, or their Assignees or Mortgagees, as the Case may be, were lawfully possessed of or entitled to such Rates as in and by the said Action are sought to be recovered, and to allege when, where, how, and wherefore such Rates accrued and became payable to the said

said Plaintiffs; or it shall be lawful for the Person or Persons to whom such Rates or any Arrears thereof ought to be or to have been paid, and he and they is and are hereby empowered, to seize the Goods or other Things for or in respect whereof any such Rates ought to be or to have been paid, or any Part thereof, and the Ship, Hoy, Packet, or other Vessel laden therewith, and to detain such Ship, Hoy, Packet, or other Vessel, Goods or Things, until Payment of the Amount of all Rates and Arrears which at the Time of such Seizure and Distress made shall be due and owing to the said Mayor, Jurats, and Common Councillors, from the Owner or Owners of such Ship, Hoy, Packet, or other Vessel, together with reasonable Charges for such Seizure and Distress; and if such Seizure and Distress shall not be redeemed within Five Days after the taking thereof, the same shall be appraised and sold as the Law directs in Cases of Distress for Rent, any thing in this Act to the contrary thereof notwithstanding.

Power to take a Sum from Persons using the Promenade.

XIV. And whereas a certain Part of the said Quay to be enlarged as aforesaid may be made commodious for the Inhabitants of the said Town, Villages, and Parishes, and the Visitants resorting thereto during the Summer, as a Place of Resort and Recreation; and it is expedient, in consideration of the Charge and Expences which the said Mayor, Jurats, and Common Councillors will incur in enlarging and improving the same, that the said Mayor, Jurats, and Common Councillors should be allowed to take a certain Sum from Persons using the same; be it therefore further enacted, That it shall and may be lawful for the said Mayor, Jurats, and Common Councillors, and they are hereby empowered, to ask, demand, take, and receive, during the Months of *May*, *June*, *July*, *August*, *September*, and *October*, in every Year, from all Persons who shall use that Portion of the said Quay which shall be set apart as and for a Promenade, at and after the Rate of One Penny *per* Day, or, as a Composition in lieu thereof, at and after the Rate of One Shilling *per* Month, for each and every of the said Months, to be paid to the said Chamberlain or to such other Person as may be appointed as aforesaid to collect the same; and the Profits arising therefrom shall be applied to the same Purposes as the Rates and Duties granted to the said Mayor, Jurats, and Common Councillors by this Act are directed to be applied.

Power to lease Rates, &c.

XV. And be it further enacted, That it shall be lawful for the said Mayor, Jurats, and Common Councillors from Time to Time, by Writing under their Common Seal, to lease or demise all and every or any of the Rates, Tolls, and Duties hereby granted, to any Person or Persons who shall be willing to take or farm the same, for any Term not exceeding (at any one Time) Three Years from the Commencement of any Lease, for the highest Rent which can be had or gotten for the same; and every such Lease shall be valid and effectual; and the Lessee or Lessees thereof, and also such Person or Persons as such Lessee or Lessees shall appoint to collect and receive the Rates, Tolls, and Duties so let, shall, during the Continuance of every such Lease, be deemed Collectors of the Rates, Tolls, and Duties so let, and shall have the same Power and Authority for collecting and receiving the same, as if they had been appointed for that Purpose by the said Mayor, Jurats, and Common Councillors: Provided always, that public Notice of the Intention to let the said Tolls

Tolls and Duties shall be given by the said Mayor, Jurats, and Common Councillors, by Notice affixed to the Place where such Rates, Tolls, and Duties are collected, and published in some public Newspaper circulated in the said County of *Kent*, at least Ten Days prior to the Time at which the said Tolls and Duties are proposed to be let as aforesaid; and that the Person or Persons agreeing to rent the same shall give satisfactory Security to the said Mayor, Jurats, and Common Councillors, by Articles in Writing, for the due Payment of such Rent to the Chamberlain of the said Corporation for the Time being; and every Certificate of Payment of such Rates, Tolls, and Duties, by any Master or Person acting as such, or other Person having the Rule or Command of any Ship or Vessel, signed by the Person or Persons renting such Rates, Tolls, and Duties, shall be deemed and taken to be a good and sufficient Discharge for the same; and in case of Nonpayment of any of such Rates, Tolls, and Duties, the same shall be recoverable by the Person or Persons renting the same for the Time being, in his or their own Name or Names, by the same Ways and Means, and with such and the same Penalties as the same would otherwise be recoverable by the said Mayor, Jurats, and Common Councillors.

Corporation may raise Money by Mortgage.

