

ANNO SECUNDO

GULIELMI IV. REGIS.

Cap. xci.

An Act for paving, lighting, watching, cleansing, and improving the Town and Port of *Hastings* in the County of *Sussex*, and for establishing and regulating Markets therein, and supplying the Inhabitants thereof with Water, and for other Purposes. [23d *June* 1832.]

WHEREAS an Act was passed in the First Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for repealing an Act of His late Majesty's Reign for paving and improving the Parish of* Saint Clement *in the Town and Port of* Hasting *in the County of* Sussex, *and for granting other and more effectual Powers in lieu thereof; for paving and otherwise improving the Streets, Lanes, and other public Passages and Places; and for repairing the Highways within the said Parish and the Parish of* All Saints, *and that Part of the Parish of* Saint Mary-in-the-Castle *which is situate within the Liberties of the said Town and Port*, whereby certain Powers were given to Persons therein named and from Time to Time to be appointed, Commissioners for the Purposes contained in the said Act: And whereas, for the Purpose of carrying the said Act into execution, the several Sums of Money herein-after mentioned have been heretofore borrowed on the general Credit of all the Duties, Rates, and Assessments 1 G. 4. c. 12.

Assessments granted by the said recited Act, for the several Purposes thereof, and the same Sums have been expended for effecting Improvements in the said several Parishes within the Limits of the said Act, in the following Proportions, that is to say, the Sum of Four thousand five hundred and fifty Pounds in the Parish of *Saint Clement*, the Sum of One thousand nine hundred Pounds in the Parish of *All Saints*, and the Sum of One thousand five hundred and fifty Pounds in the aforesaid Part of the Parish of *Saint Mary-in-the-Castle*, amounting in the whole to the Sum of Eight thousand Pounds, Part of which said Sum has since been paid off; but there still remains due the Sum of Three thousand Pounds, Part of the Sum borrowed for the Purposes of the said Parish of *Saint Clement*, the Sum of One thousand three hundred Pounds, Part of the Sum borrowed for the Purposes of the said Parish of *All Saints*, and the Sum of One thousand Pounds, Part of the Sum borrowed for the Purposes of the aforesaid Part of the Parish of *Saint Mary-in-the-Castle*, amounting together to the Sum of Five thousand three hundred Pounds, on the general Credit of the Duties, Rates, and Assessments granted by the said Act: And whereas by the said recited Act (after reciting that the Sum of One thousand five hundred Pounds had been borrowed and was still due and owing on the Credit of the Rates and Assessments granted by the former Act, thereby repealed, for the Improvement of the Parish of *Saint Clement* in the Town and Port of *Hasting*,) it was enacted that the Sum of One hundred and twenty Pounds should be annually raised within the said Parish, for paying the Interest and gradually paying off the Principal of the said Sum of One thousand five hundred Pounds, in addition to the Rates for the general Purposes of the said Act: And whereas the Sum of Nine hundred Pounds has thereby been paid off, and the Sum of Six hundred Pounds still remains due and owing on the Credit of the said Rates and Assessments: And whereas the Powers and Provisions of the said Act have been found in some respects defective and insufficient for the Purposes thereof; and it would be advantageous to the Inhabitants of the said Town and Port, and to the Public resorting thereto, if more effectual Powers were granted for paving, lighting, watching, repairing, widening, and otherwise improving the Streets, Lanes, and other public Passages and Places within the same, and removing Projections, Obstructions, and Encroachments therein, and if Groins, Walls, and other Works for the Protection of the said Town and Port from Encroachments of the Sea were erected and maintained: And whereas it is expedient that a new Market Place and Markets for the Sale of Butchers Meat, Fish, Poultry, Vegetables, and other Articles should be provided and erected in lieu of or in addition to the present Market Place and Market, and that proper Regulations should be made for the Management of the same: And whereas the Inhabitants of the said Town and Port are not conveniently or sufficiently supplied with Water for domestic Use, and it is therefore expedient that Aqueducts, Reservoirs, and other necessary Works should be constructed, for better supplying them with Water, from the Stream called the *Bourne*, and from other Sources within the said Town and Port: And whereas the Objects herein-before mentioned might be better effected and more conveniently executed

if the said recited Act were repealed, and if other Powers and Provisions were granted and made in lieu thereof; May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act, and all Matters and Things therein contained, shall be and the same is and are hereby declared to be repealed: Provided nevertheless, that such Repeal shall not be construed to revive any of the Powers or Provisions of any former Act which may have been repealed by virtue of the said recited Act, but such former Act shall also be and remain repealed.

Recited Act repealed.

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

Rates and Contracts made under repealed Act to continue in force.

III. And be it enacted, That all Books for registering Mortgages or Assignments, and all Entries therein, and all Books of Proceedings of the Commissioners under the said recited Act hereby repealed, kept according to the Directions of the said Act, and made Evidence thereby, shall be admitted in Evidence in all Courts, and by all Judges, Justices, and others; and all Treasurers, Clerks, Surveyors, Collectors, and others, Officers and Persons, appointed by the Commissioners by virtue of the said Act, shall hold and enjoy their respective Offices and Employments, together with their respective Salaries, Gratuities, and Allowances thereunto annexed, until they shall be respectively removed therefrom by the Commissioners for executing this Act; and every such Officer and Person shall, while he shall continue in Office, be subject to the like Penalties and Powers of Removal, and to the like Rules Regulations, and Proceedings, as if he had been appointed by virtue of this Act; and every such Treasurer, Clerk, Surveyor, Collector, and other Officer or Person, who shall have in his Custody or Possession any Money collected or received by virtue of the said recited Act hereby repealed, or any Books, Deeds, Papers, Writings, or Effects belonging to the Commissioners for executing the said Act,

Old Books to be Evidence.

Officers under the former Act to hold their Situations till removed;

and to account for Monies.

Act, or relating to the Execution of the same Act or this Act, shall be liable to account for and pay to and deliver up all such Monies, Books, Deeds, Papers, Writings, and Effects to the Commissioners for executing this Act, or to such Person as they shall appoint to receive the same, in the same Manner, and subject to the same Process, Pains, and Penalties for Refusal or Neglect, as if such Treasurers, Clerks, Surveyors, Collectors, and other Officers and Persons had been appointed by the Commissioners for executing this Act; and all other Persons who shall owe any Sum or Sums of Money to the Commissioners for executing the said recited Act, for or in respect of any Matter or Thing affecting or relating to the Execution of the said Act, at the Time of the Commencement of this Act, shall be liable to the Payment thereof to the Commissioners for executing this Act, and be subject to the Provisions of this Act for Recovery thereof, in case of Refusal or Neglect to pay.

Limits of this Act.

IV. And be it enacted, That the Limits of the said Town and Port of *Hastings* shall for all the Purposes of this Act be deemed and taken to comprize the whole of the Parishes of *Saint Clement* and *All Saints* and that Part of the Parish of *Saint Mary-in-the-Castle* which is situate within the Liberties of the same Town and Port, except such Part of the Turnpike Road comprized in an Act passed in the Second Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for more effectually repairing and improving the Road leading from* Flimwell Vent *in the Parish of* Ticehurst *in the County of* Sussex *to the Town and Port of* Hastings *in the said County*, as lies within the said Parishes of *Saint Clement* and *All Saints*, during the Continuance of the Term of the said Act.

Commissioners appointed.

V. And be it enacted, That *William Amoore*, *John Adams*, *William Bayley*, *Wastel Brisco*, *James Breeds*, *William Bishop*, *Thomas James Breeds*, *Solomon Bevill*, *Thomas Breeds*, *Thomas Baker Baker*, *Boykett Breeds*, *William Breeds*, *John Bayley* the younger, *George Bennett*, *Charles Steevens Crouch*, *Benjamin Coffrett*, *Walter Crouch*, *Nathaniel Crouch*, *George Bristow Carpenter*, *John Coussens*, *William Campbell*, *Richard Chandler*, *William Chapman*, *William Camac*, *William Duke*, *Thomas Daniel*, *Arthur Deudney*, *George Duke*, *William Edwards*, *William Ellis*, *John Eaton*, *Thomas Reeve Emary*, *James Emary*, *Thomas Foster*, *Edward Fermor*, *Matthew Fagg*, *John Gill*, *Rickman Godlee*, *Richard Harman* Overseer, *Joseph Hannay*, *John Hide*, *Thomas Curtis Hutchinson*, *Francis Henbrey*, *Richard Harman* Innkeeper, *Anthony Harvey* the younger, *George Jackson*, *John Inskipp*, *Charles John Jeudwine*, *Charles Lavender*, *James Landsell*, *William Longley*, *Edward Milward*, *John Manington*, *Jonathan Mose*, *William Marden*, *Charles Frederick Mott*, *Frederick North*, *Samuel Nash*, *Thomas Phillips*, *John Phillips*, *John Plummer*, *Peter Malapert Powell*, *George Robinson* the elder, *George Robinson* the younger, *William Ransom* the elder, *William Ransom* the younger, *William Ridley*, *John Russell*, *John Goldsworthy Shorter*, *William Lucas Shadwell*, *William Scrivens* the elder, *William Scrivens* the younger, *George Strickland*, *Benjamin Standen*, *William Standen*, *John Smith* Baker,

Baker, *John Smith* Stonemason, *George Stonestreet*, *Griffin Stonestreet* Clerk, *William Thorpe*, *Henry Thwaites*, *Richard Tutt*, *George Tutt*, *Thomas Thwaites* Sailmaker, *John Tree*, *John Thwaites*, *John Townsend*, *Webster Whistler* Clerk, *Thomas White*, *Abraham Wood*, *John Williams* the younger, *Edmund Weekes*, *Humphrey Wickham*, *Stephen Welfare*, *William Winter*, *William Wellerd*, *Nicholas Harrison Wimble*, Sir *Wathen Waller* Baronet, *William Wallinger* Clerk, and *William Blivers Wallis*, together with Twenty-one Persons to be elected in manner herein-after mentioned, and their Successors, to be appointed under the Provisions herein-after contained, shall be and they are hereby appointed Commissioners for carrying this Act into execution, and shall be called "The Commissioners for the Improvement of the Town and Port of *Hastings*".

For electing Twenty-one Commissioners to act with those hereby appointed.

VI. And be it enacted, That for the Purpose of electing Twenty-one Persons to be Commissioners, together with the other Commissioners herein-before named for carrying this Act into execution, it shall be lawful for the Commissioners herein-before named, and they are hereby required, within One Calendar Month, or as soon as conveniently may be after the passing of this Act, to cause public Notice to be given of a Meeting of the Inhabitants respectively assessed to the Poor Rate in respect of any Houses, Buildings, Lands, Tenements, or Hereditaments within the said Parish of *All Saints*, at an annual Rent or Rate of Five Pounds or upwards, to be held at some convenient Place within the said Town and Port, to be appointed by the said Commissioners, within a Period of not less than Three Days after such Notice shall have been given, for the Purpose of electing and appointing Eleven Persons to be Commissioners as aforesaid; and such Inhabitants present at any such Meeting shall and may elect and appoint Eleven Persons, qualified as hereinafter mentioned, to be Commissioners as aforesaid, and also within the Time aforesaid to cause the like Notice to be given of a Meeting of the Inhabitants respectively assessed to the Poor Rate in respect of any Houses, Buildings, Lands, Tenements, or Hereditaments within the said Parish of *Saint Mary-in-the-Castle* at an annual Rent or Rate of Five Pounds or upwards, to be held at some convenient Place as aforesaid, within a Period of not less than Three Days as aforesaid, for the Purpose of electing and appointing Ten Persons to be Commissioners as aforesaid; and such Inhabitants present at any such Meeting shall and may elect and appoint Ten Persons, qualified as herein-after mentioned, to be Commissioners as aforesaid; and every Person so to be elected and appointed, when he shall have duly qualified according to the Directions herein-after contained, shall be and he is hereby declared to be a Commissioner for executing this Act, and shall have the same Power and Authority as the Commissioners herein-before named.

For electing Commissioners to supply Vacancies.

VII. And be it enacted, That if any Commissioner herein-before named, or to be appointed in pursuance of this Act, shall neglect to take the Oath hereinafter mentioned for the Space of Nine Calendar Months next after his Appointment, or shall neglect to attend the Meetings of the said Commissioners for the Space of Nine successive Calendar Months, or shall die, or refuse to act, or become disqualified

or incapable of acting as a Commissioner, it shall be lawful for the surviving or remaining Commissioners, and they are hereby required, from Time to Time, within Three Calendar Months, or as soon as conveniently may be after such Neglect, Death, Refusal, Disqualification, or Incapacity to act shall happen or be known, to cause public Notice to be given of a Meeting of the Inhabitants of such One of the said respective Parishes within the Limits of this Act as the Commissioners shall direct, respectively assessed to the Poor Rate in respect of any Houses, Buildings, Lands, Tenements, or Hereditaments within such Parish at an annual Rent or Rate of Five Pounds or upwards, to be held at such convenient Place within the said Town and Port as the said Commissioners shall appoint, within a Period of not less than Three Days after such Notice shall have been given, for the Purpose of electing and appointing new Commissioners or a new Commissioner, as the Case may require, in the Room of such Commissioners or Commissioner so neglecting, dying, refusing, or becoming disqualified or incapable to act as aforesaid; and such Inhabitants of such Parish present at any such Meeting or respective Meetings shall and may elect and appoint One other fit Person, qualified as herein-after mentioned, in the Room or Stead of the Commissioner so neglecting, dying, refusing, or becoming disqualified or incapable to act as aforesaid; and every Person so to be elected and appointed, when he shall have duly qualified according to the Directions herein-after contained, shall be and he is hereby declared to be a Commissioner for executing this Act, and shall have the same Power and Authority as the Commissioner in in whose Room or Stead he shall be so elected or appointed.

Regulating Proceedings at Elections of Commissioners.

VIII. And be it enacted, That at every Meeting to be held under this Act, for the Purpose of any such Election of Commissioners as aforesaid, a Chairman shall be appointed by the Inhabitants present to preside thereat, and in case of an Equality of Votes the Chairman shall have the casting or decisive Vote, in addition to his Vote as an Inhabitant; and the Chairman shall at such Meeting declare the Name or Names of the Person or Persons who shall have been elected a Commissioner or Commissioners, and shall return the Name or Names of such Person or Persons to the said Commissioners at their next Meeting to be held after such Election.

Qualification of Commissioners.

IX. And be it enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act (except in administering the Oath or Affirmation herein-after mentioned) unless he shall at the Time of acting be a resident Inhabitant within the said Town and Port, and be, either in his own Right or in the Right of his Wife, in the actual Possession or Receipt of the Rents and Profits of an Estate of Freehold, or Leasehold for an unexpired Term of Sixty Years at the least, of Lands, Tenements, or Hereditaments situate within the said Town and Port, of the clear yearly Value of Twenty Pounds above Reprizes, or be an actual Occupier of and reside in some Dwelling House within the said Town and Port of the yearly Value, with the Appurtenances, of Twenty Pounds, and until he shall have taken and subscribed an Oath or Affirmation in the following Form,

Form, which any Two of the said Commissioners are hereby empowered to administer; (that is to say,)

Oath of Commissioners.

'I *A. B.* do swear, [*or, being one of the People called Quakers*, do solemnly affirm] That I am an Inhabitant residing within the Limits of an Act passed in the Second Year of the Reign of King *William* the Fourth, intituled [*here set forth the Title of this Act*], and am, in my own Right [*or* in the Right of my Wife], in the actual Possession or Receipt of the Rents and Profits of an Estate of Freehold, or Leasehold for an unexpired Term of Sixty Years at the least, of Lands, Tenements, or Hereditaments situate within the said Town and Port of the clear yearly Value of Twenty Pounds above Reprizes; *or* that I am an actual Occupier of and reside in a Dwelling House within the said Town and Port of the yearly Value, with the Appurtenances, of Twenty Pounds; and that I will truly and faithfully, impartially and honestly, according to the best of my Skill and Knowledge, execute the several Trusts, Powers, and Authorities reposed in me as a Commissioner by virtue of the said Act. So help me GOD.'

[*Or being a Quaker, omit the Words* 'So help me God.']

Penalty on acting if not qualified.

And if any Person, not being qualified as required by this Act, or not having taken and subscribed the Oath herein-before directed to be taken and subscribed, or holding any Place or Office or Profit under or by virtue of the said recited Act or this Act, or being any way interested or concerned in any Contract made under the said recited Act, or to be made by virtue of this Act, or in any Work or Business to be done under the same, during the Time he shall hold any such Place or Office, or be so interested or concerned as aforesaid, shall presume to act as a Commissioner in the Execution of this Act, every such Person shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same; and the Person so sued shall prove that he was at the Time of acting qualified as aforesaid, or that he did not hold any such Office or Place of Profit, or was not interested or concerned in any such Contract, Work, or Business, (as the Case may happen,) or otherwise shall pay the said Penalty, without any other Proof or Evidence being given on the Part of the Plaintiff than that such Person hath acted as a Commissioner in the Execution of this Act; and no Person, being a Commissioner for executing this Act, shall be capable of taking or entering into any Contract under this Act during the Time he shall be such Commissioner: Provided always, that all Acts and Proceedings of any Person acting as such Commissioner, although not duly qualified as aforesaid, previously to a Verdict being obtained against him for so acting, shall, notwithstanding such subsequent Conviction, be as valid and effectual as if such Person had been duly qualified; and provided further, that it shall be lawful for any Justice of the Peace for the said Town and Port to act as such in the Execution of this Act, notwithstanding he may be a Commissioner under the same, and may have previously acted as such Commissioner in any Case or Question which may be or may be liable afterwards to be brought or heard before him as such Justice; and that nothing herein contained shall prevent any Person from acting as a Commissioner, or to make such Person liable to a Penalty for so acting, in consequence

Acts of Commissioners good before Conviction.

