ANNO QUINTO

VICTORIÆ REGINÆ.

Sess. 2.

****

Cap. lviii.

An Act for amending the Acts relating to the *Gravesend* Town Quay and Pier.

[18th *June* 1842.]

WHEREAS an Act was passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for rebuilding, or for improving, regulating, and* 9 G. 4. c. 56.
maintaining, the Town Quay of Gravesend *in the County of* Kent, *and the Landing Place belonging thereto,* and for the Purposes of the said Act the Mayor, Jurats, and Common Councillors for the Time being of the Villages and Parishes of *Gravesend* and *Milton* were thereby authorized to borrow the Sum of Seven thousand Pounds: And whereas another Act was passed in the Fourth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An* 3 & 4 W. 4.
Act for amending an Act passed in the Ninth Year of the Reign of His c. 101.
late Majesty King George *the Fourth, intituled* '*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,*' *and for building a Pier or Jetty adjoining thereto,* whereby the said Mayor, Jurats, and Common Councillors were authorized to

borrow the further Sum of Twelve thousand Pounds, as therein mentioned: And whereas in the Execution of the Works authorized by the said recited Acts the said Mayor, Jurats, and Common Councillors have raised on Mortgage and expended the Whole of the said Sums of Seven thousand Pounds and Twelve thousand Pounds thereby authorized to be raised; and by reason of the increased Accommodation required for Passengers and Goods embarked and disembarked at the said Quay or Pier various Claims and Expences have arisen, and further Debts or Sums of Money have been incurred by the said Mayor, Jurats, and Common Councillors, and it is expedient that Provision should be made for paying the same, and that some of the Powers and Provisions of the said Acts should be enlarged, altered, and amended; but the 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 Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all the Provisions, Matters, and Things contained in the said recited Acts (except such of them as are repealed, altered, or otherwise provided for) shall extend to this Act, and shall be in force in respect of the Objects and Purposes of this Act, as fully and effectually as if the same Provisions, Matters, and Things were re-enacted in this Act with reference to the Objects and Purposes thereof.

Powers of former Acts extended to this Act.

Power to borrow on Mortgage.

II. And be it enacted, That it shall be lawful for the said Mayor, Aldermen, and Burgesses from Time to Time to borrow at Interest, on the Credit of the Rates, Tolls, or Duties granted by the said secondly-recited Act, any further Sum of Money not exceeding in the whole the Sum of Eleven thousand Pounds, and in the event of any Part of such Sum of Money being repaid by the said Mayor, Aldermen, and Burgesses, to re-borrow the same, and so *toties quoties;* and for securing the Repayment of the Monies so authorized to be borrowed, with Interest, the said Mayor, Aldermen, and Burgesses may assign over the said Rates, Tolls, or Duties, or any Part thereof, to the Person who shall advance or lend such Money, or his Trustee, as a Security for the Repayment of the Money so to be borrowed, together with Interest for the same.

Mortgages to be stamped, &c.

III. And be it enacted, That every such Mortgage or Assignment shall be by Deed duly stamped, in which the Consideration shall be duly stated, and every such Deed shall be under the Common Seal of the said Mayor, Aldermen, and Burgesses.

Mortgages to be without Preference.

IV. And be it enacted, That all Persons to whom such Mortgages or Assignments shall be made, or who shall be entitled to the Monies thereby secured, shall, in proportion to the Sums therein respectively mentioned, be Creditors on the said Rates, Tolls, or Duties equally one with another, without any Preference in respect of the Priority of advancing such Monies, or of the Dates of any such Mortgages or Assignments respectively.

V. And

Mayor, &c. may raise Money by Annuity.

V. And be it enacted, That it shall be lawful for the said Mayor, Aldermen, and Burgesses to raise all or any Part of the Money to be borrowed for the Purposes of this and the said recited Acts by granting Annuities for Lives instead of Assignments as aforesaid, and for that Purpose to charge the Rates, Tolls, or Duties granted by the said recited Acts, or either of them, with an Annuity to determine on a Life or Lives in being in favour of any Person who shall advance to the said Mayor, Aldermen, and Burgesses any Sum of Money for the Purchase of the same.

Annuity to be stamped, &c.