XVI. And for the more speedy raising Money for the Purposes of this Act, be it further enacted, That it shall be lawful for the said Mayor, Jurats, and Common Councillors, and they are hereby empowered, from Time to Time, when they shall judge necessary, to borrow and take up at Interest any Sum or Sums of Money, not exceeding in the whole the Sum of Seven thousand Pounds, upon the Credit of the Rates, Tolls, or Duties by this Act granted and authorized to be levied for the Purposes of this Act, and by Writing under their Common Seal to mortgage or assign all or any of the said Rates, Tolls, or Duties, to the Person or Persons who shall advance and lend such Money, or to his or their Trustee or Trustees, as a Security for the Money so to be borrowed, together with Interest for the same; and the Charges and Expences of such Mortgages or Assignments shall be paid by the said Mayor, Jurats, and Common Councillors, out of the Money so advanced; and every such Mortgage or Assignment may be in the Words or to the Effect following; (*videlicet*,)

Form of Mortgage.

'BY virtue of an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled [*here insert the Title of this Act*,] we, the Mayor, Jurats, and Common Councillors of the Villages and Parishes of *Gravesend* and *Milton* in the County of *Kent*, by virtue of the said Act, in consideration of the Sum of advanced and lent by *A. B.* [*insert the Name, Place of Abode, and other necessary Addition*,] to us, upon the Credit and for the Purposes of the said Act, do grant and assign unto the said *A. B.*, his Executors, Administrators, and Assigns, [*or* to his or her Trustee or Trustees,] such Proportion of the Rates, Tolls, or Duties 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 or become due and owing or charged upon the Credit of the said Act; to be had and holden from this Day until the said

'Sum of with Interest at the Rate of Five Pounds *per* '*Centum per Annum* for the same, to be paid half-yearly, shall be 'repaid and satisfied. Given under our Common Seal, this 'Day of in the Year of our Lord .'

And every such Mortgage or Assignment shall be numbered, commencing with number One, and so proceeding in arithmetical Progression ascending, whereof the common Excess or Difference shall always be One; and every such Security shall be good, valid, and effectual in the Law, and shall entitle the Person or Persons to whom the same shall be granted, his, her, or their Executors, Administrators, and Assigns, to the Payment thereof, and to all Profit and Advantage arising therefrom, according to the true Intent and Meaning of this Act.

Money may be raised by way of Annuity.

XVII. Provided always, and be it further enacted, That in case the said Mayor, Jurats, and Common Councillors shall think it advisable to raise all or any Part of the said Sum of Seven thousand Pounds by the granting of Annuities out of the said Tolls or Duties, for the Life or Lives of any Person or Persons, it shall be lawful for the said Mayor, Jurats, and Common Councillors, and they are hereby authorized and empowered, by any Writing or Writings under their Common Seal, to grant any Annuity or Annuities to any Person or Persons who shall contribute, advance and pay to the said Mayor, Jurats, and Common Councillors any Sum or Sums of Money for the absolute Purchase of any such Annuity or Annuities, to be paid and payable during the natural Life of every such Contributor, or the natural Life of every such Person as shall be nominated by or on the Behalf of such Contributor at the Time of the Payment of his or their Contribution or Purchase Money, and either with or without Benefit of Survivorship; and the Expence of any such Grant of Annuity shall be defrayed by the said Mayor, Jurats, and Common Councillors, out of the Money so advanced; and the Grant of such Annuity shall be in the Words or to the Effect following:

Form of Annuity.

'WE, the Mayor, Jurats, and Common Councillors, acting in the 'Execution of an Act passed in the Ninth Year of the Reign 'of His Majesty King *George* the Fourth, intituled [*here insert the* '*Title of this Act,*] in consideration of the Sum of 'paid to us by *A.B.* for the Purposes of the said Act, do hereby 'grant unto the said *A.B.*, his Executors, Administrators, and 'Assigns, [*or if by Survivorship,* unto and the Sur-'vivors and Survivor of them,] an Annuity or yearly Sum of 'out of the Tolls or Duties arising by virtue of the 'said Act; which Annuity or yearly Sum of shall 'be paid to the said his Executors, Administrators, 'or Assigns, on the Day of in every Year 'during his natural Life, [*or if by Survivorship,* unto and amongst 'them the said and the Survivor and Survivors 'of them,] and the first Payment thereof shall be made on the 'Day of next ensuing the Date hereof. 'In witness whereof we have hereunto set our Common Seal, 'the Day of in the Year of our 'Lord .'

XVIII. And

Restrictions as to Grants of Annuities.

XVIII. And for preventing any improvident Grant of Annuities under this Act, be it further enacted, That the Amount of every Annuity to be granted by virtue of this Act shall be regulated according to the Price of the Three Pounds *per Centum* Consolidated Bank Annuities at the Time of granting the same, in the Manner and according to the Rate prescribed by Two several Acts of Parliament, the one passed in the Forty-eighth Year of the Reign of King *George* the Third, intituled *An Act for enabling the Commissioners for the Reduction of the National Debt to grant Life Annuities*; and the other passed in the Fifty-second Year of the Reign of His said late Majesty, intituled *An Act for amending Two Acts passed in the Forty-eighth and Forty-ninth Years of His late Majesty, for enabling the Commissioners for the Reduction of the National Debt to grant Life Annuities*; and every such Grant shall be a good, valid, and effectual Security in Law for the Payment of such Annuity; and all Annuities so to be granted as aforesaid shall be and the same are hereby charged upon, and shall be payable and be paid, free from all Charges and Deductions, out of such of the Rates, Tolls, or Duties by this Act granted as in such Grant of Annuity shall be mentioned.