Commissioners, being Justices, may act as such, &c.

consequence of his being a Creditor on the Rents, Rates, Assessments, Tolls, or Duties authorized to be levied by this Act, or a Shareholder or Proprietor in any Company or Concern contracting with the said Commissioners for the Manufacture or Supply of Gas.

Meetings of Commissioners.

X. And be it enacted, That the said Commissioners, or any Seven or more of them, shall assemble and hold their First General Meeting at the *Swan* Inn, or at some other convenient Place, on the First *Monday* next after the passing of this Act, or any subsequent *Monday*, between the Hours of Ten and Twelve of the Clock in the Forenoon, and proceed to put this Act in execution; and afterwards a General Meeting of the said Commissioners shall be held for the same Purpose on the First *Monday* in every Calendar Month at the Place and Hours aforesaid, unless some other Place within the said Town and Port, or some other Hours, shall from Time to Time be appointed by the said Commissioners; and the Commissioners present at such First or any subsequent Meeting may from Time to Time adjourn the same to the same or any other Place within the said Town and Port; and if at any such Meeting there shall not be Seven or more Commissioners then and there present within Half an Hour after the Time appointed for such Meeting, then any Two of the said Commissioners assembled at any such intended Meeting may, if they shall think proper, adjourn such Meeting from Time to Time to the same or any other Place within the said Town and Port; and no Act of the said Commissioners shall be valid unless made or done at some Meeting to be held by virtue of this Act, and at which Seven Commissioners at least shall be present (except the calling and adjourning of Meetings as herein mentioned); and all the Powers and Authorities by this Act granted to or vested in the said Commissioners shall and may from Time to Time be exercised by the major Part of them present at any Meeting to be held as aforesaid, the Number of Commissioners present at any such Meeting not being less than Seven; and at every such Meeting the first Business shall be the Election of a Chairman to preside at the same; and in all Cases where the Number of Votes upon any Question shall be equal (including the Chairman's Vote) the Chairman shall have the casting Vote; and the said Commissioners shall defray their own Expences at every such Meeting (except for the Use of the Room where such Meeting shall be held); provided nevertheless, that it shall be lawful for the said Commissioners and they are hereby authorized to hold any Special Meeting, so that such Meeting shall be required by Five or more of the said Commissioners, and Notice thereof in Writing be given to or left with the Clerk to the said Commissioners, who shall thereupon give Three clear Days Notice at the least of such Special Meeting, by causing the Town Crier to proclaim the same through the Town, and affixing a Notice in Writing on the Town Hall of the Time, Place, and general Purport thereof.

Special Meetings.

Proceedings to be entered in Books.

XI. And be it enacted, That all Orders, Rules, Regulations, Acts, and Proceedings of the said Commissioners at any of their Meetings, and the Names of the Commissioners present thereat respectively, shall be entered in a Book or Books to be kept by their Clerk for the

the Time being for that Purpose, and shall be signed by the Chairman of such Meetings respectively, and all such Orders, Rules, Regulations, Acts, and Proceedings shall then be deemed and taken to be original Orders, Rules, Regulations, Acts, and Proceedings; and all such Books, and Entries therein, signed as aforesaid, shall be admitted in Evidence in all Courts and Places, and by and before all Judges, Justices, and others, in all Causes, Suits, Actions, and Proceedings whatsoever; and such Books shall at all seasonable Times be open to the Inspection of the said Commissioners and of all other Persons rated or assessed for the Purposes of this Act.

Restriction as to revoking Orders.

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

Committees may be appointed.

XIII. And be it enacted, That it shall be lawful for the said Commissioners to nominate and appoint One or more Committee or Committees (every such Committee to consist of Seven or more Persons) out of the said Commissioners, to investigate, transact, and manage particular Departments of Business, and such Committee or Committees shall have full Power and Authority to do, execute, and perform all Matters and Things whatsoever which the said Commissioners shall from Time to Time entrust to the Management of such Committees; and such Committees shall meet at such Times and Places within the said Town and Port as they shall think proper, and at every such Meeting they shall appoint a Chairman to preside thereat, and in case of an Equality of Votes he shall have the casting Vote, in addition to his Vote as a Member of the Committee; and all Powers which shall be vested in the said Committees shall be exercised by the major Part present at their respective Meetings; and such Committees shall from Time to Time make Reports of their Proceedings to the said Commissioners, and shall be altered, removed, or discontinued when and as the said Commissioners shall from Time to Time order or direct.

Commissioners to appoint Officers;

XIV. And be it enacted, That the said Commissioners shall and they are hereby authorized from Time to Time to appoint a Treasurer, Clerk, Surveyor or Surveyors, and also a Collector or Collectors of the Rents, Rates, Assessments, Tolls, and Duties hereinafter named, and such other Officers and Persons as they shall think necessary for the Execution of this Act, and to remove any such Officers and other Persons as they may think proper, and appoint others in their Stead, and pay such Salaries and make such Allowances to all such Officers and Persons, out of the Monies to be received by virtue of this Act, as they the said Commissioners shall think reasonable; and the said Commissioners are hereby authorized and required to take sufficient Security from every Treasurer, Receiver, or Collector, for the faithful Execution of his Office, and may also take such Security from every other Officer and Person, for the due

and take Security from Treasurer, &c.

due Execution of their respective Offices or Duties, as they the said Commissioners shall think proper.

Treasurer and Clerk not to be the same Person.

XV. And be it enacted, That it shall not be lawful for the said Commissioners to continue or appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, to be the Treasurer for the Purposes of this Act, or to continue or appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, to be the Clerk to the said Commissioners; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person, being the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, shall accept the Office of Treasurer, or shall act as Deputy of such Treasurer, or in any Manner officiate for such Treasurer, or being the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk in the Execution of this Act, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Commissioners other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds, to any Person who shall sue for the same.

Officers to account.

XVI. And be it enacted, That every Treasurer, Clerk, Surveyor, Collector, and other Officer and Person appointed by virtue of this Act shall, under his respective Hand, and at such Time or Times and in such Manner as the said Commissioners shall direct, deliver to the said Commissioners, or such Person as they shall appoint to receive the same, true and perfect Accounts in Writing of all Matters and Things committed to his Charge by virtue of this Act, and also of all Monies which shall have been by such Officer or Person received by virtue or for the Purposes of this Act, specifying how much thereof shall have been expended and disbursed, and for what Purposes, together with proper Vouchers for such Payments, and also a List of the Names of all such Persons as shall have neglected or refused to pay their respective Rates, Rents, Tolls, and Duties, and of the Monies due from them respectively; and every such Officer or Person shall pay all such Monies as shall remain due from him to the Treasurer for the Time being, or to such Person as the said Commissioners shall appoint to receive the same; and if any such Officer or Person shall for the Space of Fourteen Days next after Notice or Requisition in Writing from any Seven or more of the said Commissioners refuse or wilfully neglect to make and render such Account, or to produce and deliver up the Vouchers relating to the same, or to make Pay-

ment as aforesaid, or shall refuse or wilfully neglect to deliver to the said Commissioners, or to such Person as they shall appoint to receive the same, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, or to give Satisfaction to the said Commissioners or such other Person as aforesaid respecting the same, then and in every such Case, upon Complaint made by the said Commissioners, or by such Person as they shall appoint for that Purpose, of any such Refusal or wilful Neglect as aforesaid, to any Justice of the Peace of the said Town and Port, or for the County, City, or Place wherein such Officer or Person so refusing or neglecting shall be or reside, such Justice may and he is hereby authorized and required to issue a Summons or Warrant, at his Discretion, under his Hand and Seal, for the Officer or Person so refusing or neglecting to appear before such Justice; and upon such Officer or Person appearing, or having been so summoned and not appearing, without some sufficient or reasonable Excuse, or not being to be found, it shall be lawful for the said Justice to hear and determine the Matter in a summary Way; and if upon Confession of the Party, or Testimony of any credible Witness upon Oath, it shall appear to such Justice that any Monies remain due from such Officer or Person, such Justice may and he is hereby required, upon Nonpayment thereof, by Warrant under his Hand and Seal to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person; and if no Goods and Chattels of such Officer or Person shall be found sufficient to answer and satisfy the said Money, and the Charges of distraining and selling the said Goods and Chattels, or if it shall appear to such Justice that such Officer or Person had refused or wilfully neglected to render and give such Accounts, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of this Act remained in the Hands or in the Custody or Power of such Officer or Person, and he refused or wilfully neglected to deliver or give Satisfaction respecting the same as aforesaid, then and in every such Case such Justice shall and he is hereby required to commit such Offender to any Common Gaol or House of Correction, there to remain, without Bail or Mainprize, until he shall have given a true and perfect Account as aforesaid, or until he shall have paid such Monies as aforesaid, or compounded with the said Commissioners for such Money, and shall have paid such Composition in such Manner as they may appoint, (which Composition the said Commissioners are hereby empowered to make and receive,) and until he shall deliver up such Books, Papers, and Writings, or give Satisfaction respecting the same to the said Commissioners or to such other Person as aforesaid; but no such Offender shall be kept or detained in Prison for Want only of sufficient Distress by virtue of this Act for any longer Term than Six Calendar Months: Provided also, that if any Money shall be due from such Officer or Person, his Commitment to Prison as aforesaid shall not (without the Consent of the said Commissioners) be deemed a Discharge for the same, nor exonerate the Surety or Sureties for such Officer or Person, but such Officer or Person and his Surety or Sureties shall remain liable to the Payment thereof in the same Manner as if such Officer or Person had not been committed to Prison.

XVII. And

Officers not to take Fees or Rewards.

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

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

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

Clerk to be a competent Witness.

Commissioners not personally liable.

XIX. And be it enacted, That nothing in this Act, or in any Deed, Mortgage, Contract, or Agreement hereby authorized to be entered into or made by or on the Behalf of the said Commissioners, for any of the Purposes or in the Execution of this Act, shall extend to charge or affect the Person or Persons of any of the said Commissioners, or their Clerks, Treasurers, or other Officers, or any of them, authorized by the said Commissioners in their Behalf executing any such Deed, Mortgage, Contract, or Agreement, or the Heirs, Executors, or Administrators of any such Commissioner, Clerk, Treasurer, or Officer, or their or any of their own proper Lands, Tenements, or Hereditaments, Goods, Chattels, Effects, or Property, with or for the Performance of all or any of the Covenants, Conditions, Matters, or Things in the same Deed, Mortgage, Contract, or Agreement contained or mentioned on the Part of any such Commissioner, Clerk, Treasurer, or other Officer; but the Amount of all Damages, Costs, Charges, and Expences which shall or may be recovered in any Action

Action or Suit, at Law or in Equity, or otherwise, against any such Commissioner, Clerk, Treasurer, or other Officer, or against their or any of their Heirs, Executors, or Administrators, for or by reason of such Deed, Mortgage, Contract, or Agreement, or any Matter or Thing therein contained, and also all the Damages, Costs, Charges, and Expences which any such Commissioner, Clerk, Treasurer, or other Officer shall bear, pay, or be put unto, or which shall be occasioned to him, them, or any of them, for or by reason of any such Deed, Mortgage, Contract, or Agreement, or any Matter or Thing therein contained, or any Action or Suit, Award or otherwise, to be brought, prosecuted, or made by or against him, them, or any of them thereupon, shall respectively be paid, satisfied, and discharged out of the Monies to arise by virtue of this Act, unless such Action or Suit, Matter or Thing, shall arise in consequence of their or his own wilful Neglect or Default, or have been brought or commenced or be defended without the Order or Direction of the said Commissioners.

Accounts to be kept.

XX. And be it enacted, That the said Commissioners shall and they are hereby required from Time to Time to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, and on what Account, or from whom the same shall have been received, and of all Sums of Money paid and expended for or on account of the Purposes of this Act; and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed and paid; and such Book and Books shall at all seasonable Times be open to the Inspection of the said Commissioners, and every Creditor on the Rents, Rates, Assessments, Tolls, and Duties hereby granted, without Fee or Reward; and the said Commissioners and Creditors, or any of them, shall or may take Copies of or Extracts from the said Book or Books, or any Part thereof, without paying any thing for the same; and in case the said Clerk or other Person with whom the same shall be deposited shall on any reasonable Demand refuse to permit or shall not permit the said Commissioners and Creditors to inspect the same, or to take Copies or Extracts as aforesaid, such Clerk or other Person so refusing shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds.

Accounts to be made and examined yearly.

XXI. And be it enacted, That in the Month of *January* in every Year a true Account shall be made in Writing of all Monies received and paid by virtue of this Act during the preceding Year ending upon the Thirty-first Day of *December* in every Year; and that at the Meeting which shall be held on the First *Monday* in *February* in every Year, or some Adjournment thereof, the said Account shall be produced, examined, audited, and settled; and such Account, or a Duplicate thereof, shall be deposited with the Clerk of the said Commissioners, and shall be open to the Inspection of all Persons interested; and an Abstract of such Account shall be printed, and a printed Copy shall be delivered to any Person, paying any Rate imposed by this Act, requiring the same.

Pavements, Markets, Waterworks, &c. vested in the Commissioners.

XXII. And be it enacted, That all the present and future Streets, Roads, Lanes, Ways, and other public Passages and Places, as well Carriageways as Footways, within the said Town and Port, and the Ground and Soil thereof, and the Pavements, Stones, Gravel, and all the other Materials of, in, or belonging to the same, and all the present and future public Drains, Sewers, Gutters, Grates, and Sinks in the said Town and Port, and all the Lamps, Lamp Irons and Posts, and all other Articles, Materials, and Things already made, erected, set up, or provided by virtue of any former Act, or to be made, erected, set up, fixed, or provided by virtue of this Act, and all Lands, Grounds, Tenements, and Hereditaments heretofore purchased or taken by the said Commissioners for executing the said recited Act, or at the Time of the Commencement of this Act vested in or belonging to them, and all the Stalls, Standings, Shambles, and other Conveniences, Matters, and Things relating to any Market to be erected, set up, provided, or purchased in pursuance of this Act, and all the Groins and other Works which may at any Time hereafter be erected or built for preventing the Encroachments of the Sea in pursuance of this Act, and all the Springs, Watercourses, and other Supplies of Water hereby authorized to be taken and used for the Purposes of this Act, and all Wells, Cisterns, Reservoirs, Tunnels, Pumps, Pipes, Cocks, and other Waterworks, Matters, and Things now or hereafter to be purchased or provided in pursuance of this Act for the Purpose of supplying the said Town and Port with Water, and all Buildings and Works, Articles, Materials, and Things, already erected, set up, done, made, or provided by virtue of any former Act, or to be erected, set up, made, or provided by virtue of this Act, shall belong to and be the Property of and the same are hereby absolutely vested in the Commissioners for executing this Act (subject nevertheless to any Conditions or Regulations contained in any Contracts with the said Commissioners); and the said Commissioners shall and may cause to be brought any Action, or direct the preferring of any Bill of Indictment, Information, or Complaint (as the Case may require), against any Person who shall steal, take, or carry away, or detain, spoil, injure, divert, disturb, annoy, damage, or destroy the said several Articles, Matters, Property, and Things hereby vested in them the said Commissioners as aforesaid, or any of them, or any Part thereof; and in any such Action or Bill of Indictment, Information, or Complaint respectively, it shall be sufficient to state generally that the Article, Matter, Property, or Thing for or on account or in respect of which such Action shall be brought, or Bill of Indictment, Information, or Complaint preferred, is the Property of "The Commissioners for the Improvement of the Town and Port of *Hastings*," without particularly mentioning or specifying the Names of all or any of the said Commissioners; and the said Commissioners shall have full Power and Authority from Time to Time to sell and dispose of all or any of the said Articles, Matters, and Things, or any Part of the same respectively, as shall not be wanted for the Purposes of this Act, to such Person, at such Time, and in such Manner as they shall think proper.

The Stade and Stone

XXIII. Provided always, and be it enacted, That this Act shall not extend to vest in the said Commissioners the Ground and Soil of the

the Stade or Stone Beach within the said Town and Port, or to give them any Controul over the Management, Direction, and Repair of the Capstans, and other Machines for winding up Vessels and Boats thereon, which have been heretofore managed, directed, and repaired by the Mayor, Jurats, and Commonalty of the said Town and Port (except for the putting down and erecting of Groins, Walls, and other Works thereon, for the Protection of the said Town and Port, as herein-after mentioned).

Beach not to be vested in the Commissioners.

XXIV. And be it enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered, with the Consent of the major Part in Quantity of the Soil of the Owners or Proprietors of such Soil, to declare *Wellington Square* and *Blucher Street*, or any new Square or Street within the said Town and Port, already laid out or hereafter to be laid out (when the same shall have been well and sufficiently made, perfected, and put in good Order and Repair, to the Satisfaction of the said Commissioners), to be public Squares or Streets, and from and after such Declaration made, and not sooner, such Squares and Streets shall be deemed and taken to be public Squares and Streets for all the Purposes of this Act.

Power for Commissioners to declare new Squares and Streets when made public.

XXV. And be it enacted, That if any Person shall wilfully or maliciously destroy, break, damage, or injure any of the Buildings, Works, Articles, Matters, or Things hereby vested in the said Commissioners, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, and shall also make full Satisfaction for the Damage done.

Penalty for destroying the Property of Commissioners.