VI. And be it enacted, That every such Grant of Annuity shall be by Deed duly stamped, in which the Consideration shall be truly stated, and shall be made under the Common Seal of the said Mayor, Aldermen, and Burgesses.

Power to take up Money at a less Rate of Interest.

VII. And be it enacted, That if the said Mayor, Aldermen, and Burgesses can at any Time borrow or take up any Sums of Money for any of the Purposes of this or the said recited Acts at a lower Rate of Interest than any Securities granted under and by virtue of this and the said recited Acts, any or either of them, and which shall then be in force, shall bear, then from Time to Time it shall be lawful for them to borrow such Sums of Money as they shall think proper at such lower Rate as aforesaid, in order to pay off and discharge the Securities bearing such higher Rate of Interest, and to charge the Rates, Tolls, or Duties payable under such Acts, or any Part thereof, with Payment of such Sum and such lower Rate of Interest, in such Manner and subject to such Regulations as are contained in this and the said recited Acts with respect to other Monies borrowed on Mortgage.

Application of Monies to be borrowed.

VIII. And be it enacted, That the Money hereby authorized to be raised shall be applied, in the first place, in paying the Expences of obtaining and passing this Act or incident thereto, and afterwards in discharging, *pari passu*, a certain Debt amounting to One thousand six hundred and forty-nine Pounds Four Shillings and Eight-pence, due to *David M'Intosh* Esquire, a certain Debt amounting to Nine hundred and seventy-four Pounds Ten Shillings and Ten-pence, due to *William Tierney Clark* Civil Engineer, and all other Debts already incurred in carrying the said recited Acts into execution.

Power to recover Tolls granted by former Acts.

IX. And be it enacted, That in case any Person liable to pay the Toll or Duty or any Sum of Money authorized to be collected, recovered, and received in respect of any Passenger who shall land from or embark in any 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, or in respect of any Passenger who shall embark on board or disembark from any Vessel used and employed for the Purpose of carrying Passengers for Hire from *London* to *Gravesend*, or from *Gravesend* to *London*, at, upon, or from the said Pier or Jetty, shall refuse or neglect to pay such Toll or Duty or Sum of Money, according to the Provisions

visions of the said recited Acts, or either of them, it shall be lawful for the said Mayor, Aldermen, and Burgesses to recover such Toll, Duty, or Sum of Money by Action in any of Her Majesty's Courts of Record at *Westminster*, in addition to any Remedy given to them by the said recited Acts, or either of them, for the Recovery of such Toll or Duty or Sum of Money.

Repeal of Provision of 9 W. 4. regulating Vessels coming to the Pier Head.

X. And whereas it is by the said recited Act passed in the Fourth Year of the Reign of His said late Majesty enacted, that it should not be lawful for more than One decked Vessel to lie at the Head of the said Pier or Jetty at the same Time, and no such Vessel should remain longer than was necessary for receiving and taking on board, or discharging and landing, the Passengers respectively embarking or disembarking on board such Vessel, and their Luggage, and it was provided that no such Vessel should at any Time be permitted to lie at the Head of the said Pier or Jetty for a longer Space of Time than Half an Hour; and in case more than One such Vessel should at the same Time lie at the Head of the said Pier or Jetty, or in case any such Vessel should so remain longer than should be necessary for receiving and taking on board, or discharging and landing, the Passengers respectively embarking or disembarking on board such Vessel, and their Luggage, or in any Case for a longer Space of Time than Half an Hour, the Owner or Master of every such Vessel should for every such Offence forfeit and pay the Sum of Twenty Pounds: And whereas it is expedient that the said recited Provision should be altered and amended; be it therefore enacted, That so much of the said Act as is lastly hereinbefore recited shall be and the same is hereby declared to be repealed.

Corporation may place a Barge or Floating Platform at Head of the Pier.

XI. And be it enacted, That it shall be lawful for the said Mayor, Aldermen, and Burgesses to place One Barge or Floating Platform across the End of the said Pier or Jetty, for the Purpose of being used in assisting and facilitating the landing and embarking of Passengers and Goods, and such Barge or Floating Platform shall be deemed and considered Part of the Apparatus of the said Pier or Jetty, so that such Barge or Floating Platform be kept moored close to the said Pier or Jetty, and that it do not exceed in Length One hundred and twenty Feet, and do not exceed in Breadth Twenty Feet; nor shall the said Barge or Floating Platform, on any Occasion or under any Circumstances, extend, lie, or over-run beyond the Distance of Sixty Feet on either Side of the said Pier or Jetty at the Head thereof.