48G.3.c.142.

52G.3.c.129.

Annuities charged upon the Tolls.

Securities may be transferred.

XIX. And be it further enacted, That it shall be lawful for the Persons entitled to any such Securities for the Money borrowed, or for the Annuities granted as aforesaid, by Writing under their Hands, to transfer the same respectively to any Person or Persons, according to the Form following, or in any other Form of Words to the like Purport and Effect (as the Case may be); *videlicet*,

Form of Transfer.

'I *A. B.* being entitled to the Sum of [*or* Annuity of *as the Case may be*,] by virtue of an Assignment [*or* Grant of an Annuity] bearing Date the Day of under the Common Seal of the Mayor, Jurats, and Common Councillors of the Villages and Parishes of *Gravesend* and *Milton* in the County of *Kent*, acting in the Execution of an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act* [*here set forth the Title of this Act*], upon the Credit of the Rates, Tolls, or Duties authorized to be raised and collected for the Purposes of the said Act, do hereby transfer all my Right, Title, and Interest in and to the said Sum [*or* Annuity], and all Interest and other Money now due and owing thereon, and all Benefit and Advantage to be had or made thereby, to *C. D.*, his Executors, Administrators, and Assigns. Dated the Day of in the Year of our Lord .'

Securities to be entered in a Book.

XX. And be it further enacted, That a Book shall be provided by the said Mayor, Jurats, and Common Councillors, and be kept by the Town Clerk, in which Book Entries or Memorials of all Mortgages or Assignments and Grants of Annuities which shall be made in pursuance of this Act, and of all Transfers thereof, shall be entered, expressing in Words at Length the Names, Additions, and Places of Abode, and other necessary Descriptions, of all such Persons as shall from Time to Time be entitled to the Principal Money and Interest, or to the Annuities thereby respectively secured, and the

Dates

Dates of such Securities, and the Sums thereby secured; to which Book or Books any Person interested shall at all reasonable Times have Access, and free Liberty to inspect the same, without Fee or Reward; and for the Entry of every such Transfer or Assignment the said Clerk shall be paid, by the Person or Persons to whom such Transfer or Assignment shall be made, the Sum of Two Shillings and Sixpence and no more; and every such Transfer or Assignment, after such Entry as aforesaid, and not till then, shall entitle the Person or Persons to whom the same shall be made, and his, her, or their Executors, Administrators, or Assigns, to the Benefit of the Security or Grant thereby transferred; and it shall not be in the Power of the Person or Persons who shall have made such Transfer to make void, release, or discharge the same, or any Money due thereon; and all Persons to whom such Mortgages, Assignments, or Grants of Annuity shall be made, or who shall be entitled to the Money or Annuities thereby secured, shall be, in proportion to the Sums therein respectively mentioned, Creditors on the said Rates, Tolls, and Duties, equally one with another, without any Preference in respect of the Priority of advancing such Monies, or the Debts of any such Mortgages, Assignments, or Grants respectively.

Application of Rates.

XXI. And be it further enacted, That all Monies to be raised or collected by the said Mayor, Jurats, and Common Councillors, under and by virtue of this Act, shall be applied, in the first place, in paying and discharging all the Expences attending the obtaining and passing this Act, or incident thereto, and in the next place, in paying and discharging all Interest which may become due on any Money to be borrowed, and in the Payment of any Annuity or Annuities to be granted by the said Mayor, Jurats, and Common Councillors, under the Authority of this Act, and afterwards in the Payment of the Costs, Charges, and Expences of rebuilding, widening, extending, carrying on, completing, and finishing, maintaining, regulating, repairing, and preserving the said Quay or Landing Place and Promenade, and the Works belonging thereto; and when all such Payments shall have been paid and satisfied, then the Surplus of the said Rates and Tolls, after deducting thereout the Sum of Sixty Pounds annually, being the Average yearly Amount of the present Tolls, shall be by the said Mayor, Jurats, and Common Councillors annually set apart as a Sinking Fund, for the Purpose of defraying the Expences of any such future Repairs or Improvements of the said Quay or Landing Place and Promenade, and Works belonging thereto, as the said Mayor, Jurats, and Common Councillors shall from Time to Time think necessary and proper; and in the meantime such Surplus shall be invested in the Public Funds, or in the Purchase of any Government Securities, in the Name of the Corporation of *Gravesend* and *Milton*, and the Interest or other Produce arising therefrom shall be added thereto, and accumulate and make Part of such Fund for the Purposes aforesaid: Provided always, that when such Sinking Fund and Accumulation shall amount to the Sum of Two thousand Pounds Three *per Cent.* Consolidated Bank Annuities, no further Part of such surplus Revenue shall be added thereto, until the Application of some Part thereof to the Purposes intended shall have reduced the same below the said Sum of Two thousand Pounds

Pounds Three *per Cent.* Consolidated Bank Annuities, and then only from Time to Time for the raising of the said Sinking Fund again to that Amount.