XXVI. And be it enacted, That all and every Persons and Person who shall be assessed for or in respect of any Messuages, Lands, Tenements, or Hereditaments within the said Town and Port shall be and they and he are and is hereby exonerated, relieved, and for ever discharged from the Performance of Statute Duty for the Repairs of the public Highways within the said Town and Port, and from the Payment of any Composition Money in lieu of such Statute Duty, and from all Rates and Assessments for the Repairs of the said Highways: Provided always, that nothing herein contained shall extend to exonerate or discharge any Person or Persons, Parish or Parishes, from the Performance of Statute Duty for the Repairs of the said Turnpike Road leading from *Flimwell Vent* in the Parish of *Ticehurst* to the said Town and Port of *Hastings*, or from any Composition in lieu thereof, during the Continuance of the said Act of the Second Year of the Reign of His late Majesty King *George* the Fourth.

Persons assessed under the Act to be exonerated from Statute Duty and Highway Rates.

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

Streets to be paved, cleansed, and watered.

relaid, and the Ground and Soil thereof to be raised, lowered, or altered, from Time to Time, in such Manner, and with such Materials, and with such Drains, Gutters, Sinks, Watercourses, or Gratings therein, as the said Commissioners shall think proper, and to erect or set up, or cause to be erected or set up, any Posts, Rails, Pales or Fences in or near any of the said Streets or Places, which they the said Commissioners may think proper, for the better Security of Passengers, Cattle, or Carriages, or otherwise, and to cause any Wells, Tanks, Reservoirs, Pipes, Pumps, and other Apparatus to be sunk, made, or laid down in any Part of the said Town and Port, and to cause the same to be removed, altered, and repaired when necessary, and also to cause the said Streets and Places to be cleansed and watered as often, and in such Manner as they shall think fit, and also to provide Horses, Water Carts, Engines, and other Matters and Things requisite or convenient for effecting the Purposes aforesaid, as to them the said Commissioners shall seem expedient.

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

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

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

XXIX. And be it enacted, That it shall be lawful for the said Commissioners and they are hereby authorized and empowered from Time to Time to enter into any Contract with any Person or Company whatsoever, for widening, altering, amending, improving, or repairing the said Streets, Roads, Lanes, Ways, Passages, and Places

in the said Town and Port, or any of them, or for taking away and collecting the Dirt, Dust, Cinders, and Ashes within the same Town and Port, or for lighting the same Streets and Places, or any of them, or any Part thereof, with Gas or Oil, or in any other Manner whatsoever, or for cleansing or watering the same, or for furnishing Lamps, Lamp Irons, Watchboxes, Posts, Chains, Pales, Rails, and other Things necessary for the Purposes aforesaid, or for erecting the Market herein-after mentioned, and the Stalls, Shops, Shambles, and other Matters and Things belonging thereto or connected therewith, or for making or laying any Resorvoirs, Main Pipes, or other Waterworks, or for furnishing Materials, and doing and performing all or any of the other Works by this Act authorized or directed to be done and performed; which Contracts shall specify the several Works to be done, and the Prices to be paid for the same, and the Time when the same Works shall be completed, and the Penalties to be suffered in case of Nonperformance thereof, and shall be signed by Seven or more of the said Commissioners, and also by the Person contracting to perform such Works respectively; which Contract, or a Copy thereof, shall be entered in a Book to be kept for that Purpose by the Clerk to the said Commissioners; but no Contract for a Work above the Value or Sum of One hundred Pounds shall be entered into unless previous to the making of any such Contract Seven Days Notice thereof at the least shall be given in One of the weekly Papers circulated in the said County of *Sussex*, or in such other Manner as the said Commissioners shall direct or appoint, in order that any Person willing to undertake the same may make Proposals for that Purpose at the Time and Place in such Notice mentioned; and the said Commissioners shall and they are hereby required to take Security from every such Contractor for the due Performance of his or her Contract: Provided always, that if the said Commissioners shall be of opinion that it will not be advantageous to contract with the Person offering the lowest Price, or with any other Person tendering or making such Proposal, it shall be lawful for the said Commissioners to contract or agree with any other Person whom they shall think proper.

Contracts above 100*l.* to be advertised.

XXX. And be it enacted, That the said Commissioners shall cause all and every the Works to be done in pursuance of this Act to be inspected by their Surveyor or by such other Person as they shall appoint; and in case the same shall not be well and sufficiently performed according to the Terms, Intent, and Meaning of the Contract for the same, the said Commissioners may bring or cause to be brought any Action at Law or Suit in Equity against the Person so neglecting to perform such Contract or Contracts, for any Penalty contained in such Contract, or for any Damage sustained in consequence of any Breach or Nonperformance thereof; and on Proof of the signing the said Contract, and Non-performance thereof, the said Commissioners shall be entitled to and shall recover such Penalty or Damage as may be awarded, with full Costs of Suit: Provided always, that it shall be lawful for the said Commissioners, if they think fit, to compound and agree with any Contractor, or his Surety or Sureties, for any Penalty incurred by him or them for the Breach or

Surveyor to inspect Works;

Commissioners may compound with Contractor for Breach of Contract.

or Nonperformance of any such Contract, for such Sum of Money as the said Commissioners shall think proper.

Commissioners may cause Lamp Irons and Lamps to be put up, and to be lighted with Gas, Oil, &c.;

XXXI. And be it enacted, That it shall be lawful for the said Commissioners and they are hereby empowered from Time to Time to cause such Lamp Irons or Lamp Posts, or other Posts, Chains, or Rails, to be set up or affixed upon or against the Walls, Palisadoes, or Iron Railings or any other Part of any Houses, Tenements, Buildings, or Inclosures, doing no Damage or Injury thereto, or in such other Manner, within all or any of the present or future Streets or Places within the said Town and Port, as they shall think proper, and also to cause such Number of Lamps, of such Sizes and Sorts, to be provided, and affixed and put upon such Lamp Irons or Lamp Posts as they shall think necessary, for lighting all or any of such Streets and Places, and to cause the same to be lighted, with Gas, Oil, or otherwise, at such Times or Seasons as they shall think necessary; and also to cause such Number of Watch-houses or Watchboxes to be provided, erected, or affixed as they shall think necessary, within all or any of the said Streets and Places in the said Town and Port;

and Houses to be numbered, and Streets named.

and also to cause the several Houses and other Buildings in the said several Streets and Places to be numbered; and also to cause to be affixed or painted on a conspicuous Part of One or more House or Houses, Building or Buildings, Place or Places, at or near each End, Corner, or Entrance of such Streets and Places respectively, the Names by which the same are respectively to be called or known, in such Manner as they shall judge most proper for distinguishing the same; and if any Person shall wilfully or maliciously destroy, pull down, or deface any such Number or Name, or any Part thereof, or shall fix or put any Number or Name different to the Number or Name fixed or put by or by the Order of the said Commissioners, or shall cause or procure the same to be done, every such Person shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings; and if the Occupier of any such House or Building shall not restore such Number within Seven Days after Notice signed by the Clerk to the said Commissioners, and left at the usual Place of Abode of such Person, every such Person shall forfeit and pay any Sum not exceeding Twenty Shillings for every such Offence: Provided always, that it shall not be lawful for the said Commissioners, or any Persons whomsoever, to carry, lay, place, or fix any Pipe or other Thing for the Conveyance of Gas through, into, against, or on any Dwelling House or private Building, Tenement, or Land, or so to continue the same without the special Licence, Consent, and Authority of the Owner and Occupier thereof.

Penalty for wilfully injuring Lamps, &c.

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

XXXIII. And

Persons accidentally damaging Lamps to make good the same.

XXXIII. And be it enacted, That if any Person shall carelessly or accidentally break, throw down, destroy, or otherwise injure or damage any of the Lamps, Lamp Irons, Lamp Posts, or Gas Pipes belonging to the said Commissioners, or any Person contracting with them, or any other Article, Matter, or Thing belonging to the said Commissioners, and shall not immediately upon Demand make Satisfaction to the said Commissioners or to such Contractor (as the Case may be) for the Damage so done, it shall be lawful for any Justice, upon Complaint made, to summon the Party complained of, and upon hearing the Parties on both Sides, or on the Confession or on the Nonappearance of the Party complained of, to examine the Matter of Complaint, and award such Sum of Money by way of Satisfaction to the said Commissioners or to such Contractor (as the Case may be) for such Damage as such Justice shall think reasonable; and in case of Refusal or Neglect forthwith to pay such Money, then the same, and all Expences attending the Recovery thereof, may be levied and recovered as any Penalty or Forfeiture is by this Act directed to be levied and recovered.

Penalty for suffering Washings of Gas to run into any Stream.

XXXIV. And be it enacted, That if the said Commissioners, or any Body or Bodies Politic or Corporate, Company or Companies of Proprietors, or other Person whomsoever, making, furnishing or supplying any Gas used, burned, or consumed within the Limits of this Act, shall at any Time drain or convey, or cause or suffer to be drained or conveyed, or to run or flow, any Washings or other Waste Liquids, Substances, or Things whatsoever, which shall arise or be produced in the Prosecution of such Gas Works, or in the Manufacture or Process of making or procuring such Gas, into any River, Brook, or running Stream, Reservoir, Aqueduct, Pond, Spring, Spring Head, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any of them, whereby the said Water or any Part thereof shall or may be spoiled, fouled, or corrupted, in every such Case the said Commissioners, or Body or Bodies Politic or Corporate, Company or Companies of Proprietors, or other Person as aforesaid, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds, with full Costs of Suit, to any Person who shall inform or sue for the same in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than One Imparlance, shall be allowed: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Six Calendar Months from the Time that such Annoyance, Act, or Thing shall have been committed or have ceased; provided also, that in addition to the said Penalty of Two hundred Pounds, and whether such Penalty shall have been sued for or recovered or not, in case any of the said Washings or other Waste Liquids, Substances, or Things shall be drained, conducted, or conveyed, or caused or suffered to run or flow, in manner aforesaid, into any River, Brook, or running Stream, Reservoir, Aqueduct, Pond, Spring, Spring Head, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or any such Annoyance, Act, or Thing shall be done or caused to be done as aforesaid,

aforesaid, and Notice thereof in Writing shall have been given by any Person to the said Commissioners, or Body Politic or Corporate, Company of Proprietors, or other Person as aforesaid, and the said Commissioners, or Body Politic or Corporate, Company of Proprietors, or other Person as aforesaid, shall not within Twenty-four Hours after such Notice stop or prevent the further Continuance of such of the Causes of Complaint as shall be expressed in such Notice, then and in every such Case the said Commissioners, or Body Politic or Corporate, Company of Proprietors, or other Person, shall forfeit and pay the Sum of Twenty Pounds for each Day such Cause or Matter of Complaint shall continue; and such last-mentioned Penalty shall and may be recovered and levied in such and the like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered and levied, and shall be paid to the Informer, or to the Person who in the Judgment of the Justice or Justices before whom the Conviction shall take place shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed.

For stopping the Escape of Gas.

XXXV. And be it enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up by the said Commissioners, or by any Body Politic or Corporate, Company of Proprietors, or other Person making, furnishing, or supplying any Gas used, burned, or consumed within the Limits of this Act, the said Commissioners, or Body Politic or Corporate, Company of Proprietors, or other Person as aforesaid, shall, immediately after receiving Notice by Parol or in Writing, to be given to them or him, or left at their or his Place of Abode or Office, or usual Place of transacting Business, from any Person, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the said Commissioners, or Body Politic or Corporate, Company of Proprietors, or other Person shall not within Twenty-four Hours after such Notice effectually stop and prevent the Gas from escaping, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the said Commissioners, or Body Politic or Corporate, Company of Proprietors, or other Person, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds for every Day after the Expiration of Twenty-four Hours from the Time of giving any such Notice during which the Gas shall be suffered to escape as aforesaid.

Gas Pipes to be laid Four Feet from Water Pipes.

XXXVI. And be it enacted, That all the Pipes or other Conduits to be laid or used for the Conveyance of Gas in, under, through, along, across, or round any Street, Road, Lane, Way, Passage, or Place in the said Town and Port shall be so laid at the greatest practicable Distance, and whenever the Width of the Way in such Street or Place will allow thereof, at the Distance of Four Feet at least from the nearest Part of any Water Pipe already laid down or hereafter to be laid down for the Conveyance of Water in, under, through, along, across, or round any of the said Streets or Places, unless in Cases where it shall be unavoidably necessary to lay the Gas Pipes across any Water Pipes, and in such Cases the said Gas Pipes shall be laid over such Water Pipes at the greatest practicable Distance therefrom, and shall form therewith a Right Angle, and

that in such Cases the said Gas Pipes so crossing the said Water Pipes shall be at least Nine Feet in Length, so that no Joint of any of the said Gas Pipes shall be nearer to any Part of the said Water Pipes than Four Feet at least; and in laying down the said Gas Pipes the Party or Person laying the same shall in no Case join Two or more Gas Pipes together previous to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall in such Trench properly form the Jointing with the other Pipes to be added thereto with proper and sufficient Materials, and shall also make and keep all and every such Pipes, and all Pipes connected or communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively, air-tight, and in all and every respect prevent the said Gas from escaping therefrom, upon pain of forfeiting for every Defanlt the Sum of Fifty Pounds, to be recovered, with full Costs of Suit, by Action of Debt, Bill, Plaint, or Information in any of His Majesty's Courts of Record at *Westminster*.

To prevent Contamination of Water.

XXXVII. And be it enacted, That whenever the Water of the said Commissioners, or any Company of Proprietors of Waterworks, or of any other Person, shall be contaminated or affected by the Gas of the said Commissioners, or of any Body Politic or Corporate, Company of Proprietors, or other Person making or supplying Gas as aforesaid, the said Commissioners, or such Body Politic or Corporate, Company of Proprietors, or other Person, shall forfeit and pay for every such Offence any Sum not exceeding Twenty Pounds, to be sued for and recovered as any Penalty is hereby directed to be sued for and recovered, and the same shall be applied to and for the Use and Benefit of the said Commissioners, Company of Proprietors of Waterworks, or any other Person using such Water, and suing for the same; and in case any such Water shall be contaminated or affected by Gas in any way whatsoever, then and in every such Case the said Commissioners, or Body Politic or Corporate, Company of Proprietors, or other Person making or supplying Gas as aforesaid, shall, within Twenty-four Hours next after Notice thereof in Writing, signed by the Clerk or Manager for the Time being of the said Commissioners or Company, or by the Person whose Water shall be so contaminated, to be served on the said Commissioners, or to be left at the usual Office or Place of transacting Business of such Body Politic or Corporate, Company of Proprietors, or other Person, making, furnishing, or supplying Gas as aforesaid, cause the most proper and effectual Measures to be taken to stop and prevent the Gas from escaping from their Works, Mains, or Pipes, or contaminating or affecting such Water; and in case the said Commissioners, or Body Politic or Corporate, Company of Proprietors, or other Person, making or supplying Gas as aforesaid, shall not within Twenty-four Hours next after such Notice effectually stop and prevent the Gas from so escaping, and wholly and satisfactorily remove the Cause of such Complaint, and prevent such Contamination, then and in every such Case the said Commissioners, or Body Politic or Corporate, Company of Proprietors, or other Person, making or supplying Gas as aforesaid, shall on every such Complaint whereof Notice shall be given as aforesaid forfeit and pay, over and above the before-mentioned Penalty, the Sum of Ten Pounds for every Day during which any

any such Water shall be and remain contaminated or affected by the Gas of the said Commissioners, or Body Politic or Corporate, Company of Proprietors, or other Person, making or supplying Gas as aforesaid, to be sued for and recovered as any Penalty is hereby directed to be sued for and recovered.

For ascertaining if the Water be contaminated.

XXXVIII. And be it enacted, That in any Case in which it shall become a Question upon such Complaint as aforesaid whether the said Water be contaminated or affected by the said Gas, it shall be lawful for the said Commissioners, or the Company of Proprietors of Waterworks, or Persons, whose Water shall be so contaminated, to dig to and about and search and examine the Mains, Pipes, and Apparatus employed in the Conveyance or Supply of Gas, for the Purpose of ascertaining whether such Contamination proceed or be occasioned by the Gas of the said Commissioners, or Body Politic or Corporate, Company of Proprietors, or other Person, making or supplying of Gas as aforesaid, and if it shall appear that the said Water has been contaminated by any such Escape of Gas as aforesaid, the Costs and Expences of the said digging, searching, examining, and Repair of the Pavement of the Street or Place which shall be taken up or disturbed shall be borne and paid by the said Commissioners, or Body Politic or Corporate, Company of Proprietors, or other Person, making or supplying Gas as aforesaid; which Costs and Expences shall be ascertained and determined, if necessary, by One Justice, and be recovered in like Manner as any Penalty may be recovered by this Act: Provided always, that if upon such Examination it shall appear that such Contamination has not arisen from any such Escape of Gas from any of the Mains, Pipes, or Apparatus of the said Commissioners, or Body Politic or Corporate, Company of Proprietors, or other Person making or supplying Gas as aforesaid, then and in such Case the said Commissioners, or Water Company, or Persons or Person, so digging and searching as aforesaid, or making Complaint of such Contamination, shall bear and pay all the Costs and Expences of such Search, Examination, and Repair, and shall also make good to the said Commissioners, or Body Politic or Corporate, Company of Proprietors, or other Person making or supplying Gas as aforesaid, any Loss, Injury, or Damage which may be occasioned to the said Mains, Pipes, or Apparatus, in and by such Search and Examination, and also to the Pavement of the said Streets and Places broken up or disturbed in such Search or Examination; the Amount of such Injury, Loss or Damage to be ascertained and determined, if necessary, by such Justice.

Parties supplying Gas liable to Indictment or Action for a Nuisance.