Regulating Vessels coming to the Pier Head.

XII. Provided always, and be it enacted, That it shall not be lawful for more than One decked Vessel to come to or lie at the Head of the said Pier or Jetty, or any Part thereof, at the same Time, (except a Vessel which may come to and lie Stern and Stern or Head and Head and Stern together at the Head of the said Pier or Jetty for the Purpose only of disembarking Passengers, Goods, or Merchandize at the same, but so that such Vessels shall not occupy of the Stream of the River beyond the said Pier or Jetty; and the Apparatus connected therewith, more than the Breadth of

One such Vessel, and so that no more than Two such Vessels shall at any Time be at the Head of the said Pier or Jetty at the same Time,) and no such Vessel shall remain longer than is necessary for receiving and taking on board, or discharging and landing, the Passengers respectively embarking or disembarking on board such Vessel, and their Luggage, nor shall any such Vessel at any Time lie at the Head of the said Pier or Jetty for a longer Space of Time than Half an Hour; and if the Master or Owner of any such Vessel shall offend in any of the following Cases he shall for every such Offence forfeit any Sum not exceeding Twenty Pounds; (that is to say,) Penalty.

If he shall allow any such Vessel to come to or lie at the Head of the said Pier or Jetty during the Time that any other such Vessel shall be lying there (except a Vessel which may come to and lie Stern and Stern or Head and Head and Stern together at the Head of the said Pier or Jetty, for the Purpose only of disembarking Passengers, Goods, or Merchandize at the same, but so that such Vessels shall not occupy of the Stream of the River beyond the said Pier or Jetty, and the Apparatus connected therewith, more than the Breadth of One such Vessel, and so that not more than Two such Vessels shall at any Time be at the Head of the said Pier or Jetty at the same Time):

If he shall allow any such Vessel to remain longer than is necessary for receiving and taking on board, or discharging and landing, the Passengers respectively embarking or disembarking on board such Vessel, and their Luggage:

If he shall allow any such Vessel at any Time to lie at the Head of the said Pier or Jetty for a longer Space of Time than Half an Hour.

XIII. And be it enacted, That it shall be lawful for the said Mayor, Aldermen, and Burgesses from Time to Time to appoint a Pier Master, and at pleasure to remove such Pier Master. Power to appoint a Pier Master.

XIV. And be it enacted, That it shall be lawful for the Pier Master for the Time being to give Directions for all or any of the following Purposes; (that is to say,) Powers of Pier Master.

For regulating the Time and Manner in which any Vessel going to or coming from the said Pier or Jetty, or any Vessel lying in the Course or Way of or wilfully obstructing the Passage of any such Vessel going to or coming from the said Pier or Jetty, shall enter into, go out of, or lie within the Limits following; (that is to say,) any Place within the Distance of Seventy-five Yards without the Line of the Frontage of the said Barge or Floating Platform at the Head of the said Pier or Jetty, and the Position, mooring or unmooring, placing or removing of any such Vessel within the said Limits:

For regulating the Manner in which any such Vessel shall land or embark Passengers, or take in or discharge its Cargo, or any Part thereof, within the said Limits.

Penalty on Pier Master exercising Powers without reasonable Cause.

XV. And be it enacted, That in case any Pier Master shall, without reasonable Cause, exercise any of the Powers or Authorities vested in him by this Act, he shall for every such Offence forfeit a Sum not exceeding Ten Pounds.

Penalty on not complying with Directions of Pier Master.

XVI. And be it enacted, That the Master of every such Vessel within the said Limits shall regulate such Vessel according to the Directions of the Pier Master for the Time being made in conformity with this Act; and any Master of any such Vessel who, after Notice in Writing, signed by the said Pier Master, of any such Direction served upon him, shall not forthwith regulate such Vessel according to such Direction, shall be liable to a Penalty not exceeding Ten Pounds.

Power of Pier Master to remove Vessels.