Surplus to be applied to pay off the Debt.

XXII. Provided also, and be it further enacted, That when such Sinking Fund and Accumulation shall amount to the Sum of Two thousand Pounds Three *per Cent.* Consolidated Bank Annuities, all the surplus Revenue beyond what may be necessary from Time to Time for Payment of such Interest, Dividends, Annuities, and Expences as aforesaid, and keeping up such Sinking Fund to the said Amount of Two thousand Pounds Three *per Cent.* Consolidated Bank Annuities as aforesaid, shall be applied to pay off the Principal Monies due and owing on the Credit of the Rates and Duties payable under the Provisions of this Act; and when and so soon as the whole of the Principal Monies due and owing under this Act, and all Interest incident thereto, shall have been fully discharged, then the said personal Tolls or Duties hereby granted shall cease, and from thenceforth be no longer payable.

Rates, &c. may be reduced.

XXIII. Provided always, and be it further enacted, That it shall be lawful for the said Mayor, Jurats, and Common Councillors, from Time to Time and as often as they shall see fit, to lessen and reduce all or any of the Rates, Tolls, and Duties hereby authorized to be taken for or in respect of any Articles, Matters, or Things which shall be conveyed upon the said Ferry or Passage, or upon any Part thereof; and afterwards from Time to Time again to raise, advance, and vary the same, or any of them, so as not at any Time to exceed the Amount hereby authorized to be taken.

Accounts to be annually laid before the Quarter Sessions, and also before the Vestries of Gravesend and Milton.

XXIV. And be it further enacted, That the Chamberlain for the Time being of the said incorporated Villages and Parishes shall annually lay or cause to be laid before the Court of Quarter Sessions for the Western Division of the County of *Kent*, and also before a Vestry of the respective Parishes of *Gravesend* and *Milton* aforesaid, a true and detailed Account of the Receipt and Application of all Monies which shall be received by the said Mayor, Jurats, and Common Councillors by virtue of this Act; and in every such Account shall be set forth what Alteration (if any) shall have been made in any of the Rates, Tolls, or Duties made payable by this Act, under the Penalty of One hundred Pounds for every Omission.

Power to make Bye Laws and Regulations.

XXV. And be it further enacted, That it shall be lawful for a Committee of Seventeen Persons, to consist of the Mayor and Six Jurats or Common Councillors for the Time being of the said Villages and Parishes, with Five Inhabitants from each of the said Parishes of *Gravesend* and *Milton*, assessed to the Poor Rates, and to be appointed at Vestries of the said Parishes respectively next before the Meeting herein-after provided, and which said Committee shall be duly convened by Notice to be given in some public Newspaper published in the County of *Kent* at least Ten Days prior to the Meeting, and also to be affixed on the Church Doors of the respective Villages and Parishes aforesaid, to make such Bye Laws, Rules,

Orders, and Regulations, for the Security, Safety, and Convenience of Ships, Hoys, Packets, and other Vessels, Boats, and Craft coming into or being or lying in the Shelter of the said Quay or Landing Place, and for the greater Accommodation and Convenience of Persons landing from any such Ships, Hoys, Packets, Vessels, Boats, or Craft, or of Passengers who may be landed from any Ship, Hoy, Packet, Vessel, or Boat, and for the loading, unmooring, and mooring Vessels and Craft, and for the effectually preserving the Works to be done in pursuance of this Act, and for the better governing and regulating Porters, Carters, Carmen, and others carrying Goods, or using or driving Horses, Waggons, Carts, Drays, Trucks, Sledges, or other Carriages, to or from the said Quay, Wharf, or Landing Place belonging or to belong thereto, and for keeping clear and unincumbered the same, and for removing and preventing Nuisances thereon, (such Bye Laws, Rules, Orders, or Regulations not being repugnant to the Laws of that Part of the United Kingdom called *England*, or to the Provisions of this Act, nor made by a less Number than Five of the said Committee,) and to impose reasonable Fines and Penalties for the Breach or Non-observance of such Bye Laws, Rules, Orders, and Regulations, (so as no Penalty shall exceed the Sum of Five Pounds for any One Offence): Provided always, that such Bye Laws, Rules, Orders, and Regulations shall be subject to Appeal in manner herein-after mentioned.

Directing what shall be good Service of Notice on the Corporation.

XXVI. And be it further enacted, That in all Cases wherein it may be necessary or requisite for any Person or Party to serve any Summons, or any Notice, or any Writ or other Proceeding at Law or in Equity, upon the said Mayor, Jurats, and Common Councillors, Service thereof respectively upon the Chamberlain to the said Corporation for the Time being, or left at his usual Place of Abode, or at his Office, or if the same be not known or discovered, then Service upon any of the said Mayor, Jurats, and Common Councillors, or left at his last or usual Place of Abode, or upon any Agent or other Officer employed by the said Mayor, Jurats, and Common Councillors, or left at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same on the said Mayor, Jurats, and Common Councillors, and their Successors.