XXXIX. Provided also, and be it enacted, That the Powers and Authorities in this Act contained shall not extend or be construed to extend to protect the said Commissioners, or any Body or Bodies Politic or Corporate, or any Person whomsoever, making, furnishing or supplying any Gas used, burnt, or consumed within the Limits of this Act, or any Officers, Servants, or Workmen employed therein, from any Indictment or Prosecution for a public or private Nuisance, in respect of any Gas Works, or the Means which shall be employed in making the said Gas, and using the same, nor from any Action or Actions for any Injury or Damage sustained by reason of any such Gas Works, or the Use of the said Gas, or the Method of lighting

therewith, whether such Injury or Damage shall proceed from the Preparation or the Use of the same Gas, or the Method of lighting, or the Carelessness or Want of Skill of any of the Persons employed therein, or from any other Cause whatsoever.

Commissioners to appoint Scavengers.

Their Duty.

XL. And be it enacted, That the said Commissioners shall and they are hereby required to provide, either by Contract or otherwise, a sufficient Number of Scavengers or Persons for the Purpose of cleansing the Streets, Roads, Lanes, Ways, Passages, and Places of and within the said Town and Port; and the Scavengers or Persons employed in cleansing or who shall contract to cleanse the said Streets and Places, shall, on such Days and at or between such Hours as the said Commissioners shall from Time to Time appoint, sweep and collect together, and as soon as possible afterwards take, carry away, and remove, all Dirt, Dung, Dust, Cinders, Ashes, Filth, or Rubbish (except the Soil of or from any Privy) in and from such Streets and Places respectively, and from any House and Premises within the said Town and Port, if required so to do by the Owner or Occupier thereof, and shall, by Sound of Bell or by such other Means as the said Commissioners shall direct, give Notice of his or their Approach for the Purpose of taking away the Dirt, Dust, Dung, Cinders, Ashes, Filth, and Rubbish (except as aforesaid) from their respective Houses or Premises; all which Dirt, Dust, Dung, Cinders, Ashes, Filth, and Rubbish, as well as all such as may be swept up and collected together as aforesaid, the said Scavengers or other Persons shall immediately, or as soon as may be, carry away or cause to be carried away to the Place or Places appointed by the said Commissioners for depositing the same, upon pain of forfeiting any Sum not exceeding Five Pounds for every Neglect; and if any such Scavenger or Person acting or employed as such shall not cause the Words "Scavenger's Cart" to be painted in large Roman Letters on some conspicuous Part of the Carts or Carriages which he shall use for the Purpose aforesaid, or shall wilfully sweep, put, or throw Dust, Dirt, Ashes, Filth, or Rubbish into any of the Sewers, Drains, Sinks, or Watercourses within the said Town and Port, every such Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Persons unauthorized not to take Ashes, &c.

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

No offensive Materials to be thrown into the Streets, &c.

XLII. And be it enacted, That no Person shall throw, sweep, cast, deposit, place, lay, or leave, or cause to be thrown, swept, cast, deposited, placed, laid, or left, any Night Soil, Offal, Muck, Entrails of Fish, putrid Fish, Oyster Shells, Bones, broken Glass, China or Earthenware, Dust, Dirt, Dung, Ashes, Refuse of Vegetables, Soap Suds, Filth, or

or any putrid, unwholesome, or offensive Matter or Materials whatsoever, in or into or upon any of the Streets, Roads, Lanes, Footways, Passages, or Places, or in or into any open or uncovered Place within Twenty Feet therefrom, within the said Town and Port, or on the Sea Beach or Stade, at a greater Distance than Six Yards above that Part of the Sea Shore called the *Stones Foot*, or into the Sewers, Channels, Drains, Sinks, or Watercourses within the said Town and Port, on pain of forfeiting for every such Offence any Sum not exceeding Forty Shillings.

Exceptions as to Ashes during Frost, Building Rubbish, &c.

XLIII. Provided always, and be it enacted, That no Person shall be liable to the said Penalty for or on account of placing, laying, or leaving in the said Streets or Places any Sand or Ashes, in the Time of Frost, to prevent Accidents, or Dung or Straw, or other proper Materials, in the Time of Frost, to prevent the Water Pipes from freezing, or Straw or other proper Materials, under the Controul or Direction of the said Commissioners or their Surveyor, in case of Illness, to prevent Noise, or on account of any Rubbish or Dirt necessarily occasioned by the building, pulling down, altering, or repairing of any House or Building, in case there be sufficient Space left in the Street or Place where such Rubbish or Dirt shall or may be placed for Carriages to pass and repass with Ease and Safety, and a sufficient Way kept clean for Foot Passengers to pass and repass at all Times, and so as a sufficient Light be kept and maintained at the Place between the Hours of Sunset and Sunrise, and so as the same be inclosed in such Manner as the said Commissioners or their Surveyor shall direct; and so as such Rubbish and Dirt be removed at the Expence of the Person so laying or causing the same to be laid, within such Time as shall be expressed in any Notice to be given by the said Commissioners or their Surveyor for that Purpose.

Foot Pavements to be swept.

XLIV. And be it enacted, That every Owner or Occupier of any House, Tenement, Warehouse, Shop, Shed, Yard, Coalhouse, Stable, or other public or private Building, in any of the Streets and Places within the said Town and Port, shall and he is hereby required to cause the Footways or Pavements adjoining his Premises to be well and sufficiently swept and cleansed every Morning in the Year between the Hours of Six and Ten of the Clock of every Day (*Sunday* excepted), and shall also cause the Dirt, Dust, and Soil therefrom to be left on the Road clear of the Water Channel, upon pain of forfeiting and paying for every Neglect therein any Sum not exceeding Twenty Shillings; and the Footways or Foot Pavements adjoining unoccupied Premises within the said Town and Port shall be swept and cleansed by the Scavengers to be employed as aforesaid, and every such Scavenger shall forfeit and pay the like Sum for every Neglect therein: Provided always, that in case it may appear expedient to the said Commissioners to take the Charge of sweeping and cleaning the said Footways or Foot Pavements upon themselves, it shall be lawful for them to employ the public Scavenger to sweep and clean the same.

Commissioners may cause the Foot Pavements to be swept by the Scavengers.

Time appointed for emptying Privies, &c.

XLV. And be it enacted, That if any Person shall empty or begin to empty any Privy or Water Closet, or to take away any Night Soil, Offal, Muck, Entrails of Fish, putrid Fish, or other noisome or offen-

sive Materials, Matter, or Things, (except Horse and Cow Dung,) from any House, Building, or Place within the said Town and Port, or shall carry or convey, or cause to be carried or conveyed, any Night Soil or other noisome or offensive Materials, Matters, or Things, in or through any of the said Streets, Roads, Lanes, Ways, Passages, or Places, except between the Hours of Eleven of the Clock at Night and Five of the Clock in the Morning from *Lady Day* to *Michaelmas* in every Year, or between Eleven of the Clock at Night and Six of the Clock in the Morning from *Michaelmas* to *Lady Day* in every Year, or such other Time as the said Commissioners shall direct or appoint; or if any Person shall wilfully or negligently put, cast, or spill, or cause or suffer to be put, cast, or spilled, any Night Soil or other noisome or offensive Materials, Matters, or Things, in or on any of the said Streets or Places, or into any of the Sewers, Sinks, Drains, Gratings, or Watercourses within the same; every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Slaughter-houses or other offensive Places may be removed.

XLVI. And be it enacted, That in case any Slaughter-house, Hogstye, Boiling House for Offal, Melting House for Fat or Tallow, Soaphouse, Necessary House, or Manure Heap, Dunghole, open Sewer, Cesspool, or other noisome or offensive Building, Place, or Matter whatsoever, in or near any of the said Streets, Roads, Lanes, Ways, Passages, or Places within the said Town and Port, shall by the said Commissioners be deemed a Nuisance to any One or more of the Inhabitants or Persons residing within the same, it shall be lawful for the said Commissioners, upon Complaint thereof made to them by any such Inhabitant or other Person, and after due Investigation of such Complaint, by a Notice in Writing under the Hand of any Seven of the said Commissioners or of their Clerk, to order that every such noisome or offensive Building, Place, or Matter be remedied or removed, and in case the same be not remedied or removed within Five Days after such Notice shall have been given to the Owner or Occupier of the Premises wherein such Nuisance or Annoyance shall be situate or arise, or to the Person who ought to abate or remove the same, then every such Owner, Occupier, or other Person shall forfeit and pay any Sum not exceeding Forty Shillings for every Day the same shall continue unremedied or unremoved after the Expiration of the Time mentioned in such Notice: Provided nevertheless, that where any Person thinking himself aggrieved by any such Order shall give Notice to the said Commissioners or their Clerk of his Intention to appeal against such Order, and shall enter into Recognizance within the Time and in manner herein-after provided in respect of Appeals against any Matter or Thing to be done in pursuance of this Act, such Person shall not be subject or liable to pay any Forfeiture or Penalty as aforesaid until the Expiration of Fourteen Days next after the Hearing and Determination of such Appeal, and the Confirmation thereupon of such Order of the said Commissioners.

Power to remunerate Proprietors of Slaughter Houses, &c. in certain Cases.

XLVII. Provided always, and be it enacted, That in case the said Commissioners shall at any Time hereafter think proper absolutely to prohibit any Butcher or other Person from using for the Purpose of Trade any Slaughter-house, Boiling House for Offal, Melting House for Fat or Tallow, or Soaphouse, erected previous to

to the passing of this Act, it shall be lawful for the said Commissioners and they are hereby authorized so to do, on making such Compensation to the Owner or Occupier of the same for the Loss he shall sustain by such Prohibition or the Removal of his Business therefrom as to the said Commissioners shall appear reasonable and proper; and if he shall be dissatisfied with such Compensation the same shall be settled and ascertained by a Jury or Justices as herein-after mentioned; and in case such Owner or other Person to whom such Compensation shall have been so made and tendered shall at any Time afterwards use for the Purpose of the Trade of a Butcher or Slaughterman, Boiler of Offal, Tallow Chandler, or Soapboiler, any such Slaughter-house or other Building, he shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds for every Day the same shall be continued.

Existing Projections to be removed by the Commissioners.

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

Projections to be removed by Occupiers.

XLIX. And be it enacted, That the several Owners or Occupiers of Houses, Buildings, and Premises situate in the several Streets, Roads, Lanes, Ways, or other public Passages or Places within the said Town and Port, and every of them, are hereby authorized and required, at their Expence respectively, within Thirty Days next after their respectively receiving Notice in Writing from the said Commissioners, to cause all and every the Penthouses, Porches, Sheds, projecting Windows, Verandahs, Balconies, Palisades, Rails, Posts,

Fences, Steps, Cellar Windows, Cellar Doors, Hatchways, Signs, Sign Posts, Showboards, and other Obstructions and Projections whatsoever, which shall hereafter be erected, affixed, set up, or laid down, or stand or be against or in front of or belonging to their respective Houses, Buildings, or Premises, and which in the Judgment of the said Commissioners shall be considered public Annoyances or Nuisances by reason of their projecting into or encroaching upon or otherwise obstructing, annoying, or endangering the public Passage along any of the said Streets or other public Places, to be taken down, filled up, removed, and carried away, or otherwise altered or reformed, within such Time and in such Manner as shall be directed by the said Commissioners; and in case the Owner or Occupier of any such House, Building, or Premises as aforesaid shall neglect or refuse to cause any such Matter or Thing so adjudged to be a public Annoyance or Nuisance as aforesaid to be taken down, filled up, removed, and carried away, or otherwise altered or reformed, within the Time and in manner aforesaid, then and in every such Case the said Commissioners may cause the same to be forthwith done, and the Costs and Charges attending the same shall and may be recovered from such Owner or Occupier in manner hereinafter directed: Provided always, that the Occupier of any such House or Building, being a Tenant at Rackrent, and having either paid such Costs and Charges in the first instance, or having repaid the same to the said Commissioners, and not being the Person who originally made or occasioned such Nuisance, shall and may deduct and retain the Amount thereof out of his Rent, and the Proprietor or Person entitled to the said Rent is hereby required to allow the same accordingly; provided further, that nothing herein contained shall extend to any Bow Windows, Balconies, or Verandahs of and belonging to any Houses already erected or hereafter to be erected within the said Town and Port, not projecting beyond the Areas of the respective Houses to which they may respectively belong.

Water from the Roofs of Houses to be carried off by Pipes.

L. And be it enacted, That the Owner or Occupier of every House or other Building in the said several Streets, Roads, Lanes, Ways, Passages, or Places, shall, within Twenty-one Days next after Notice from the said Commissioners given to him, put up and place, and for ever afterwards keep in repair, a Shoot or Trough of the whole Length of such House or Building, with a Pipe or Trunk to be fixed to the Front or Side of such House or Building, from the Roof down to the Ground, so as to carry off or conduct the Water from the Roof of such House or Building upon or underneath the Foot Pavement, as the said Commissioners shall think proper and order, into the common Channel, and so as to prevent the Water from falling upon or incommoding Foot Passengers; and if any such Owner or Occupier shall neglect or refuse to put up or place, or neglect to repair, any Shoot, Trough, Pipe, or Trunk as aforesaid, then and in every such Case the said Commissioners may cause the same to be forthwith put up, placed, or repaired, and may recover the Expence thereof from the Owner or Occupier of such House or Building; and the Occupier of any such House or Building, being a Tenant at Rack-rent, and having either paid the Expence of putting up, placing, or repairing any such Shoot, Trough, Pipe, or Trunk, in the first instance, or having repaid

repaid the said Commissioners for so doing, shall and may deduct and retain the same out of his Rent, and the Proprietor or Person entitled to the Rent is hereby required to allow the same accordingly.

Regulations relative to rebuilding Houses, &c.

LI. And be it enacted, That when any House or Building, the front Foundation or any Part of which now stands or projects beyond the regular Line of the Street or Place in which the same shall be situate, or beyond the Front of the Houses or Buildings on each Side, or of the House or Building on either Side thereof, in any of the Streets or public Places within the said Town and Port, shall be taken down to be rebuilt, altered, or amended, whether wholly or in part, the same shall be set back to the Line of the Street or Place aforesaid, or to the Line of the adjoining Houses or Buildings, or adjoining House or Building, in such Manner as shall to the said Commissioners appear most convenient and expedient for the Improvement of such Street or Place; and in Cases where the next Houses or House, Buildings or Building, shall not adjoin the House or Building to be so taken down, but shall be separated therefrom by any Street, Way, or Ground, then the same shall be set back to the Line of such Street or Place, or of such House or Building on either Side thereof, as the said Commissioners shall direct; and every Person who shall act contrary to the Directions of the said Commissioners herein shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds; and it shall be lawful for the said Commissioners to order and cause any House or Building which shall be erected contrary to the Provisions of this Act to be taken down, altered, or regulated at the Expence of the Owner or Proprietor thereof, to be recovered in manner herein-after mentioned for the Recovery of Damages and Expences.

Buildings may be advanced so as to improve Streets.

LII. Provided always, and be it enacted, That it shall be lawful for the said Commissioners and they are hereby empowered to admit any Buildings to be advanced and brought forward for the Purpose of improving and conforming to the general Line of the Street or Place in which such Buildings shall be situate, or of the Building or Buildings adjacent thereto.

Power to compensate Owners of Buildings set back to improve Streets.

LIII. And be it enacted, That where any House or Building shall be in the whole or in part altered, amended, or rebuilt, pursuant to the Provisions herein contained, and by reason whereof the Owner or Proprietor of such House or Building shall have suffered Loss or Damage, it shall be lawful for the said Commissioners and they are hereby required to make such reasonable Compensation to such Owner or Proprietor for such Loss or Damage as to them the said Commissioners shall seem reasonable and proper; and if any such Owner or Proprietor shall be dissatisfied with the Compensation so awarded to him by the said Commissioners, the same shall be ascertained by the Verdict of a Jury, or by the Determination of Two Justices, as the Case may require, in manner herein-after mentioned.

Houses building or repairing to be fenced in.

LIV. And be it enacted, That when at any Time hereafter, by reason of the erecting, building, altering, repairing, or enlarging any House, Wall, or Building within the said Town and Port, any or either

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

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

LV. And be it enacted, That no Person shall make or build any Vault or Drain upon or under any of the Foot or Carriage Ways, either in the Front, behind, or at the End of any House, Building, or Premises in any of the Streets or Places within the said Town and Port, without Leave of the said Commissioners first obtained for that Purpose, nor unless the same shall be substantially made to the Satisfaction of the said Commissioners or their Surveyor; nor shall any Person make such Vault or Drain so as to interfere with any Common Sewer or Drain in any of the said Streets or Places, nor dig out Earth or leave any Hole in any such Street or Place, before any House, Building, or Premises, or elsewhere, for the Purpose of making any such Vault or Drain, or any other Purpose whatsoever, without the Consent of the said Commissioners or their Surveyor, nor without inclosing the same in a good and sufficient Manner, to be approved of by the said Commissioners or their Surveyor, nor shall keep up such Inclosure longer than shall be necessary in the Opinion of the said Commissioners or their Surveyor, under the Penalty of any Sum not exceeding Five Pounds for every such Offence, and the further Penalty of any Sum not exceeding Twenty Shillings for every Day that such Offence or Annoyance shall be continued after Notice to remove or abate the same; and in case of any Refusal or Neglect to inclose any such Opening, or to remove or abate such Offence or Annoyance, it shall be lawful for the said Commissioners to cause the same to be done, and the Person so refusing or neglecting shall, over and above the said Penalties, repay all the Charges and Expences thereof to the said Commissioners.