XVII. And be it enacted, That if the Master of any such Vessel within the said Limits shall not moor, unmoor, place, or remove such Vessel according to the Directions of the Pier Master for the Time being in Writing given to the said Master, it shall be lawful for such Pier Master to cause such Vessel to be moored, unmoored, placed, or removed according to the Directions aforesaid, and to employ a sufficient Number of Persons for that Purpose; and the Expences attending such mooring, unmooring, placing, or removing shall be paid by such Master, and shall, together with the Costs of ascertaining and recovering the same, be ascertained and recovered from any such Master in the same Manner as any Damages or Penalties are by the said recited Acts, or either of them, directed to be ascertained and recovered.

Penalty on Master for obstructing Pier Master.

XVIII. And be it enacted, That if any Master of any such Vessel within the said Limits, or any Person on board the same, shall hinder the Pier Master, or any Person employed by him, in mooring, unmooring, placing, or removing such Vessel in manner aforesaid, such Master or other Person shall forfeit for every such Offence a Sum not exceeding Ten Pounds.

Pier Master may remove Ropes, &c.

XIX. And be it enacted, That if any Master or other Person on board of any such Vessel which shall be moored or fastened within the said Limits shall not, upon Demand of the Pier Master, unloose or slacken the Rope or Chain by which such Vessel shall be moored or fastened, or if there shall be no Person on board of such Vessel so moored or fastened, it shall be lawful for the Pier Master to cut the Rope or slacken the Chain by which such Vessel shall be so moored or fastened as aforesaid: Provided always, that before the Pier Master shall cut any Rope or slacken any Chain by which any Vessel without any Person on board shall be moored or fastened, he shall cause a sufficient Number of Persons for the Protection of the same to be put on board such Vessel; and all Expences thereby incurred shall be paid by the Master of such Vessel.

Powers of Pier Master no to extend to Vessels re-

XX. And be it enacted, That the Powers herein-before given to the Pier Master shall not extend to any Vessel going to or from the Wharfs or other Places near or adjacent to the said Pier or Jetty within

within the Distance of Seventy-five Yards from the said Pier or Jetty, nor to give the said Mayor, Aldermen, and Burgesses, or the said Pier Master, any other or exclusive Power or Authority within the said Distance of Seventy-five Yards from the said Pier or Jetty, except as herein-before mentioned. sorting to Wharfs adjacent to Pier.

XXI. And whereas it is by the said secondly-recited Act enacted, that all the Monies then in the Hands of the Mayor, Jurats, and Common Councillors, or to be borrowed by them, or raised by way of Annuity, under and by virtue of the therein-recited Act and that Act, or either of them, and also all the personal Tolls or Sum or Sums of Money authorized to be collected, levied, and received under and by virtue of the said therein-recited Act and that Act, or either of them, and also all the Rates, Tolls, and Duties mentioned and specified in the Schedule to that Act annexed, until the Principal Monies then due and owing under and by virtue of the said therein-recited Act and that Act, or either of them, should have been paid off, satisfied, and discharged, should be applied, in the first place, in paying and discharging all the Expences attending the obtaining and passing that Act, or incident thereto; and, in the next place, in paying and discharging all Interest due or which might become due on any Money borrowed and to be borrowed, and in the Payment of any Annuity or Annuities granted or to be granted by the said Mayor, Jurats, and Common Councillors, under the Authority of the therein recited Act and that Act, or either of them; and afterwards in the Payment of the Costs, Charges, and Expences of erecting, building, and making the said Pier or Jetty, and in erecting, maintaining, and preserving, executing and performing, the several Works, Matters, and Things, and other the Purposes authorized and directed to be had, made, erected, done, and performed under and by virtue of the therein-recited Act and that Act, or either of them, and the Works belonging thereto; and when all such Payments should have been made and satisfied, then the Surplus of such Monies, after deducting thereout the Sum of Sixty Pounds annually, being the average yearly Amount of the Tolls collected and received before the passing of the therein-recited Act, should be by the said Mayor, Jurats, and Common Councillors applied in the Manner following; (that was to say,) One Fourth Portion or Part thereof should be set apart as a Sinking Fund, and be added to any Fund created under and by virtue of the therein-recited Act, and be applied for the Purpose of defraying the Expences of supporting, maintaining, and preserving the several Works by the therein-recited Act and that Act authorized to be erected, supported, maintained, and preserved, as the said Mayor, Jurats, and Common Councillors should from Time to Time think necessary and proper; and in the meantime such said Portion or Sum of Money should 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 should be added thereto, and accumulate and make Part of such Fund for the Purposes aforesaid; and when such Sinking Fund and Accumulation should amount to the Sum of Four thousand Pounds Three *per Centum* Consolidated Bank Annuities, no further Part of the Surplus of such Monies should be added thereto, Repeal of Application of Monies raised in second-recited Act.