Conviction of Offenders.

XXVII. And for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That all and every Justice and Justices of the Peace before whom any Person shall be convicted of any Offence against this Act shall and may cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the like Effect; (that is to say,)

Form of Conviction.

'} BE it remembered, That on the Day of
'to wit. } in the Year of our Lord One thousand eight
'hundred and *A.B.* is convicted before me *C.D.* [*or* before me
'*C.D.* and *E.F.*, [One *or* Two,] *as the Case may be*], of His Majesty's
'Justices of the Peace for the said [*here insert the Jurisdiction, and*
'*specify the Offence, and when and where committed*], contrary to an
'Act passed in the Ninth Year of the Reign of King *George* the
'Fourth, intituled [*here insert the Title of this Act*]; for which
'Offence

'Offence I [*or* we] adjudge the said *A.B.* to have forfeited the Sum 'of . Given under my Hand and Seal [*or* our Hands 'and Seals], the Day and Year first above written.'

Distress not unlawful for Want of Form.

XXVIII. And be it further enacted, That where any Distress shall be made by virtue of this Act, the Distress itself shall not be deemed unlawful, nor shall 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 in the Appointment of the Officer or Officers, or any Proceedings relating thereto; nor shall the Party or Parties be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall be afterwards committed in making the Distress.

Penalties how to be recovered.

XXIX. And be it further enacted, That all Fines, Penalties, and Forfeitures inflicted or imposed by this Act, (the Manner of levying and recovering whereof is not hereby particularly directed,) and also all Penalties, Forfeitures, and Fines for Offences against any Rule, Bye Law, or Order to be made in pursuance of this Act, (which Rule, Bye Law, or Order to be made in pursuance of this Act, when produced, all Justices are hereby required to notice,) may, in case of Nonpayment thereof, be recovered in a summary Way by the Order and Adjudication of some Justice or Justices of the Peace for said County of *Kent*, or for the said Villages or Parishes within their respective Jurisdictions, on Complaint to him or them for that Purpose exhibited, and afterwards be levied, as well as the Costs of such Proceedings on Nonpayment, by Distress and Sale of the Goods and Chattels of the Offender or respective Offenders, or Person or Persons liable to pay the same, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices, who is and are hereby authorized and required to summon and examine any Witness or Witnesses upon Oath, of and concerning such Offences, Matters, and Things, and hear and determine the same; and the Overplus (if any) of the Money raised or recovered, after discharging the Fine, Penalty, or Forfeiture for which such Warrant shall be issued, and the Costs and Expences of recovering and levying the same, shall be rendered to the Owner or Owners of the Goods and Chattels so seized and distrained; and one Half of the Penalties and Forfeitures, when recovered, shall be paid to the Informer, and the other Half to the said Mayor, Jurats, and Common Councillors, to be by them applied to and for the Purposes of this Act; and in case such Penalties and Forfeitures shall not be forthwith paid, it shall and may be lawful for the said Justice and Justices to order the Offender so convicted to be detained in safe Custody until Return can conveniently be made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice or Justices, on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Eight Days from the Time of taking any such Security, and which Security the said Justice or Justices is and are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant or Warrants it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Penalties,

Penalties, and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of any Justice or Justices, upon the Confession of the Offender or Offenders, or otherwise, that he, she, or they hath or have not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Costs, and Expences can be levied if a Warrant of Distress was issued, such Justice or Justices shall not be required to issue such Warrant of Distress, and thereupon it shall be lawful for such Justice or Justices, and he and they is and are hereby required and empowered, by Warrant or Warrants under his Hand and Seal or their Hands and Seals, to commit such Offender or Offenders to the Common Gaol or House of Correction of the County of *Kent*, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless such Penalty or Penalties, and all Costs and Charges incident to and attending such Proceedings as aforesaid, to be ascertained by such Justice or Justices, shall be sooner paid or discharged; and the Monies arising by such Penalties, Forfeitures, and Fines respectively, when paid and levied, if not otherwise directed to be applied by this Act, shall be paid to the Chamberlain of the said Corporation, and applied to the Purposes of this Act.

Justices may proceed by Summons in the Recovery of Penalties.

XXX. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeitures is made recoverable by Information before any Justice of the Peace, it shall be lawful for the Justice of the Peace before whom Complaint shall be made for any Offence committed against this Act, to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed in the Recovery of the same, although no Information in Writing shall have been exhibited or taken before such Justice; and all such Proceedings by Summons, without Information in Writing, shall be as good, valid, and effectual, to all Intents and Purposes, as if an Information in Writing were exhibited.

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

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

Collectors of Rates not incompetent to give Evidence.

XXXII. And be it further enacted, That in case any Complaint, Dispute, Suit, or Litigation shall arise touching or in anywise relating to the said Rates, Tolls, or Duties, or any of them, or any Offence committed against this Act, the Person or Persons appointed to collect such Rates, Tolls, or Duties, and other Person or Persons acting under the Authority of the said Mayor, Jurats, and Common Councillors,

Councillors, shall not on that Account be disqualified from giving Evidence in any such Dispute, Suit, or Litigation.