Gratings to be kept over Openings in

LVI. And be it enacted, That where any Opening is now or shall hereafter be made in the Carriageway or Footway in any of the Streets

the Pavements.

Streets or Places within the said Town and Port, for the Purpose of conveying Coals or other Things or of admitting Light into any Room, Vault, Cellar, or Place, or for any other Purpose, the Covering or Grating to such Opening shall be made at the Expence of the Person requiring the same, or of the Occupier of the Premises for the Use of which the same was or shall be made or required, of Iron or such other Materials, of such Dimensions and in such Manner and Form as the said Commissioners shall direct; and such Grating and Covering shall from Time to Time be repaired and altered at the like Expence of the Person requiring the same, or of the Occupier of the Premises for the Use of which the same shall be made or continued, and in such Manner and Form as the said Commissioners shall direct; and in case any Person shall neglect or refuse to make, repair, or alter such Grating or Covering according to such Direction, or shall cause or permit the same to be or remain not sufficiently secured or fastened, every Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, and also any further Sum not exceeding Five Shillings for every Day the said Offence shall be continued.

Penalty on leaving Apertures in Pavements open.

LVII. And be it enacted, That if any Door, Hatchway, Grate, Stone Plate, Coal Plate, Board, or other Covering giving Light or Air, or securing any Cellar, Coalhole, Vault, Office, or other underground Room or Apartment, or any Area, Sewer, or other Aperture in or adjoining to any of the said Streets or Places, shall be left open or without being properly secured after Sunset and before Sunrise, without being sufficiently lighted and guarded, in order to prevent Accidents happening therefrom, the Occupier of the Premises to which the same shall belong, or the Person who shall be guilty of any such Offence, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Doors opening outwards to be altered.

LVIII. And be it enacted, That the several Owners or Occupiers of Houses, Buildings, Yards, and Gardens within the Limits of this Act, and every of them, are hereby respectively authorized and required, at their own Costs and Charges, within Twenty-one Days next after receiving Notice in Writing from the said Commissioners in that Behalf, to cause all such of the Doors and Gates leading into the several Houses, Buildings, Yards, and Gardens in their respective Occupations, and all Gates or Bars which do or shall open outwards upon or over any Footpath or public Way within the said Town and Port, to be altered so as that the same Doors, Gates, or Bars shall thenceforward open inwards or into their respective Premises, or so as to cause no Obstruction to the public Passage; and if any such Owner or Occupier of the aforesaid Premises shall neglect or refuse to make the Alteration required by the said Commissioners in any such Door or Gate within the Period specified in such Notice, such Owner or Occupier making default therein shall forfeit and pay any Sum not exceeding Twenty Shillings a Day for every Day during which any such Door or Gate shall be suffered to remain opening outwards as aforesaid after the Expiration of the Time specified in such Notice: Provided nevertheless, that when the Occupier of any such House, Building, Yard, or Garden, being a Tenant at Rack-rent, shall cause any such Door or Gate to be duly altered in pur-

suance of such Notice as aforesaid, it shall be lawful for him to deduct and retain out of his Rent the necessary Charges of altering the same, and the Proprietor or Landlord of every such House, Building, Yard, or Garden so held at Rackrent is hereby required to allow the same accordingly, except only in Cases where such Door or Gate opening outwards and so altered shall have been originally put up by or under the Authority of the Person occupying the Premises at the Time the Alteration is made, in which Case such Occupier shall bear the Expence of altering the same.

Power to stop up Drains from any Privy communicating with the Common Sewers.

LIX. And be it enacted, That it shall be lawful for the said Commissioners and they are hereby authorized and required to cause any Privy, or any Drain from any Privy, Water Closet, or Cesspool, within the said Town and Port, which shall communicate with any Common Sewer or Drain within the said Town and Port, to be removed, altered, diverted, or stopped up, and to pay the Expences attending the same; and if any such Privy or Drain shall hereafter be made to communicate with any such Common Sewer or Drain, or the Soil from such Privy, Water Closet, or Cesspool shall be suffered to run on the Beach, or in any other Part of the said Town and Port, the Owner or Occupier of the House or Premises to which such Privy, Water Closet, or Cesspool shall belong shall forfeit and pay for every Day the same shall continue any Sum not exceeding Forty Shillings.

Power to provide Fire Engines.

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

For preventing various Obstructions and Nuisances in the Streets.

LXI. And be it enacted, That if any Person shall run, draw, drag, drive, carry, or take any Truck, Wheel Sledge, Wheelbarrow, Bier, Handbarrow, Sedan Chair, Carriage, or other Vehicle whatsoever, or any Ladder, Scaffolding Pole, Plank, Timber, Bar of Iron, Log of Wood, or other incommodious Article, Matter, or Thing, or roll any Cask or Tub, upon, over, or along any of the Footways or Foot Pavements within the said Town and Port, except only for the Purpose of crossing the same, or the necessary loading or unloading thereof; or shall, in or upon any of the Footways or Foot Pavements, public Streets, Roads, Lanes, Ways, Passages, or Places within the said Town and Port, without the Consent of the said Commissioners, fix or use any Stall, Tent, Shed, or Standing Place, for the Exhibition or Sale of any Goods, Wares, or Merchandize, or shall therein or thereon unpack any Goods, Wares, or Merchandize, or shall hang out, place, or expose to Sale or Show, or for any other Purpose, any Meat, Vegetables, Clothes, Provisions, Goods, Wares, or other Commodities; or erect any

any Stall or Stallboard, or place any Showglasses or Showboards in or upon or so as to project over or upon any Footway or Carriageway, or beyond the Line of or on the Outside of the Window or Windows of the House, Shop, Building, or Premises at which the same shall be so hung out, placed, or exposed or erected as aforesaid; or shall shoot or cast any Coals, Wood, or other Articles upon the said Footways or Pavements or Carriageways, and shall suffer the same to remain longer than is necessary for the Removal or housing the same; or shall beat, shake, or dust any Carpet, Cloth, Mat, or Rug in any of the said Streets or Places; or shall lead or drive any Horse or other Beast or Cattle whatsoever, or wilfully permit or suffer any Horse or other Beast or Cattle which such Person may be riding, leading, or driving to go on any of the said Footways or Foot Pavements, or shall tie or fasten any Horse or other Beast or Cattle to any House, Outhouse, Wall, Fence, Post, Tree, or Railing whatsoever, across any of the said Footways or Foot Pavements; or shall set any Cask, Tub, Pail, Bucket, Stool, Bench, or Stall or other Thing on or in the said Footways or Foot Pavements or Carriageways; or shall erect, set up, put, or place any Blind, Shade, Coverlid, or Awning, or any other Matter or Thing, so as in any way to cause any Obstruction or Impediment in any such Footway or Carriageway; or shall slide or skate during Frost on any Footway or Foot Pavement, or on any Road or Way in any of the said Streets or Places, or commit any Annoyance or any Nuisance whatever thereon or therein respectively, or shall obstruct the Passage along any Footway or Foot Pavement by standing or loitering thereon, or shall in any other Manner or by any other Means wilfully prevent or impede the free Passage of any other Person upon or along any of the said Footways or Foot Pavements; or shall, in any of the said Streets or Places, burn, fire, scald, wash, dress, cleanse, or hoop any Cask, Pail, or Tub, or empty all or any of the Contents, Dregs, or Refuse of any Cask, Pail, or Tub; or shall, in any of the said Streets or Places, hew, saw, cut, or bore any Stone, Lead, Wood, or Timber; or wash or clean, make or repair, any Carriage whatsoever (Cases of Accident only excepted); or shoe, bleed, dress, clean, drive, turn, or leave loose or uncontrolled any Horse or other Beast or Cattle, or cause or permit or suffer the same to be done; or if the Driver of any Waggon, Cart, or other Carriage whatsoever shall, within any Part of the said Town and Port, ride on the Shafts, or in or upon any Part of such Carriage, or on any of the Horses or Cattle drawing the same, without guiding the same by Reins in his Hands; or if any Person shall drive any Cattle, or ride or drive any Horse or other Beast or Animal, or any Carriage whatsoever, in any Part of the said Town and Port, in a violent, furious, dangerous, or improper Manner, or shall, in riding or driving any Horse or other Beast or Animal, or any Carriage whatsoever, not keep the proper and customary Side of the Road, or shall thereby or by any other Means wilfully or needlessly prevent, obstruct, or impede the Passage of any Coach, Chaise, or other Carriage, or prevent any Person from passing; or shall in any of the said Streets or Places show or expose for Sale or for Exhibition any Stallion, or any Horse or other Beast or Cattle, or ride, drive, or lead the same in any Carriage or otherwise, for the Purpose of Exercise, or for the Purpose of breaking in the same (except in going out of or returning into the said

said Town and Port); or shall therein or thereon sift, screen, wet, slack, or mix any Lime, or wet, mix, or make any Mortar, Plaster, or Cement (except with the Consent of the said Commissioners or their Surveyor); or shall, in any of the said Streets or Places, leave or suffer to remain any Blocking or Squat Stone or other Thing with which any Carriage whatsoever shall have been blocked or stopped; or shall drive or act as the Driver of any Coach, Waggon, Cart, or other Carriage down any Hill or Declivity on any of the said Roads within the said Town and Port, with either of the Wheels locked, and without using or having a proper Skidpan or Slipper at the Bottom of such Wheel during the whole Time of its being so locked, in such Manner as to prevent the said Road from being destroyed or injured by the locking of such Wheel; or shall therein play at the Game of Cricket, Trapball, Football, Fives, driving Hoops, Toss, Pitch, and Hustle, or any other Game; or shall therein or thereon wilfully or wantonly throw or cast any Stone, Tile, Pebble, Shell, or other Missile; or make any Bonfire, or let off or fire any Cracker, Squib, or other Fireworks or combustible Materials, or wantonly fire or let off any Gun or Pistol; or burn or suffer to be burnt, in any Garden or Ground in, close to, or adjoining the said Town and Port, any Weeds, Leaves, or other Rubbish; or shall suffer any Mastiff, Bull Dog, or other ferocious Dog to go unmuzzled in any of the said Streets or Places; or if any Person shall kill any Animal, or singe, scald, dress, or cut up any Carcase, either wholly or in part, in or on any of such Streets or Places, or cause or permit any Blood, Soapsuds, Filth, or Soil, Gas, or any other unwholesome, noxious, or offensive Matter, to flow, run, escape, or be cast or thrown from or out of any House, Outhouse, Building, Yard, or other Place, into or upon any of the said Footways or Foot Pavements, Streets, or Places; or shall hang out or expose, or cause, permit, or suffer to be hung out or exposed, any Linen, Clothes, or other Articles or Things whatsoever to dry or air in or on any Part of the said public Streets or Places, or on the Seashore (except only on the Seabeach between *Ecclesbourne* and the Eastern End of the Battery); or if any Person shall affix any Posting Bill or other Paper to or against any Dwelling House, Wall, or Building, without the Consent of the Owner or Occupier thereof, or write upon or otherwise deface or mark the same by means of Chalk, Paint, or any other Material; or make, excite, or join in any Brawl, or otherwise disturb the public Peace, or use any obscene, profane, or abusive Language in any of the said Streets or Places, or commit any public Nuisance or Annoyance whatsoever within the said Town and Port; every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; and it shall be lawful for any of the said Commissioners, or any Officer appointed by virtue of this Act, or for any Constable, to take away and remove any of the before-mentioned Obstructions, Nuisances, or Annoyances, in case the Party occasioning the same shall not remove the same within a reasonable Time after being requested so to do by any Person whomsoever: Provided nevertheless, that nothing in this Act contained shall extend to prevent any Person from spreading or laying down of any Linen or Clothes, Sails or Nets, or any other Articles of Cloth or Linen, to dry or air on the Beach or Seashore to the Westward of the Eastern End of the Battery.

Not to prevent drying Clothes on the Beach to the West of the Battery.

Carriages not to remain in the Streets longer than necessary.

LXII. And be it enacted, That if any Waggon, Cart, Carriage, Coach, Sledge, Dray, Wheelbarrow, or Truck, or any other Carriage or Vehicle, shall at any Time be left, or suffered to be or remain, stay, stand, or continue, either with or without a Horse or Horses or other Cattle, in any of the Streets or Places within the said Town and Port, for any longer Time than shall be necessary or reasonable for taking up or setting down Passengers or other Persons, or the loading or unloading thereof, or in case the same shall not during such Time be standing as near to that Side of the Street or Place at which the loading or unloading is to be performed as conveniently may be, or shall be set, placed, left, or be upon any Part of the Footways, Foot Pavements, or Crossings of any such Street or Place, or shall stand, be set, or placed athwart or across (although for the Purpose of loading or unloading the same) any Part of any such Street or Place, so that there shall not be sufficient Room left for another Carriage to pass, or if any Timber, Stone, or other weighty or heavy Article or Material whatsoever shall be drawn in or over any such Street or Place without being placed upon or suspended from a Sledge or Carriage proper for that Purpose, or if any Tree or Piece of Timber shall be hauled or drawn upon any Part of such Street or Place, being placed upon or suspended from a Wheel Carriage, but without being attended by some Person beside the Carter, in order to prevent such Tree or Timber doing any Injury or Damage, or if any Goods, Wares, or Merchandize, Materials, or Things whatsoever, shall be or remain in such Street or Place for a greater Space of Time than shall be necessary for housing or removing thereof, then and in every such Case the Owner or the Driver of every such Carriage as aforesaid, and the Owner of such Goods, Wares, or Merchandizes, Materials, or Things as aforesaid, or the Person causing such Annoyance, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; and any One of the said Commissioners, or their Surveyor, or other their Officer, shall and may, either in the Day or by Night, seize or cause to be seized any such Carriage so suffered to be or remain, stay, stand, or continue as aforesaid, together with the Horses or Cattle in or drawing the same, or the Goods, Wares, or Merchandize, Materials, or other Things as aforesaid, and remove or cause the same to be removed, together with the Person having the Custody thereof, if he shall refuse to quit the same, to such secure Pound or other Place as shall be appointed by the said Commissioners for that Purpose; and the same (except the Person having the Custody thereof and refusing to quit as aforesaid) there to be kept and detained until the Owner thereof shall pay or cause to be paid to the Person in whose Custody the same shall then be the Penalty adjudged to be paid for the said Offence, together with the Costs and Charges of seizing, removing, and keeping the same; and in case the Carriage, Cattle, or other Articles so seized shall not be claimed, and the said Forfeiture, Costs, and Charges paid, within the Space of Twenty-four Hours next after such Penalty shall have been adjudged, the same shall be sold; and the Money arising from such Sale, after deducting the said Penalty, Costs, and Charges, and the Expences of such Sale, shall be paid to the Owner, on Demand.

LXIII. And

Beasts wandering in the Streets to be impounded.

LXIII. And be it enacted, That if any Horse, Ass, Swine, or other Beast or Cattle whatsoever shall at any Time be found loose or wandering about any of the Streets or Places within the said Town and Port, it shall be lawful for any Person to seize, take, and impound the same in any Pound within the said Town and Port, or in such other Place as the said Commissioners shall appoint, and the same there to detain until the Owner thereof shall pay to the Person impounding the same for a single Beast so taken and impounded the Sum of Five Shillings, and where the Number of Beasts taken and impounded at One Time shall exceed One, the Sum of Five Shillings for the first, and the further Sum of One Shilling for every Beast beyond the first, over and besides the reasonable Charges and Expences of impounding and keeping the same; and in case the said Sums, Charges, and Expences shall not be paid within Three Days next after such Impounding as aforesaid, it shall be lawful for the Pound Keeper or such other Person as shall be appointed by the said Commissioners for that Purpose, on giving Twelve Hours previous public Notice of the intended Sale by the public Crier of the said Town and Port, to sell or cause the same to be sold; and the Money arising from such Sale, after deducting the said Sums, Charges, and Expences, and also the Expences of such Sale, shall be paid to the Owner of the Beast so sold, on Demand.

Penalty for Pound-breach or Rescue.

LXIV. And be it enacted, That in case any Person shall release or attempt to release any Waggon, Cart, or other Carriage or Vehicle herein-before mentioned, or any Horse, Ass, Beast, or Cattle which shall be impounded, or seized for the Purpose of being impounded, under the Authority of this Act, or shall pull down, damage, or destroy the Pound or Place in which the same shall be impounded, or any Part thereof, or any Lock, Bolt, or Fastening belonging thereto, or with which the same shall be fastened, or shall rescue or release, or shall attempt to rescue or release, any Distress or Levy which shall be made under the Authority of this Act, until or before such Waggon, Cart, or other Carriage or Vehicle, Horse, Ass, Beast, or Cattle seized or impounded, or such Distress or Levy so made, shall be discharged by due Course of Law, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

For preventing the spreading of Canine Madness.

LXV. And be it enacted, That it shall be lawful for any Two Justices, in case of Suspicion of the Existence or Prevalence of Canine Madness in the said Town and Port, or the Neighbourhood thereof, by an Order under their Hands and Seals, to order or authorize any Person or Persons to be named in such Order, and such Person or Persons is and are hereby authorized accordingly, to destroy all Dogs which shall be found at large in any of the Streets or Places within the said Town and Port, on the Expiration of Twelve Hours after Notice thereof shall have been given by the public Crier in the said Town and Port, and after a Notice shall have been posted up in the same Town and Port by Direction of the said Justices, setting forth the Order of such Justices, and requiring all Persons to confine their Dogs; and if any Person after such Notice shall have been given shall suffer or permit any Dog whatever to go at large in any

of

of the said Streets or Places during such Time as such Notice shall direct Dogs to be confined, he shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Power to appoint Watchmen and Beadles.