thereto, until the Application of some Part thereof to the Purposes intended should have reduced the same below the said Sum of Four thousand Pounds Three *per Centum* Consolidated Bank Annuities, and then only from Time to Time for the raising of the said Sinking Fund again to that Amount; and the other Three Fourth Portions or Parts of the Surplus of such Monies, until the said Sinking Fund and Accumulation should amount to the said Sum of Four thousand Pounds, and when the same should have amounted to the said Sum of Four thousand Pounds, and so often as that Event should happen, then the whole of the Surplus of such Monies, should be paid, applied, and disposed of in paying off the Principal Monies due and owing on the Credit of the said Rates, Tolls, and Duties: And whereas it is expedient that so much of the said recited Act as is herein-before recited should be repealed; be it therefore enacted, That the same shall be and is hereby declared to be repealed.

For paying off Money raised under recited Acts.

XXII. And for the Purpose of liquidating the said Sums of Seven thousand Pounds and Twelve thousand Pounds raised under the Authority of the said recited Acts, be it enacted, That the Produce of the Toll or Duty, not exceeding the Sum of One Penny, authorized to be collected by virtue of the said first-recited Act, and also a Sum not less than One Fifth Part of the gross Sum collected in respect of the Rates, Tolls, and Duties authorized to be collected by virtue of the said secondly-recited Act, but which Sum, together with the Produce of the said last-mentioned Toll or Duty, shall be sufficient to pay the Interest due on the said Sums of Seven thousand Pounds and Twelve thousand Pounds, and to pay off at the least Two hundred Pounds annually of the Principal of such Sums, shall be carried to One Fund, to be called the Liquidation Fund; and such Liquidation Fund shall be applied, in the first place, in paying and discharging all Interest due or which may become due on the said Sums of Seven thousand Pounds and Twelve thousand Pounds, and the Remainder of such Fund shall be applied in paying off the said Principal Sums of Seven thousand Pounds and Twelve thousand Pounds, according to the Priority of the Date of the Mortgages, and to or for no other Use or Purpose whatsoever.

When Tolls under first Act to cease.

XXIII. And be it enacted, That when the said Sums of Seven thousand Pounds and Twelve thousand Pounds, with the Interest thereof, shall have been paid, the personal Toll of One Penny, by the said first-recited Act imposed, shall cease and determine, and be from thenceforth no longer paid or payable.

Application of Rates, &c.

XXIV. And be it enacted, That all the Rates, Tolls, and Duties authorized to be collected, levied, and received under and by virtue of the said secondly-recited Act, and not herein directed to be otherwise applied, shall be applied in paying and discharging all Interest which may become due on any Money which may be borrowed, and of any Annuity which may be granted, by the said Mayor, Aldermen, and Burgesses, under the Authority of this Act; in the next place, in Payment of the Costs, Charges, and Expences of erecting, maintaining, and preserving the several Works, Matters, and Things, and other the Purposes authorized and directed to be done and performed under

under and by virtue of the said recited Acts and this Act, any or either of them; and the Surplus of such Monies, after deducting thereout the Sum of Sixty Pounds annually, being the Average yearly Amount of the Tolls collected and received before the passing of the said first-recited Act, shall be applied in manner following; that is to say, One Fourth Portion or Part thereof shall be set apart as a Sinking Fund, until the same shall amount to the Sum of Four thousand Pounds Three *per Centum* Consolidated Bank Annuities, and the other Three Fourth Portions or Parts of the Surplus of such Monies shall be applied and disposed of in paying off the said Debts now due and owing, and the Principal Monies borrowed and raised under the Authority of this Act, according to the Priority of the Date of the Securities granted for the same.

Application of the Sinking Fund.