Inhabitants may be Witnesses.

XXXIII. And be it further enacted, That in all Actions, Prosecutions, Informations, Causes, and Proceedings whatsoever, relating to or concerning the Execution of this Act, any Inhabitant of the said Town, Villages, and Parishes, shall be admitted and allowed to give Evidence, notwithstanding his or her being charged with or liable to pay any Rate, Toll, or Duty by virtue of this Act.

Appeal to Quarter Sessions

XXXIV. Provided always, and be it further enacted, That if any Body Politic, Corporate, or Collegiate, or any Person or Persons whomsoever, shall think himself, herself, or themselves aggrieved by any Rule, Bye Law, Order, or Regulation made by the said Mayor, Jurats, Common Councillors and Freemen, or by any Order or Judgment of the said Mayor, Jurats, and Common Councillors, or by the Order or Determination of any Justice of the Peace in pursuance of this Act, such Body Politic, Corporate, or Collegiate, or Person or Persons respectively, may appeal to the Mayor of the said Villages and Parishes of *Gravesend* and *Milton*, or to the Justices at any General or Quarter Sessions of the Peace to be holden for the said County of *Kent*, at the Option of the Person or Persons aggrieved, within Four Calendar Months next after the Cause of Complaint shall have arisen, the Person or Persons appealing having first given at least Ten clear Days Notice in Writing of such Appeal, and of the Nature and Matter thereof, to the Person or Persons appealed against, or to the Chamberlain or Clerk to the said Mayor, Jurats, and Common Councillors, as the Case may be, and forthwith after such Notice entering into a Recognizance before the said Mayor, or before some Justice of the Peace for the said County, with Two sufficient Sureties, conditioned to try such Appeal, and to abide the Order and Award of the said Court thereon; and the said Mayor, or the said Justices, upon due Proof of such Notice and Recognizance having been given and entered into, shall, in a summary Way, hear and determine such Complaint; and shall and may, upon the Determination of the said Appeal, award such Satisfaction to be made to the Party injured, or such Costs to either of the Parties, as they shall judge reasonable and proper; and all such Determinations of the said Mayor, or of the said Justices, shall be final, binding, and conclusive upon all Parties, to all Intents and Purposes whatsoever.

Proceedings not to be quashed for Want of Form.

XXXV. And be it further enacted, That no Verdict, Judgment, or other Proceeding touching or concerning the Conviction of any Offender or Offenders against this Act, or any Order made, or any other Matter or Thing to be done or transacted in or relating to the Execution of this Act, shall be quashed or vacated for Want of Form only, or be removed or removable by Certiorari, or any Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*, except as herein-before mentioned; any Law or Statute to the contrary thereof in anywise notwithstanding: Provided always, that no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons for any thing done in pursuance of this Act, unless Notice in Writing, signed by his, her, or their

Plaintiff not to recover after Tender of Amends.

their Attorney, shall have been given to the Defendant or Defendants, at least Ten Days before such Action shall have been commenced, of such intended Action; nor shall the Plaintiff or Plaintiffs recover in any such Action if Tender of Amends shall have been made to him, her, or them, or to his, her, or their Attorney, by or on the Behalf of the Defendant or Defendants, before such Action brought; and in case no such Tender of Amends shall have been made, it shall and may be lawful for the Defendant or Defendants (by Leave of the Court), 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, Orders, and Judgments shall be made and given in and by such Court, as is or shall be practised in other Actions where Defendants are allowed to pay Money into Court.

In case of Nonpayment of Compensation for Damages, &c. by the said Mayor the same to be levied by Distress of the Goods vested in them or their Treasurer.

XXXVI. And be it further enacted, That when and as often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace, in pursuance of the Directions of this Act, as or by way of Compensation or Satisfaction for any Materials or Costs, or for any Damage, Spoil, or Injury of any Nature or Kind whatsoever, done or committed by such Mayor, Jurats, and Common Councillors, or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Mayor, Jurats, and Common Councillors to the Party or Parties entitled to receive the same, within Ten Days after Demand in Writing shall have been made to the said Mayor, Jurats, and Common Councillors, or their Chamberlain or Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, and in which Demand the Order of such Justice or Justices shall be stated, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Mayor, Jurats, and Common Councillors, or of the Goods and Chattels of their Chamberlain or Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices, which Warrant any such Justice or Justices is and are hereby authorized and required to grant, under his Hand and Seal or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned, on Demand, to the said Mayor, Jurats, and Common Councillors, or to their Chamberlain or Treasurer for the Time being, as the Case may be: Provided always, that it shall and may be lawful for such Chamberlain or Treasurer to retain, out of any Monies which he shall have received or shall receive in pursuance of this Act, all such Damages, Costs, Charges, and Expences as he shall have sustained or be put unto by virtue of any such Warrant as aforesaid.

XXXVII. And

Limitation of Actions.