LXVI. And be it enacted, That the said Commissioners shall from Time to Time appoint and employ such Number of Watchmen, Beadles, and other Officers and Persons as they shall judge necessary, for the proper Protection of the Inhabitants, Houses, and Property, Streets and Places, within the said Town and Port, by Day and by Night, and shall likewise direct and appoint how and where they shall be stationed, in what Manner they shall be armed, how often they shall go their Rounds, how long they shall continue upon Duty, and what Wages shall be paid or allowed them for such Services, and shall from Time to Time make all such Orders, Rules, and Regulations as the Nature of those Services shall to the said Commissioners appear to require, and also shall and may offer and give, as well to the said Watchmen, Beadles, and other Officers and Persons, as to any others not specially employed by them, such Gratuities and Rewards for apprehending Felons and others Offenders within the said Town and Port as to them shall seem proper, and shall and may defray the Expences of prosecuting any such Felons and Offenders, or in defending any of the said Watchmen, Beadles, or other Officers and Persons in the Execution of their Duty, as they shall think proper; and it shall be lawful for such Watchmen, Beadles, and other Officers or Persons so to be appointed as aforesaid, and they are hereby authorized and required, to use their utmost Endeavours to prevent any Mischief by Fire, and vigilantly to keep Watch and Ward within the said Town and Port, and to arrest, apprehend, and detain in some convenient Place of Security within the said Town and Port, to be provided and appointed by the said Commissioners for that Purpose, all Felons, Malefactors, disorderly Persons, Rogues, Vagrants, Beggars, and all Prostitutes and Night Walkers, and suspected Persons, who shall be found wandering or misbehaving themselves, or disturbing the public Peace and shall take them (as soon as conveniently may be) before some Justice of the Peace, to be examined and dealt with according to Law; and in case any such Watchman, Beadle, or other Officer or Person shall misbehave himself or neglect his Duty, the Clerk for the Time being to the said Commissioners is hereby authorized to suspend such Watchman, Beadle, or other Officer or Person from the Execution of his Office, and appoint another Person to officiate therein until the next Meeting of the Commissioners, who shall examine into the Matter; and in case the said Commissioners shall confirm such Suspension, such Watchman, Beadle, or other Officer or Person shall moreover be liable to such Penalty for Misbehaviour as is herein-after expressed.

Watchmen to be sworn as Constables.

LXVII. Provided always, and be it enacted, That all such Watchmen, Beadles, and other Officers and Persons to be appointed and employed as aforesaid shall be sworn in as Constables before any Justice or Justices of the Peace, and to act as such while in the Execution of the Powers and Authorities of this Act, and they are hereby invested with and shall have and enjoy the like Powers and Authorities, Privileges and Immunities, and be subject and liable

to the like Pains, Penalties, and Forfeitures, as any Constable or Constables is or are invested with or have and enjoy or are subject and liable to by Law.

Penalty on Watchmen, &c. misbehaving.

LXVIII. And be it enacted, That if any such Watchman, Beadle, or other Officer or Person shall not faithfully observe, perform, and keep the Orders, Rules, and Regulations which shall be made by the said Commissioners for the Purposes aforesaid, or shall in any Manner neglect his Duty or misbehave himself in the Execution of his Office, he shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings, and if the said Commissioners shall think proper shall also be immediately discharged from his Office or Employment.

Penalty on Publicans harbouring Watchmen.

LXIX. And be it enacted, That if any Victualler, Publican, Retailer of Beer, or other Person selling spirituous or other Liquors shall knowingly entertain or harbour any such Watchman, Beadle, or other Officer or Person during the Time he ought to be on Duty, such Victualler, Publican, Retailer of Beer, or other Person selling such Liquors as aforesaid shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Penalty for assaulting or obstructing Officers.

LXX. And be it enacted, That if any Person shall assault, obstruct, hinder, or molest any of the said Commissioners, or any Treasurer, Clerk, Surveyor, or Collector, Inspector, Watchman, Beadle, or other Officer, Workman or Person whomsoever, in the Performance or Execution of any Duty, Matter, or Thing by this Act authorized or directed to be done, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and it shall be lawful for the said Commissioners to give such Rewards to such Watchmen, Beadles, or other Officers or Persons who may be disabled or wounded in the Execution of their Duty as the said Commissioners shall think reasonable.

Power to license Pleasure Boats, Hackney Coaches, &c.

LXXI. And be it enacted, That it shall be lawful for the said Commissioners from Time to Time to license and authorize a sufficient Number of Pleasure Boats, and also of Hackney Coaches or Carriages of any Kind or Description whatsoever, whether drawn by Hand or in any other Manner, Flies, Sedan Chairs, Bathing Machines, Horses, Asses and Mules, to ply for Hire within the said Town and Port, or on the Beach or Coasts thereof respectively, as the said Commissioners shall in their Judgment think fit.

Power to make Bye Laws for regulating hired Boats, Hackney Coaches, &c.

LXXII. And be it enacted, That it shall be lawful for the said Commissioners and they are hereby authorized and empowered, from Time to Time as often as to them shall seem necessary, to make, ordain, constitute, and appoint such Bye Laws, Rules, Orders, and Regulations as they shall think fit, for better regulating and ordering all Boats let to Hire, and used for the Purpose of sailing or rowing for Pleasure, and the Persons attending the same, and to ascertain and fix what Rates and Prices shall be paid and received by the Watermen or Sailors managing or rowing any such Boat, and for punishing the Misconduct or Misbehaviour of any such Watermen or Sailors, and

also for regulating and ordering such Hackney Coaches or other Carriages, Flies, Sedan Chairs, Bathing Machines, Horses, Asses and Mules to be so licensed as aforesaid, and how and in what Manner the Owners, Drivers, and Carriers thereof respectively shall conduct and demean themselves in their several Employments, and within what Hours and Times they may follow and exercise their Calling, and also in what Manner and Order and how such Hackney Coaches or other Carriages, Flies, Sedan Chairs, Bathing Machines, Horses, Asses and Mules shall be furnished, provided, kept, and numbered, and what Number of Persons may be carried and conveyed in and on such Coaches or other Carriages, Flies, and Sedan Chairs, and what Number of Horses or other Animals are to draw the same, and for ascertaining, fixing, altering, and removing the Stands of such Coaches or other Carriages, Flies, Chairs, Bathing Machines, Horses, Asses and Mules, or any of them, from Time to Time, and punishing the Misconduct or Misbehaviour of Hackney Coachmen, Chairmen, and Persons attending such Carriages, Flies, Bathing Machines, Horses, Asses or Mules, or any Imposition, by demanding and receiving more than the regular Fare or otherwise, and for fixing, ascertaining, and defining what Rates, Prices, or Fares shall be allowed, paid, awarded, or received by such Hackney Coachmen, Chairmen, and Owners of or Persons attending such Carriages, Flies, Bathing Machines, Horses, Asses or Mules, and to what Distance such Hackney Coachmen, Chairmen, or Persons shall be obliged to drive, go, or come in and about the said Town and Port or the Neighbourhood thereof, not exceeding Five Miles from the Town Hall of the said Town and Port; and also for the Government and Regulation of Persons bathing in the Sea adjoining the said Town and Port, or the Neighbourhood thereof; and the said Commissioners may from Time to Time, as they shall think fit, repeal, alter, or amend such Bye Laws, Rules, Orders, and Regulations, or any of them, such Bye Laws, Rules, Orders, and Regulations not being repugnant to the Laws of that Part of the United Kingdom called *England*, or this Act, and shall ascertain and impose any reasonable pecuniary Penalties and Forfeitures upon Persons breaking or avoiding the same, or any of them, provided that no such Penalty or Forfeiture shall exceed the Sum of Five Pounds for any Offence: Provided always, that the said several Bye Laws, Rules, Orders, and Regulations, and the Alterations and Amendments therein, shall from Time to Time be printed or written in a large and conspicuous Manner; and a Copy thereof, signed by the Clerk to the said Commissioners, shall be fixed up in the Office of such Clerk, for the free and open Inspection of all Persons, at convenient Hours, without Fee or Reward, and other Copies thereof shall be painted on Boards, or printed and put up in such conspicuous Places in the said Town and Port as the said Commissioners shall direct, and such Copies respectively shall be renewed and replaced from Time to Time as often as the same shall be obliterated, defaced, or destroyed; but no such Bye Laws, Rules, Orders, and Regulations shall have any Force or Effect until Seven Days after the same shall have been so painted or printed, or written and affixed.

Penalty for defacing, &c. Bye Law Boards, &c.

LXXIII. And be it enacted, That if any Person shall pull down or wilfully damage or destroy any Papers or Boards fixed or put up

in any Office or public Place in pursuance of this Act, for the Publication of the Bye Laws, Rules, Orders, or Regulations of the said Commissioners, or any Table of Tolls, or any other official Publication of or from the said Commissioners in the Execution of this Act, or obliterate or deface any Printing or Writing or Painting thereon, he shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, and every Person doing any such Damage shall also be liable to pay for or make good all Damage done, and all Expences occasioned thereby.

Penalty on Drivers of Hackney-Coaches, &c. plying without Licence.

LXXIV. And be it enacted, That if the Owner of or Person attending any Pleasure Boat, or the Driver of any Hackney Coach, Fly, or other Carriage, or the Carrier or Carriers of any Sedan Chair, or any Person attending any such Bathing Machine, Horse, Ass or Mule, shall be found standing or plying for Hire, or using any such Pleasure Boat, Coach, Fly, or other Carriage, Sedan Chair, Bathing Machine, Horse, Ass or Mule, within any Part of the said Town and Port, without a Licence from the said Commissioners, or having such Licence shall be found plying for Hire, or acting contrary to or against any Bye Laws, Rules, Orders, or Regulations which shall or may be made as aforesaid, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

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

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

every Owner of such Pleasure Boat, Coach, Carriage, Fly, Sedan Chair, Bathing Machine, and of every Saddle Horse, Ass or Mule, shall affix and keep affixed such Figure or Number as shall be respectively appointed by the said Commissioners, on such conspicuous Part of such Pleasure Boat, Coach, Carriage, Fly, Chair, or Bathing Machine as shall be appointed by the said Commissioners, and on the Front of the Bridle of every such Saddle Horse, Ass or Mule, and shall for every Refusal or Neglect so to do forfeit and pay any Sum not exceeding Forty Shillings.

Persons not paying Hackney Coachmen, &c. their Fare, or damaging Carriage, &c. to be compelled by a Justice to make good the Damage.

LXXVI. And be it enacted, That if any Person shall refuse or neglect to pay, on Demand, to any licensed Boatman, Hackney Coachman, Fly Man, Sedan Chairman, or Person attending such Bathing Machine, Horse, Ass or Mule, the regular Fare or Money due to him or her for the Hire or Service thereof respectively, or shall cut, deface, break, or injure any such licensed Pleasure Boat, or the Tackling thereof, or any such licensed Coach, Fly, or Carriage, Horse, Ass or Mule, or the Harness of the same, or any such licensed Chair or Bathing Machine, it shall be lawful for any Justice of the Peace, upon Complaint thereof made to him, to summon the Person complained of to appear before him to answer the said Complaint, and on Proof upon Oath of the Service of the Summons to proceed in and hear the Matter of such Complaint on Oath, whether the Person so summoned shall appear or not, and to make such Order therein as to such Justice shall seem just; and if the Person against whom such Order shall be made do not immediately pay or cause to be paid the Money which shall be ordered as a Satisfaction to the Person for the Service or Injury done, it shall be lawful for such Justice, and he is hereby required, to cause the same to be levied by Distress and Sale of the Goods and Chattels of such Person so refusing or declining to pay, in the same Manner as Penalties are by this Act directed to be recovered, and to pay the Amount so awarded to the Person to whom it shall be due, with such Costs as such Justice shall think reasonable, returning the Overplus, if any, to the Owner of the Goods and Chattels so distrained; and if no Distress can be found then to commit the Person against whom such Order shall be made to the Common Gaol, there to remain without Bail or Mainprize for any Term not exceeding Thirty Days, unless the Money be sooner paid.

To prevent bathing in the Sea within certain Limits, except from Machines.

LXXVII. And be it enacted, That if any Person shall undress on the Sea Beach, or shall bathe in the Sea, except from a Bathing Machine, at any Place on the Sea Coast between the Point called *Rockanore* and the Mouth of the *Priory Water*, situate within the Limits of this Act, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings.

Power to erect Groins.

LXXVIII. And be it enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, from Time to Time as to them shall seem necessary and expedient, to erect, set up, build, repair, and maintain Groins, Walls, Jetties, Piers, and other Works for the Protection of the said Town and Port, or any Part of the same, or of the Beach or Shore thereof, from the Encroachments of the Sea, and for facilitating the Approach to the Sea,

Sea, and the Passage along the said Beach, and the landing of Coals and other Merchandize on the Beach or Shore of the said Town and Port.

Power to establish a Market or Markets;

LXXIX. And be it enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, from and out of the consolidated Rates, Assessments, Tolls, and Duties to be raised by virtue of this Act, to erect, build, establish, and hold within the said Town and Port, in such Place or Places as they shall deem most eligible and proper, a Market or Markets for the Sale of any Manner of Flesh Meat and other raw Victuals, Fish, live and dead Poultry or Pigeons, Game, Sucking Pigs, Eggs, Butter, Fruit, Herbs, Roots, Vegetables, and other Provisions, and such other Goods, Wares, Merchandize, Articles, and Things as are usually sold in public Markets; and to erect, construct, and maintain all such Buildings, Rooms, Warehouses, Cellars, Stands, Stalls, Shambles, Drains, Watercourses, and other Conveniences, with proper and sufficient Approaches to the same, as shall be necessary or convenient for the Purposes of the said Market or Markets, or of the Persons resorting thereto, or as the said Commissioners shall direct or require for any other Purposes, and such Market or Markets shall be held on such Days or Times, and in such Manner, and subject to such Regulations, as the said Commissioners shall from Time to Time order and direct.

and erect public Weighing Houses, &c.

LXXX. And be it enacted, That it shall be lawful for the said Commissioners to erect and appoint a Weighing House, or Place in or near the said Market or Markets, for weighing and measuring any Article bought or sold by Weight or Measure therein, for the Use of such Buyers or Sellers as shall desire to use the same, and to keep proper legal Standard Weights and Measures therein, and to appoint a Person or Persons to attend the same on every Market Day during the Time the Market shall be open, or as the said Commissioners shall direct; and all Persons selling Meat or other Things by Weight or Measure in the said Market or Markets shall weigh and measure the same in or by the said Weights, Measures, or Scales, if required so to do by the Buyer thereof, on pain of forfeiting for every Refusal so to do the Sum of Five Shillings.

The present MeatMarket to be discontinued.

LXXXI. And be it enacted, That after such new Market or Markets shall be built, completed, and opened for public Use as a Market or Markets, and One Calendar Month after a printed Notice thereof shall have been affixed in some conspicuous Places in the said Town and Port, the Meat Market now held in the Market House in the *High Street* in the said Town and Port, and all other Markets, if any, now held in the said Town and Port, shall cease, and shall be removed to and be holden in the same new Market or Markets: Provided always, that before and until the said Commissioners shall have appropriated and set apart any Market or Part of any Market for the Sale of Butchers Meat, and opened the same for public Use as aforesaid, nothing herein contained shall prevent or hinder, or be construed to prevent or hinder, the holding of the said Meat Market in the said

Town and Port, at the same Place and in the same Manner as the same is now held.

Compensation to be made to the Corporation for the Tolls of the present Meat Market.

LXXXII. And whereas the Mayor, Jurats, and Commonalty of the said Town and Port are entitled to and now receive and take the Rent or Tolls arising from the said Meat Market now held in the Market House aforesaid, and it is expedient that proper Compensation should be made to them in lieu of the said Rent or Tolls, in case the said Commissioners shall at any Time hereafter, under the Provisions herein-before contained, complete and open for public Use a Market for the Sale of Butchers Meat in any Part of the said Town and Port; be it therefore enacted, That in order to the making of such Compensation as aforesaid, the said Commissioners shall and they are hereby required, in case they shall at any Time hereafter, under the Provisions hereinbefore contained, complete and open for public Use a Market for the Sale of Butchers Meat in the said Town and Port, to make and pay to the said Mayor, Jurats, and Commonalty such Compensation and Satisfaction for such Damage as the said Mayor, Jurats, and Commonalty shall sustain by reason of such new Market for the Sale of Meat being so opened and used, and the Removal of the said present Meat Market as aforesaid, as the said Commissioners shall in their Judgment think reasonable; and in case the said Mayor, Jurats, and Commonalty shall be dissatisfied with such Compensation, then the same shall be ascertained and settled by a Jury in the Manner herein-after provided for ascertaining the Value of Hereditaments to be purchased or taken for the Purposes of this Act.

Penalty on exposing Provisions to Sale, except in Markets.

LXXXIII. And be it enacted, That if any Person shall hawk, sell, or offer or expose to Sale any Manner of Flesh Meat or other raw Victuals, Fish, live or dead Poultry or Pigeons, Game, Sucking Pigs, Eggs, Butter, Fruit, Herbs, Roots, Vegetables, or any other Sort of Provisions usually sold in public Markets, in any other Place within the said Town and Port than the said new Market or Markets, or the said present Meat Market, as herein-before provided, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds: Provided always, that nothing herein contained shall extend to prevent any Inhabitant of the said Town and Port from selling any such Provisions in his private Dwelling House, or in any Shop, Part of such Dwelling House, in any Part of the said Town and Port, or from carrying about or hawking for Sale in Baskets or other Mode of Conveyance, carried by Hand, and not otherwise, Fish of any Description free of Toll or Duty, or from selling red or dried Herrings, dried or cured in Deezes or Drying Houses within the said Town and Port, from such Deezes or Drying Houses, or to subject, charge, or make liable any Person selling, offering or exposing to Sale, by Wholesale, on the Seabeach, below the usual High-water Mark at Spring Tide, any Fish which shall or may be brought on shore within the said Town and Port.