XXV. And be it enacted, That the said Sinking Fund shall be applied for the Purposes of defraying the Expences of supporting, maintaining, and preserving the several Works by the said recited Acts and this Act authorized to be erected, supported, maintained, and preserved, as the said Mayor, Aldermen, and Burgesses shall from Time to Time think necessary and proper; and in the mean-time such said Portion or Sum of Money shall be invested in the Purchase of Three Pounds *per Centum* Consolidated Bank Annuities, 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; and when such Sinking Fund and Accumulation shall amount to the Sum of Four thousand Pounds Three *per Centum* Consolidated Bank Annuities no further Part of the Surplus of such Monies 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 Four thousand Pounds Three *per Centum* Consolidated Bank Annuities, and then only from Time to Time for the raising of the said Sinking Fund again to that Amount; and when and so often as that Event shall happen the whole of the said Surplus shall be applied in manner herein directed for the applying the remaining Three Fourth Portions or Parts of such Surplus Money.

Regulating the Collection of the Toll, &c.

XXVI. And be it enacted, That the several Rates, Tolls, and Duties authorized to be collected under and by virtue of the said recited Acts shall at all Times be charged equally, and after the same Rate in respect of the same Description of Passengers and Goods; and until the said Toll or Duty not exceeding the Sum of One Penny, authorized to be collected by virtue of the said first-recited Act, shall have ceased to be collected as herein mentioned, the said Toll or Duty not exceeding the Sum of One Penny, authorized to be collected by virtue of the said first-recited Act, and the said Sum not exceeding the Sum of Four-pence, authorized to be collected by virtue of the said secondly-recited Act, and also the Rates, Tolls, and Duties mentioned in the Schedule annexed to the said secondly-recited Act, shall at all Times be charged, collected, and received rateably, so that if at any Time during the Period that such several and respective Sums, Tolls, Rates, and Duties are authorized to be

collected and received a Sum of Money shall be charged, collected, or received, for or in respect of some or One of the said Sums, Tolls, Rates, and Duties respectively, of less Amount than the full Amount of each of such Sums of Money, Tolls, Rates, and Duties respectively, a Sum of Money shall in like Manner be charged, collected, and received, for and in respect of the other or others of the said Sums of Money, Tolls, Rates, and Duties respectively, of like less Amount than the full Amount of such other Sums of Money, Tolls, Rates, and Duties respectively.

Pier to be free upon Payment of Rates, &c.

XXVII. And be it enacted, That the Pier or Jetty shall be free for all Vessels to come to the same, and for the landing and embarking of Passengers, and Goods, Wares, and Merchandize, upon and from the same, upon Payment of the Rates, Tolls, or Duties by the said secondly-recited Act granted, and subject to the Provisions of the said recited Acts and this Act, and to the Rules and Regulations which shall from Time to Time be made by the said Mayor, Aldermen, and Burgesses under and by virtue thereof: Provided always, that nothing herein contained shall prejudice or affect any Right possessed by the said Mayor, Aldermen, and Burgesses to the Collection of any personal Toll, in respect of Persons landing or embarking at the said Pier or Jetty, vested in them by the said first-recited Act.

Offal of Fish, boiled or not boiled, not to remain in any Vessel, &c. being a Nuisance.

XXVIII. And be it enacted, That if any Person shall deposit, or suffer to remain or be deposited, any Offal of Fish, boiled or unboiled, or other offensive Matter, on board of any Barge or Vessel, or the Hull of any Barge or Vessel, on the River *Thames*, or on the Shore thereof, within the Distance of One hundred and fifty Yards from the said Pier or Jetty, so as to become a Nuisance, or offensive to the Inhabitants or the Public resorting thereto, every Person so offending shall, upon Conviction thereof before the Lord Mayor of the City of *London*, Conservator of the said River *Thames*, or before any Justice of the Peace whomsoever, on Complaint for that Purpose exhibited, forfeit for every such Offence any Sum not exceeding Five Pounds, to be levied and recovered, as well as the Costs of such Proceedings, by Distress and Sale of the Goods and Chattels of the Offender or Person liable to pay the same, by Warrant under the Hand and Seal of the said Lord Mayor or such Justice, which Warrant they are hereby respectively authorized and empowered to grant; and such Penalty, when so levied, shall be paid to the Chamberlain of the City of *London*, to be applied for the general Improvement of the River *Thames*.

For the Conviction of Persons neglecting to pay Tolls.