XXXVII. And be it further enacted, That no Action against any Person or Persons, Body or Bodies, for or on account of any thing done in pursuance of this Act, shall be commenced after the Expiration of Six Calendar Months next after the Cause of Action shall arise; and every such Action or Suit shall be laid or brought in the County where such Action shall have arisen, and not elsewhere; and the Defendant or Defendants in all Actions or Suits so brought shall and may, at their, his, or her Election, either plead specially or plead 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 it shall appear to have been so done, or that such Action or Suit was brought without Ten Days Notice thereof having been given as aforesaid, or after sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County than as aforesaid, then and in every such Case the Jury shall find a Verdict for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or suffer a Discontinuance of his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, Defendant or Defendants, then the Plaintiff or Plaintiffs, Defendant or Defendants, shall and may recover Double Costs, and have the like Remedy for the same as any Plaintiff or Plaintiffs, Defendant or Defendants, hath or may have for Costs of Suit in any other Cases by Law.

The Earl of Darnley and his Heirs, &c. to be exempted from the Duties hereby imposed.

XXXVIII. And whereas the Right Honourable *John* Earl of *Darnley* is or claims to be seised or possessed of certain Lands, Tenements, or Hereditaments within the said Village and Parish of *Gravesend*, adjoining to the said River *Thames*, and the said Earl has it in contemplation to build or erect, or cause to be built or erected thereon, or on some Part thereof, certain Messuages and Tenements or Hereditaments: And whereas the said Earl also has it in contemplation to make and erect, or cause to be made or erected, a commodious Quay or Quays, Landing Place or Landing Places, and other Works and Conveniences, for the Use of himself, his Heirs or Assigns, and of his or their Tenants and Occupiers of the said Messuages or Tenements and Hereditaments: Be it therefore further enacted, That notwithstanding any thing herein-before contained, from and after the Erection of any such Quay or Quays, Landing Place or Landing Places, on the said Lands, Tenements, or Hereditaments herein-before mentioned or described, the said Earl, his Heirs and Assigns, and the Tenants and Occupiers of the said Messuages, Tenements, or Hereditaments for the Time being, and his and their respective Families and Servants, and Persons in his or their Service or Employ, by and with the Licence and Consent of the said Earl, his Heirs or Assigns, shall be and the same are hereby declared to be exempt from the Toll or Duty hereby authorized to be imposed or collected from Persons landing or embarking within the said Villages and Parishes of *Gravesend* and *Milton*, or either of them.

Saving the Rights of the City of London.

XXXIX. And be it further enacted, That nothing herein contained shall in any Manner lessen, diminish, or derogate from, or be construed

strued to lessen, diminish, or derogate from, the Rights, Powers, and Privileges heretofore enjoyed by the Lord Mayor of the City of *London* for the Time being, or by the Mayor and Commonalty and Citizens of the said City, and their Successors, as Conservators of the River *Thames*; but that the said Rights, Powers, and Privileges shall be and remain in as full Power, Force, and Authority, as if this Act had not been made.

Not to affect the Powers of the Commissioners of Sewers.

XL. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, so as to affect, alter, or abridge the Powers, Jurisdictions, and Authorities of the Commissioners appointed or to be appointed under Two several Acts, one passed in the Thirteenth Year of the Reign of His late Majesty, intituled *An Act for paving, cleansing, and lighting the* High Street, East Street, *and* West Street, *in the Town and Parishes of* Gravesend *and* Milton *in the County of* Kent, *and for lighting the other Streets, and for removing all Encroachments and Annoyances within the said Town and Parishes*; and the other in the Fifty-sixth Year of the Reign of His said Majesty, intituled *An Act for paving, lighting, and otherwise improving the Town and Parishes of* Gravesend *and* Milton *in the County of* Kent.

Public Act.

XLI. 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.

FIRST

FIRST SCHEDULE referred to by the foregoing Act.

A Messuage or Tenement and Premises, with the Outhouses and Buildings in the Rear thereof towards the River, situate and standing across the Line of High Street, in the Parish of Gravesend, Kent, heretofore in the Occupation of Richard Peen, but now unoccupied.

Seven Tenements or Shops situate on the West Side of the Town Quay, in the Parishes of Gravesend and Milton-next-Gravesend, or one of them, in the County of Kent, and now held by Tenants at Will of the Corporation of Gravesend and Milton.

The Bell House and Privy adjoining or near thereto.

SECOND SCHEDULE referred to by the foregoing Act.