Proviso for Provisions sold in Houses, and Fish.

Power to use present Fish Market.

LXXXIV. And be it enacted, That it shall be lawful for the said Commissioners, with the Consent of the Mayor, Jurats, and Commonalty of the said Town and Port, under their Common Seal, first obtained, to order and direct Stalls and Standings to be erected and

built upon the Ground whereon the present Fish Market is held, or upon any Ground near thereto, and adapted for the Purpose of a Fish Market for the Sale of Fish, in such Manner and Form as they shall deem eligible for the Accommodation of the Persons resorting thereto respectively; and such Market, when erected, shall be under the Direction of the said Commissioners, and be subject to such Tolls and Regulations as are by this Act provided respecting the general Market or Markets for the Sale of Provisions herein-before authorized to be established.

Power to destroy unwholesome Provisions.

LXXXV. And be it enacted, That if any Person shall sell or expose to Sale within the said Town and Port any Meat, Fish, or other Provisions which shall be of an unwholesome Nature, or in a State improper for Human Food, it shall be lawful for any Justice, or any Three of the said Commissioners, or any other Person duly authorized by them, without any other Authority than this Act, to seize and destroy, or cause to be seized and destroyed, such Meat, Fish, or other Provisions; and every Person selling or exposing the same to Sale shall, notwithstanding the Seizure and Destruction thereof, for every Offence forfeit and pay any Sum not exceeding Five Pounds.

Justices to grant Warrants to search for and seize unwholesome Provisions.

LXXXVI. And be it enacted, That it shall be lawful for any Justice of the Peace, and he is hereby required, upon Information exhibited to him upon Oath, that any Meat, Fish, or other Provisions of an unwholesome Nature, or in a State improper for Human Food, is or are concealed or suspected to be concealed for Sale in the said Market or Markets already or hereafter to be erected, or in any House or other Place within the said Town and Port, to issue his Warrant to search all such Market or Markets, Houses or Places, and any such Meat, Fish, or other Provisions then and there found to seize and convey before any Justice, who, upon Proof of the unwholesome Nature thereof, or of the same being improper for Human Food, either by One credible Witness or upon his own Inspection, may order the same to be destroyed; and the Person in whose Custody the said unwholesome or improper Meat, Fish, or other Provisions shall have been found shall forfeit and pay any Sum not exceeding Five Pounds, as a Penalty for concealing or having kept the same.

Market Tolls.

LXXXVII. And be it enacted, That there shall be paid to the said Commissioners, or to the Collector or Person appointed by them to receive the same, by every Person holding, using, or occupying any Stall, Table, or Standing, or selling, or offering or exposing to Sale, any Provisions, Goods, Articles, or Things as aforesaid, brought into the said Market or Markets for Sale, immediately on the same being so brought in, or on Demand by the said Collector or Person, the several Tolls or Sums following, or such other Tolls or Sums, not exceeding such Tolls or Sums, as the said Commissioners shall from Time to Time fix and appoint; (that is to say,)

For every Stall or Table used for the Sale of Meat, Cheese, Bacon, Pickled Pork, or Fish, *per* Day, One Shilling and Sixpence:

For every Quantity of Butter not exceeding Six Pounds in Weight, One Penny:

For every additional Three Pounds of Ditto, One Halfpenny:

For

For every Head of Poultry (except Turkies and Geese), Wild Fowl, Partridge, Woodcock, Snipe, Landrail, Plover, Rabbit, Dozen of Larks, or Half Dozen of Wheatears, One Halfpenny:

For every Turkey or Goose, Two-pence:

For every Hare, Pheasant, Head of Grouse, Black, Heath, or Moor Game, One Penny:

For any Number of Pigeons not exceeding One Dozen, Two-pence:

For every additional Half Dozen of Ditto, One Penny:

For any Number of Eggs not exceeding One Dozen, One Halfpenny:

For every additional Dozen of Ditto, One Halfpenny:

For every Quantity of Fish (except Lobsters, Crawfish, Crabs, Prawns, Shrimps, Oysters, Cockles, or Muscles) not exceeding Half a Bushel, Three-pence:

For every Quantity of Ditto containing more than Half a Bushel and not exceeding One Bushel, Sixpence:

For every additional Half Bushel of Ditto, Three-pence:

For every Quantity of Lobsters or Crawfish not exceeding in Weight Six Pounds, Two-pence:

For every additional Three Pounds of Ditto, One Penny:

For every Quantity of Crabs not exceeding in Weight Six Pounds, One Penny:

For every additional Three Pounds of Ditto, One Halfpenny:

For every Quantity of Prawns, not exceeding One hundred, Two-pence:

For every additional Fifty Prawns, One Penny:

For every Quantity of Shrimps not exceeding One Quart, One Half-penny:

For every additional Quart of Ditto, One Halfpenny:

For every Quantity of Oysters or Scallops not exceeding One Bushel, Three-pence:

For every additional Half Bushel of Ditto, Three Halfpence:

For every Quantity of Cockles or Muscles, or other Shell Fish not herein-before named, not exceeding Two Gallons, One Half-penny:

For every additional Two Gallons, One Halfpenny:

For every Quantity of Fruit of any Kind, whether separate or mixed, not exceeding Half a Bushel, Three-pence:

For every Quantity of Ditto containing more than Half a Bushel and not exceeding One Bushel, Sixpence:

For every additional Half Bushel of Ditto, Three-pence:

For every Quantity of Herbs, Roots, or Vegetables, whether separate or mixed, not exceeding One Bushel, Two-pence:

For every additional Half Bushel of Ditto, One Penny:

For every live or dead Pig called a Sucking Pig, Two-pence:

For every dead Hog or Porker not sold on Stalls or Standings, Six-pence:

For every Quantity of Fresh Pork or Sausages, not exceeding Twelve Pounds in Weight, Two-pence:

For every additional Six Pounds of Ditto, One Penny:

For every Stall, Table, or Standing used for the Sale of any Articles not included or already charged in this Table, *per* Day, One Shilling and Sixpence:

And any Article mixed may be separated for the Purpose of being weighed or measured; and the said Tolls for the Use of any Stall, Table, or Standing, taken by the Day, shall be paid by the Taker, and it shall not be lawful for him or her to underlet the same; and in case he or she shall not occupy the same the whole Day, then it shall be lawful for the Collector or Person appointed to receive the said Toll, after the same shall be quitted or become unoccupied by the original Taker, to relet the same.

Tolls to be levied by Distress and Sale.

LXXXVIII. And be it enacted, That the said Commissioners shall set up and maintain in some conspicuous Part of the said Market or Markets a Table of the Tolls to be taken by virtue of this Act; and in case any Person holding, using, or in any Manner occupying any of the said Stalls, Tables, or Standings, or selling or exposing to Sale any Provisions, Goods, or Articles as aforesaid, in the said Market or Markets, shall neglect or refuse to pay or shall wilfully evade the Payment of the several Sums or Tolls aforesaid, or any of them, or any Part thereof, it shall be lawful for the said Commissioners, or the Collector or the Person to be appointed by them to receive such Tolls, to levy the same by Distress and Sale of all or any of the Goods, Articles, or Things so exposed to Sale, or other the Goods and Chattels of such Person so neglecting, refusing, or evading to pay as aforesaid, and the said Distress so to be taken to sell forthwith, rendering the Overplus (if any), after deducting the Expences attending such Distress and Sale, to the Owner, on Demand.

Settling Disputes concerning Tolls, &c.

LXXXIX. And be it enacted, That in case any Dispute shall arise concerning such Tolls, such Dispute shall be settled and determined by any Justice of the Peace, who shall by Warrant under his Hand and Seal summon the Parties to appear before him, and hear and determine the Matter of every such Complaint upon Oath, and to make such Order therein and award such Costs to either Party as to him shall seem proper, and by Warrant under his Hand and Seal cause the Money which shall be so awarded, and the Costs of such Warrant, to be immediately levied by Distress and Sale of the Goods and Chattels of the Party liable to pay the same, rendering the Overplus (if any) to the Owner, on Demand, after deducting the reasonable Charges of every such Distress and Sale.

Power to make Bye Laws for regulating the Market.

XC. And be it enacted, That it shall be lawful for the said Commissioners from Time to Time to make, provide, constitute, and ordain such Rules, Orders, and Bye Laws as they shall think fit and necessary, for the better governing, protecting, cleansing, letting, occupying, using, and otherwise regulating the said Market and Markets, and for appointing what particular Part of the said Market or Markets shall be occupied or made use of for the Sale of Butcher's Meat, Fish, Poultry, Fruit, Vegetables, and other Articles and Things respectively sold or exposed for Sale therein, or which of the said Provisions, Articles, or Things respectively shall be sold or exposed for Sale therein; and also for regulating, ordering, and governing all Persons, both Sellers and Buyers, resorting or coming thereto in all Matters which shall or may concern or relate to the said Market or Markets, and also for regulating and ordering all Carriers employed

in or attending the said Market or Markets, and the standing and loading and unloading of Carts and other Carriages, and Horses or Beasts, in the said Market or Markets and the Approaches thereto, and for the appointing, trying, adjusting, regulating, and ordering of all Weights and Measures according to the legal Standard used and to be used in the said Market or Markets, and the Sale of Provisions, and other Articles, Matters, and Things, by such Weights and Measures, and for preventing the Sale and exposing to Sale of such Provisions, Articles, Matters, and Things in the said Market or Markets by false and deceitful Weights or Measures, and also for preventing the Sale of or exposing to Sale any unwholesome Meat, Fish, or other Provisions in such Market or Markets, and likewise for regulating and ordering all other Matters and Things which do or may concern or relate to the said Market or Markets, or the good Government thereof; and it shall also be lawful for the said Commissioners to ascertain and impose, and in such Rules, Orders, and Bye Laws to set down, any pecuniary and other Penalties, Fines, and Forfeitures to be paid or incurred by Persons breaking or evading such Rules, Orders, and Bye Laws, or any of them, not exceeding Five Pounds for any One Offence; and also from Time to Time, as they shall think fit, to repeal, alter, add to, or amend such Rules, Orders, and Bye Laws, or such Penalties, Fines, or Forfeitures, or any of them: Provided always, that such Rules, Orders, and Bye Laws shall not be repugnant to the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, or to the Provisions of this Act; and all Persons resorting or coming to the said Market or Markets are hereby required to observe and keep such Rules, Orders, and Bye Laws, under such Penalties and Forfeitures respectively as shall be ascertained and set down as aforesaid, and all such Rules, Orders, and Bye Laws shall be signed by the Clerk to the said Commissioners, and shall be painted on Boards or printed, and put up or affixed in some conspicuous Place or Places in the said Market or Markets, which from Time to Time shall be renewed and replaced when and as often as the same shall be altered, obliterated, or defaced; but no Rule, Order, or Bye Law shall have any Force or Effect until Ten Days next after the same shall have been affixed as aforesaid; and the said Rules, Orders, and Bye Laws, and any Alteration thereof, shall be subject to Appeal in manner hereafter mentioned.

Power to let the Market Tolls.

XCI. And be it enacted, That it shall be lawful for the said Commissioners, from Time to Time, at any Special Meeting to be convened for the Purpose, by Writing under the Hands and Seals of any Seven or more of them to demise and let the Tolls or Sums arising from the said Market or Markets to any Person who shall be willing to take and farm the same, for any Period not exceeding Three Years, for the best and most improved Rent that can be reasonably obtained for the same, either by public Auction or Tender, only upon such Terms and Conditions, and with such Securities for the Payment of the Rent, as the said Commissioners shall think expedient and fit; and the Persons renting such Tolls or Sums shall have all the same Powers and Authorities for enforcing the Payment thereof as are by this Act vested in the said Commissioners.

XCII. And

Power to let Stalls by the Year, or for any other Period.

XCII. And be it enacted, That it shall be lawful for the said Commissioners to let any of the Rooms, Warehouses, Cellars, Stalls, Standings, or Tables within the said Market or Markets, to any Person who shall be willing to take the same by the Year, or for any other Period not exceeding Three Years.

No other Market to be erected.

XCIII. And be it enacted, That after the said Market or Markets for the Sale of Provisions and other Things shall have been erected and opened for public Use, and during such Time as the same shall continue to be used and opened for such Purpose, no other Market or Market Place for the Sale of any such Provisions or other Articles or Things as are herein-before authorized to be sold at the said Market or Markets shall be erected or established at any Place within the Limits of this Act, unless by and under the Authority and Direction of the said Commissioners.

Commissioners empowered to make Waterworks, for supplying the Town with Water.

XCIV. And be it enacted, That it shall be lawful for the said Commissioners and they are hereby authorized and empowered to make, construct, erect, and maintain any Reservoir or Reservoirs for Water, and any Cuts, Drains, Tunnels, Conduits, Feeders, and Aqueducts, in or through the Fields, Lands, or Grounds, and Roads mentioned in the Schedule to this Act annexed, marked (C.), and to take and use for the Purposes of this Act the Waters of the Stream called the *Bourne*, and of any Springs or Rivulets flowing in, through, or by such Fields, Lands, Grounds, and Roads, or any of them, and to divert, turn, raise, and conduct the Waters of any such Streams, Springs, or Rivulets, by means of such Cuts, Drains, Tunnels, Conduits, Feeders, and Aqueducts, into any such Reservoir or Reservoirs for supplying the Inhabitants of the said Town and Port with Water, and also to make, erect, build, construct, and maintain any Embankments, Walls, and other Works necessary for completing and rendering effective and maintaining such Reservoirs, Aqueducts, and other Works, upon the Lands and Grounds aforesaid, or any of them, making Satisfaction or Compensation in manner herein-after mentioned to the Owners or Proprietors of any of the Lands or Grounds aforesaid, which may be taken or used or damaged in the Execution of the Powers aforesaid; and also to make, construct, erect, build, and maintain any Reservoirs, Cuts, Drains, Tunnels, Conduits, Feeders, and Aqueducts, and any Embankments, Walls, and such other Works as aforesaid, and to take and use any Springs and Streams of Water, on or in any Lands and Grounds within the said Town and Port not mentioned in the said Schedule to this Act, with the Consent of the Owners or Proprietors of such last-mentioned Lands and Grounds, in order to raise, collect, and provide a sufficient Supply of Water for the Purposes of this Act; and also to erect, construct, make, and maintain any Steam Engines, Water Wheels, Pumps, and Waterworks, on any of the Lands and Grounds aforesaid, and to lay and put down or place any Main Pipe and Branch Pipe in or through any of the Lands or Grounds aforesaid, and also in or through all or any of the Highways, Roads, Streets, Lanes, and other public Passages and Places within the said Town and Port; and for executing the Purposes aforesaid, and also afterwards for inspecting or repairing the Works aforesaid, it shall be lawful for the said Commissioners, their Agents, Workmen, Servants, and Assistants, from Time to Time to enter upon the Lands and Grounds

Grounds aforesaid, and to mark and stake out such Part or Parts thereof as shall be necessary to be taken and used, or to be dug and broken up, for executing any of the Purposes of this Act, without being deemed a Trespasser or Trespassers; and also to take and use such Part and Parts of such Lands and Grounds as shall be wanted for effecting the Purposes of this Act, and to break up the Soil thereof, and to bore, cut, dig, trench, sew and sough the same Lands and Grounds, and to get, remove, place, lay, take, carry away, and use any Earth, Soil, Clay, Stones, Gravel, Sand, Rubbish, and other Matters and Things which may be dug and got in the Prosecution of any of the Works aforesaid, or afterwards in repairing or maintaining the same, and to break up, open, and relay or remove the Soil or Pavement in any present or future Highway, Road, Street, Lane, and other public Passage or Place within the said Town and Port, or any Sewers or Drains therein, for the Purpose of laying, putting down, or placing any Main Pipe or Branch Pipe or any Service Pipe, or for executing any of the Works by this Act authorized to be erected, made, done, or executed, or for inspecting, repairing, and maintaining the same after the same shall be laid, put down, placed, replaced, made, done, or executed, and from Time to Time to repair, alter, take up, re-construct, renew, remove, or replace any of the Works, Matters, or Things aforesaid, as occasion shall require; and also, from Time to Time, to make, construct, and erect, lay, place, affix, or provide, and to repair and maintain, or alter, remove, and renew, any Service Pipes, Cisterns, Ponds, Basins, Sluices, Branches, Valves, Plugs, Bores, Cocks, Stop Cocks, Fire Plugs, Branches, Machines, Devices, Matters, and Things which shall be expedient or necessary for distributing and conveying such Water to the respective Houses, Buildings, and Premises of the Inhabitants of the said Town and Port, and from Time to Time, as Occasion may require, to do all other Acts, Matters, and Things which shall be necessary or proper for completing, amending, repairing, and improving, and for using the Works authorized by this Act to be done and provided for the Purposes and according to the true Intent and Meaning of this Act, they the said Commissioners, their Agents, Servants, and Workmen, doing as little Damage as may be in the Execution of the several Powers hereby granted, and making Satisfaction in the Manner herein-after mentioned to all Persons interested in any private Lands, Grounds, Tenements, and Hereditaments, for any Damage which shall be by them sustained by reason of all or any of the Powers of this Act; and this Act shall be sufficient to indemnify the said Commissioners, and their Servants, Agents, and Workmen, and other Persons whomsoever, for what they or any of them shall do by virtue of this Act, subject nevertheless to such Provisions or Restrictions as are herein-after contained: Provided always, that nothing herein contained shall extend to deprive or hinder the Owners or Tenants of the Lands or Grounds in or through which the said Stream of Water called the *Bourne*, or the other Sources, Springs, and Rivulets hereinbefore mentioned, have been used to flow or arise, from taking or using a sufficient Supply of the Water flowing or arising within the Lands or Grounds of such respective Owners or Tenants, for the Use of their Houses, Lands, Grounds, Premises, and Cattle thereon or therein, but that proper Watering Places shall be made and supplied for the Use of the Cattle of such respective Owners and Tenants, by the

the said Commissioners, without requiring any Compensation for the Use thereof from such Persons as aforesaid.