XXIX. And for the more easy Conviction of any Person who shall refuse or neglect to give a Bill of Lading or List of the Number of Passengers on board any Vessel, as required by the said recited Acts, or either of them, or shall refuse or neglect to pay the Tolls or Duties in respect of such Passengers payable under or by virtue of such Acts or either of them, be it enacted, That every such Conviction may be according to the Form in the Schedule to this Act annexed, or to the like Effect.

XXX. And

Repeal of Clause in first-recited Act as to Limitation of Actions.

XXX. And whereas it is by the said first-recited Act enacted, that no Action against any Person or Persons, Body or Bodies, for or on account of any thing done in pursuance of that Act, should be commenced after the Expiration of Six Calendar Months next after the Cause of Action should arise; and every such Action or Suit should be laid or brought in the County where such Action should have arisen, and not elsewhere; and the Defendant or Defendants in all Actions or Suits so brought should and might, at their, his, or her Election, either plead specially or plead the General Issue, and give that Act and the special Matter in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of that Act; and if it should appear to have been so done, or that such Action or Suit was brought without Ten Days Notice thereof having been given, or after sufficient Satisfaction made or tendered, or after the Time limited for bringing the same, or should be brought in any other County than therein specified, then and in every such Case the Jury should find a Verdict for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs should be nonsuited, or suffer a Discontinuance of his, her, or their Action or Suit, after the Defendant or Defendants should have appeared, or if upon Demurrer Judgment should be given against the Plaintiff or Plaintiffs, Defendant or Defendants, then the Plaintiff or Plaintiffs, Defendant or Defendants, should and might recover Double Costs, and have the like Remedy for the same as any Plaintiff or Plaintiffs, Defendant or Defendants, have for Costs of Suit in any other Cases by Law: And whereas it is expedient that the said Enactment should be repealed; be it therefore enacted, That the same shall be and is hereby repealed.

Saving the Rights of the Ordnance.

XXXI. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice or in any Manner affect the Rights, Estates, or Property of Her Majesty, or of the principal Officers of Her Majesty's Ordnance, or shall extend or apply to any Ship, Vessel, Steam Packet, Boat, or other Craft belonging to or in the Service or Employ of Her Majesty, or of any Contractor for the public Service, any thing in this Act contained to the contrary notwithstanding.

Act not to alter Indenture relating to Watermen at Gravesend.

XXXII. And be it enacted, That nothing in this Act shall extend to defeat, invalidate, or prejudice any Right, Interest, Claim, or Demand to which the Most Honourable *James Brownlow* the Marquis of *Salisbury*, the Right Honourable *William Draper* Lord *Wynford*, Sir *William Richard Powlett Geary*, *David Pollock*, *Samuel Grove Price*, and *William Masters Smith*, or any or either of them, or any Person claiming under them or any of them, or the Free Watermen, or Apprentices of the Widows of Free Watermen, or any of them, may have or be entitled to under or by virtue of an Indenture made on the Eighth Day of *April* One thousand eight hundred and thirty-five, between the Mayor, Jurats, and Common Councillors of *Gravesend* and *Milton*, of the one Part, and the Most Honourable *James Brownlow William Gascoigne* Marquis of *Salisbury*, the Right Honourable *William Draper* Baron *Wynford*, Sir *William Richard Powlett Geary* of *Oxon Heath* in the said County, Baronet, *David Pollock*,

Pollock, One of Her Majesty's Counsel learned in the Law, *Samuel Grove Price* Esquire, M.P., Barrister at Law, and *William Masters Smith* of *Camer* in the said County of *Kent*, Esquire, of the other Part, but the same shall be and remain of the same Force and Effect as if this Act had not been passed.

Interpretation of Act.

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

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

The Word "Chamberlain" shall include Treasurer:

The Word "Vessel" shall include Ship, Hoy, Packet, and Vessel.

Public Act.

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

SCHEDULE referred to by the foregoing Act.

Form of Conviction.

to wit. } BE it remembered, That on the Day of in the Year of our Lord *A. B.* is convicted before me *C. D.*, One of Her Majesty's Justices of the Peace for the [*here describe the Offence generally, and the Time, Place, when and where committed*], contrary to [*insert the Titles of this and the recited Acts, as the Case may be*]. Given under my Hand and Seal, the Day and Year first above written.

C. D.

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