		£	*s.*	*d.*
Asparagus	per Basket	[illegible]	0	4
Ditto	smaller D°	0	0	3
Beer	per Dozen Bottles	0	0	1
Beer	per Barrel	0	0	3
Bacon	per Side	0	0	1
Beef	per Quarter	0	0	3
Biscuits	per Bag	0	0	1
Bricks	per Hundred	0	0	1
Bedsteads (Mahogany)	each	0	0	3
Bedsteads (smaller)	each	0	0	2
Bottles (empty)	per Gross	0	0	6
Bottles (ditto)	per Dozen	0	0	1
Boat Slop	per Day	0	0	6
Bedding (Seaman's)	each	0	0	1
Bedding (Lascars)	each	0	0	4
Baskets (empty)	each	0	0	1
Burthen (Porters or others)	each ½ Cwt.	0	0	2
Butter	per Firkin	0	0	1
Butter	per Tub	0	0	1½
Coaches	each	0	2	0
Carts (Two Wheels)	each	0	0	6
Chaise	each	0	0	6
Corn	per Quarter	0	0	1½
Ditto	per Score	0	1	8
Coals (for Shipping)	per Chaldron	0	1	0
Coals (landed from Ships)	per Score Chaldron	0	5	0

		£	s.	d.
Coals (per Bushel)		0	0	0½
Chests (empty)	per Dozen	0	0	6
Cheese	per Cwt.	0	0	2
Calf	each	0	0	3
Canvass	per Bolt	0	0	1
Condage	per Cwt.	0	0	2
Currants	per Cwt.	0	0	2
Chairs (Mahogany)	per Dozen	0	0	6
Chairs (common)	per Dozen	0	0	4
Cases (Hat)	each	0	0	2
Cabbages	per Dozen	0	0	1
Carrots	per Hundred	0	0	1
Casks (empty)	per Barrel	0	0	1
Clothes (Lascars)	per Dozen Suits	0	0	2
Corpse	each	0	2	0
Deals	per Score	0	0	6
Earthenware	per Crate	0	0	6
Fish	per Basket	0	0	1½
Fish Machines (largest), including Load of Fish	each	0	2	0
Fish Machines (smaller), including Load of Fish	each	0	1	0
Fish Stalls for Sale of Fish previously landed on the Town Quay	each, per Day	0	0	6
Fish Stalls otherwise landed, in addition	D°	0	1	0
Fish	per Prickle or Pad	0	0	1
Fish	per Trunk	0	0	2
Fruit	per Bushel or Sieve	0	0	1
Flour	per Sack	0	0	2
Gunpowder	per Barrel	0	0	6
Gallon Keg of Spirits		0	0	1
Garden Stuff	per Bushel or Sieve	0	0	1
Glass	per Crate	0	0	6
Hides (Tanned)	per Dicker	0	1	1
Hides (Raw)	each	0	0	2
Hen Coop	each	0	0	2
Hay and Straw	per Load	0	1	0
Hops	per Bag	0	0	6
Hops	per Pocket	0	0	4
Hogs	each	0	0	2
Hams	per Cwt.	0	0	2
Hampers	reckoned at per Dozen	0	0	1
Iron	per Cwt.	0	0	2
Lemons	per Chest	0	0	3
Ditto	Half D°	0	0	2
Lead	per Cwt.	0	0	2
Leeks	per Dozen Bundles	0	0	3
Meat (not before particularized)	per Quarter	0	0	1
Oysters	per Bushel	0	0	1½
Oranges	per Chest	0	0	3
Ditto	Half ditto	0	0	2

		£	s.	d.
Pannels for Ships Cabins	per Dozen	0	0	6
Potatoes	per Barrel	0	0	2
Potatoes	per Ton	0	1	0
Poultry	per Basket	0	0	1½
Parsnips	per Hundred	0	0	1
Pack (Two Porters Load)	each	0	0	4
Ditto (One Porter's Load)	each	0	0	2
Ditto (smaller)	each	0	0	1
Provisions	per Tierce	0	0	3
Ditto (smaller)		0	0	2
Shrimp Baskets	each	0	0	4
Soap	per Cwt.	0	0	2
Salmon	per Box	0	0	2
Salmon	per Kid	0	0	1
Salt	per Sack	0	0	2
Sofas	each	0	0	3
Stoves (Registers)	each	0	0	3
Ditto (small)	each	0	0	2
Stones	per Ton	0	1	0
Shot	per Bag	0	0	1
Slops, large Packs of (Two Porters Load)	each	0	0	4
Ditto (small) One Porter's Load	each	0	0	2
Ditto (Truss)	each	0	0	1
Sheep	each	0	0	2
Spirits	per Dozen	0	0	2
Sugar	per Cwt.	0	0	2
Ditto (Lump)	each	0	0	1
Ditto (Loaves)	each	0	0	0½
Turbot	per Score	0	0	4
Tin	per Box	0	0	2
Tables (Dining)	each	0	0	2
Ditto (others)	each	0	0	1
Turnips	per Hundred	0	0	1
Trunk, Pormanteau, Box, or Bundle	each	0	0	1
Ditto, if a Porter's Burthen		0	0	2
Ditto, if exceeding ditto		0	0	3
Vinegar	per Half Hogshead	0	0	3
Waggons	each	0	1	0
Wool	per Pack	0	0	3
Wine	per Hogshead	0	0	6
Wine	per Dozen	0	0	2
Wood	per Fathom	0	0	6

Packages not specified, according to Bulk, not less than One Penny each, or Two-pence per Hundred Weight.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1828.

	0	0	0
	0	0	0
	0	0	0
	0	0	0
	0	1	0
	0	0	0
	0	0	0
	0	0