Map and Book of Reference to remain with the Clerk of the Peace.

XCV. And whereas a Map or Plan describing the Line of the intended Aqueducts, and the Situation of the intended Reservoir, and the Lands through and in which the same are intended to be carried and made, and a Book of Reference, containing a List of the Names of the Owners or reputed Owners and Occupiers respectively of such Lands, have been deposited at the Office of the Clerk of the Peace of the County of *Sussex*; be it therefore enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the Clerk of the Peace for the Time being, and all Persons shall at any reasonable Time have Liberty to inspect and peruse the same, and to have a Copy thereof, or of such Part thereof as shall be required, on paying to such Clerk of the Peace or his Deputy the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts; and the said Commissioners shall not, in making such Aqueducts or Reservoirs, deviate in or through any such Lands or Grounds more than One hundred Yards from the Line or Situation described in the said Map or Plan, without the Consent in Writing of the Owners and Occupiers of the Lands or Grounds in which such Deviation shall be made.

No Deviation from Plan exceeding One hundred Yards without Consent.

Waste Water to run into the Bourne.

XCVI. And be it enacted, That after such of the Inhabitants of the said Town and Port as shall from Time to Time contract with the said Commissioners for the Supply of Water shall have been served, and such other Purposes as the said Commissioners shall require or direct the Water to be applied to shall have been effected, all the surplus or waste Water to be collected by virtue of this Act shall, by proper Pipes, Channels, or Drains, to be made and maintained at the Expence of the said Commissioners, be conveyed or made to run into the *Bourne* at or near the Place called the *Slough*, or at such other convenient Place in the said Streets or public Places as the said Commissioners shall direct.

Two Places to be made for supplying the Poor with Water gratis.

XCVII. And be it enacted, That the said Commissioners shall and they are hereby required, as soon as the said Waterworks shall have been completed, to make and for ever maintain at their Expence Two fit and convenient Places at or near the *Bourne*, for the gratuitous Supply of Water from the Reservoirs or other Works of the said Commissioners, for the general Use of the poor Inhabitants of the said Town and Port; but no Person shall take or carry away the said Water from the said Places or either of them for Sale, or for any other Purpose than for his own private Use, or for the Use of his Family, on pain of forfeiting for every such Offence any Sum not exceeding Twenty Shillings.

Ground broken up to be made good by the Commissioners.

XCVIII. And be it enacted, That when and as often as any Ground shall or may be opened or broken up, either by the said Commissioners or any other Person acting under or by their Authority, for making, laying, removing, or repairing any such Reservoirs, Aqueducts, Mains, Pipes, and other Works, then and in every such Case the

the said Commissioners, or such other Person, shall forthwith fill in and make good such Ground, and remove the Rubbish occasioned thereby, and shall in the meantime fence or guard the Ground where such Opening shall have been made, in such Manner as to prevent Accidents to Passengers, Carriages, or Cattle; and if there shall be any wilful or negligent Delay in the said Commissioners, or such other Person, in filling in or making good any such Ground, or removing such Rubbish, or in fencing or guarding such Ground, the said Commissioners or such other Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, to be paid and applied as follows; (that is to say,) One Half to the Informer, and the Remainder to the Overseers of the Poor of the Parish or Place in which the Offence shall be committed, to be by them applied in aid of the Poor Rates of such Parish or Place.

Owners, Occupiers or Inhabitants may lay Pipes after Notice.

XCIX. And be it enacted, That such of the Owners or Occupiers of Houses, Buildings, or Premises within or Inhabitants of the said Town and Port as shall be desirous of having Water from the said Waterworks laid into their Houses, Buildings, and other Premises may and are hereby authorized and empowered, at their own Expence (having given Fourteen Days previous Notice in Writing of his, her, or their Intention so to do, to the said Commissioners or their Clerk or Surveyor, and with the Consent of the Owners of the Premises through which the Pipes shall be conveyed), to open the Ground between the Aqueducts or Main or Branch Pipes of the said Commissioners, and the respective Houses, Buildings, or other Premises of such Owners, Occupiers, or Inhabitants, and to lay any Leaden or other Service Pipe or Pipes of the Bore of Three Quarters of an Inch, or of a greater Bore, if the said Commissioners shall consent thereto, from such respective Houses, Buildings, or other Premises, to communicate with the said Aqueducts or Main or Branch Pipes, such respective Owners, Occupiers, or Inhabitants paying, or agreeing or consenting to pay, to the said Commissioners, the Rents or Sums herein-after mentioned; and every Owner, Occupier, or Inhabitant for the Time being of the several Houses, Buildings, or Premises to which any Service Pipe shall be so laid, and who shall take or use any Water belonging to the said Commissioners, shall be liable to pay the said Rents or Sums of Money for the Use of such Water, in the same Manner as if he or she had originally laid such Service Pipe or Pipes as aforesaid; and in case of Default of Payment of any such Rents or Sums of Money it shall be lawful for the said Commissioners to cause the Service Pipe or Pipes belonging to the Person making such Default, and communicating with the said Aqueducts or Main or Branch Pipes, to be separated therefrom, and to cause the Water to be stopped from issuing or running into the said Houses, Buildings, or other Premises of every Person so making Default; and the Rents or Sums of Money so due and in arrear shall be recoverable and shall and may be recovered by the said Commissioners, together with Costs, by Distress and Sale of the Goods and Chattels of the Person refusing or neglecting to pay the same, or any Part thereof, wherever such Goods and Chattels may be found, in the same Manner as Rents in arrear upon common Demises may by Law be recovered, or the same, with Costs of Suit, may be re-

covered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case: Provided always, that every Person who shall have laid any Leaden or other Pipes as aforesaid, or any subsequent Owner or Proprietor thereof, shall be at liberty to remove and take away any such Pipes, and the Cocks belonging thereto, doing no Injury or Damage to the Pipes of the said Commissioners, and making good the Pavement to be disturbed thereby.

Water Rents payable till Notice to discontinue.

C. And be it enacted, That the Rents or Sums of Money which any such Owner, Occupier, or Inhabitant shall agree or consent or be liable to pay for a Supply of Water as aforesaid shall be charged on the Owner, Occupier, or Inhabitant of the House, Building, or Premises to which any such Service Pipe shall be laid, until after the Expiration of One Calendar Month's Notice in Writing be given by him, her, or them, to the Clerk to the said Commissioners, of his, her or their Intention to discontinue to take, receive, or use such Water, such Notice to expire on some usual Quarter Day: Provided always, that in all Cases where any Owner, Occupier, or Inhabitant shall remove from or quit Possession of any House, Building, or other Premises in respect whereof he, she, or they shall have agreed or consented or become liable to pay for Water supplied by the said Commissioners by virtue of this Act, such Owner, Occupier, or Inhabitant shall be liable to pay for the same down to the next Quarter Day after such Removal only.

Limiting the Rents to be paid for Water.

CI. And be it enacted, That the said Commissioners shall be obliged, so far as their Means will allow, to furnish a sufficient Supply of Water to every Owner, Occupier, or Inhabitant occupying a private Dwelling House or Part of a Dwelling House in any Street or Place in the said Town and Port where any Main or Branch Pipe of the said Commissioners shall be laid, and from which any Service Pipe shall be laid by virtue of this Act, for the Use of his or her own Family, at the following Rents *per Annum*; (that is to say), where the annual Rackrent or Value of the House or Building, Yard, Offices, or Premises to be supplied with Water shall not exceed Ten Pounds, at the Rent of Six Shillings *per Annum*, and where the annual Rackrent or Value shall be above Ten Pounds, at the Rent of Nine-pence in the Pound upon such annual Rackrent or Value: Provided nevertheless, that in case of Manufacturers, Dyers, Distillers, Brewers, Innkeepers, Maltsters, Alehouse Keepers, Vintners, or other Persons requiring a Supply of Water for other Purposes than those of domestic Uses, or Persons requiring a Supply of Water for Baths, Ponds, or Pools, or for washing Carriages, or for Cows or Horses, or for the Purposes of any Trade or Business whatsoever, such Supply shall be furnished by the said Commissioners in such Cases at such Rent as shall be settled and agreed upon by and between the said Commissioners and such Persons respectively.

Power to reduce Water Rents, and to increase them.

CII. And be it enacted, That it shall be lawful for the said Commissioners from Time to Time to advance and raise or lower and reduce the Rents or Sums of Money by this Act authorized to be taken in respect of such intended Supply of Water: Provided always, that the said Rents or Sums of Money shall not in any Case be

be advanced or raised so as to exceed at the utmost One Third *per Annum* in addition to the Rents or Rates for charging herein-before mentioned, and that the said Rents or Sums shall not be lowered or reduced more than One Third *per Annum* whilst any Principal Sum advanced or borrowed for the Purposes of this Act in relation to the said Waterworks shall remain unpaid.

Penalty for not supplying Water at Rents specified.

CIII. And be it enacted, That in case the said Commissioners shall wilfully neglect or refuse to supply, in manner aforesaid, any Owner, Occupier, or Inhabitant occupying any private Dwelling House or Part of a Dwelling House in the said Town and Port where such Service Pipes as aforesaid shall be laid, with Water, for the Use of his or her own Family, at the Rents aforesaid, for the Space of Twenty-one Days (after Demand in Writing shall have been made by such Owner, Occupier, or Inhabitant, to the Clerk or Surveyor of the said Commissioners for the Time being, for such Supply of Water, and Tender made to such Clerk or Surveyor of the Amount of the Rent for Half a Year for such Supply), the said Commissioners shall forfeit and pay to such Owner, Occupier, or Inhabitant Treble the Amount of the Rent so tendered, and also the Sum of Twenty Shillings for every Day during which they shall refuse or neglect to supply such Water as aforesaid: Provided always nevertheless, that the said Commissioners shall not be obliged at any Time to grant any greater Supply of Water to the Persons or Parties making such Demand and Tender than can be afforded without lessening the Supply to the other Tenants of the said Commissioners.

Water Rents to be payable in advance.

CIV. And be it enacted, That the Water Rents or Sums of Money payable to the said Commissioners by virtue of this Act shall become due and continue to be payable in advance if the said Commissioners shall so require, and either quarterly or half yearly, as they shall think proper, to be calculated from and immediately upon the Commencement of the Supply of Water, under the Powers herein contained, being furnished or provided.

Rents payable notwithstanding partial Suspension of Supply of Water.

CV. And be it enacted, That it shall be lawful for the said Commissioners in Times of Scarcity of Water, or when the Springs are low, and also when it shall be necessary to do any Repairs or make any Alterations or Amendments in or to the said Reservoirs, Aqueducts, Pipes, Cocks, or any other Part of the said Waterworks, to stop the Supply of Water running from the said Reservoirs to the said Houses, Buildings, and Premises, so long as it shall be necessary either for the Accumulation of Water for the better Supply of the said Owners, Occupiers, or Inhabitants, or for the Repair or Amendment of any of the said Waterworks; but such Suspension or Stoppage shall not prevent or hinder the said Commissioners from receiving and recovering the Rents or Sums of Money then due or to become due to them: Provided always, that if such Suspension or Stoppage shall exceed Seven Days at any One Time, or Fourteen Days within any One Half Year, then a proportionate Deduction shall be made from the said Rents or Sums, to be settled, in case of Dispute, by any Justice of the Peace.

CVI. And

Power to let the Water Rents.

CVI. And be it enacted, That it shall be lawful for the said Commissioners from Time to Time, at any Special Meeting to be convened for the Purpose, by Writing under the Hands and Seals of any Seven or more of them to demise and let the Rents and Sums of Money arising from the said Waterworks to any Person who shall be willing to take and farm the same, for any Period not exceeding Three Years, for the best and most improved Rent that can be reasonably obtained for the same, either by public Auction or Tender only, upon such Terms and Conditions, and with such Securities for the Payment of the Rent, as the said Commissioners shall think expedient and fit; and the Person taking and farming the said Rents or Sums of Money shall have all the same Powers and Authorities for enforcing the Payment thereof which are by this Act vested in the said Commissioners.

Where several Houses are supplied by One Service Pipe, each Occupier liable.

CVII. And be it enacted, That where several Messuages, Dwelling Houses, Cottages, or Tenements, in the Occupation of several Persons, shall be supplied by One common Service Pipe from the Main or Branch Pipes or Aqueducts of the said Commissioners, the several Owners or Occupiers of such Messuages, Dwelling Houses, Cottages, or Tenements shall be respectively liable to pay for such Supply of Water the same Rent as he, she, or they would be liable to pay for the same if each of such Messuages, Dwelling Houses, Cottages, or Tenements were separately supplied with Water by a distinct Service Pipe from the Waterworks of the said Commissioners; and where One Dwelling House is occupied by several Tenants or Lodgers, it shall be lawful for the said Commissioners, if they shall think it proper, to proportion the said Rent between such several Tenants or Lodgers in such Manner as shall seem to them most equitable; and such several Rents, in case of Nonpayment, shall be recovered as herein-before mentioned.

Cisterns, &c. to be provided for keeping Water, if required.

CVIII. And be it enacted, That every Person supplied with Water by the said Commissioners shall, if required so to do by the said Commissioners, or their Surveyor or Engineer, provide and keep a proper Cistern or Receptacle for such Water, made secure from Loss of Water by Leakage or Drainage, and also provide and maintain in such Cistern or Receptacle a Valve or Ball and Stopcock, or other self-acting Cock, affixed to the Pipe conveying any such Water into such Cistern or Receptacle, in order to prevent the Water running to waste from the same; and in case any Person supplied with Water by the said Commissioners shall neglect to provide such Cistern or Receptacle, and also such Valve or Ball and Stopcock, or other self-acting Cock, and to affix the same in manner aforesaid, and to maintain the same respectively at all Times in an effectual State of Repair, it shall be lawful for the said Commissioners, or any Person acting by or under their Authority, to cut and turn off the Water, by such Ways and Means as to them or him shall seem proper, from the House, Building, or other Premises of every such Person, until such Cistern or Receptacle, and Valve or Ball and Stopcock, or other self-acting Cock, shall be provided or put in effectual Repair in manner aforesaid.

Penalty on fouling or injuring the Water.

CIX. And in order to preserve the Water clean and wholesome, be it enacted, That if any Person shall bathe or wash in or wade into

into any Spring, Rivulet, Reservoir, Aqueduct or other Waterwork made or maintained for the Purposes of this Act, or shall wash, put, throw, or cast therein any live or dead Animal, Gravel, Stone, Rubbish, Clothes, Filth, Dirt, or noisome or offensive Matter or Thing whatsoever, or cause or suffer the Water of any Sink, Sewer, Drain, or any other offensive liquid Matter or Thing, to run, drain, or be conveyed into any such Spring, Rivulet, Reservoir, Aqueduct, Pipe, or other Waterwork, or shall wantonly or unnecessarily open or cut or damage, or cause to be opened, cut, or damaged, any Valve, Clough, or other Engine belonging to the said Waterworks, or any Main Pipe, Branch Pipe, or other Pipe, or wilfully or maliciously let off or discharge, or cause to be let off or discharged, any Water from any of the said Waterworks or Places provided for the Supply of Water, or mis-spend or waste the Water thereof, or foul, or render noisome or impure, or cause or procure to be fouled, or rendered noisome or impure, any Water running into or contained in any of such Springs, Rivulets, Reservoirs, Aqueducts, Pipes, or other Waterworks or Places, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, and also such further Sum as the full Amount of the Damage occasioned by the Acts or Means in respect of which such Penalty shall be incurred shall amount unto.

Penalty on Frauds in the Use of Water.

CX. And be it enacted, That if any Person shall take or use, or cause, permit, or suffer to be taken or used, any Water from or out of any Reservoir, Aqueduct, Pipe, or other Waterwork which shall be made or laid by virtue of this Act, (except from the Places hereinbefore required to be made for the gratuitous Supply of Water to the poor Inhabitants of the said Town and Port,) without having agreed with the said Commissioners for the Supply of such Water, or if any Person supplied with Water by virtue of this Act shall, without the previous Consent of the said Commissioners, supply any other Person with any Part of such Water, or if any Person shall, by negligently suffering his Service Pipe or Cistern, or the Cocks belonging thereto, to be out of Repair, occasion the Water thereby supplied to run waste or useless, then and in every such Case every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, and it shall be lawful for the said Commissioners, if they shall think fit, to take or cut off the Water so supplied by them, from the Premises of the Person so offending or where the Offence shall be committed.

Persons permitted to supply Water to others in certain Cases.

CXI. Provided nevertheless, and be it enacted, That nothing herein contained shall extend to subject any Person supplied with Water by virtue of this Act to any Penalty or Forfeiture for supplying any other Person with any Quantity of such Water in case of Fire, or for supplying any Person entitled to a Supply of Water by the said Commissioners during any Time that the Pipe or Cock belonging to such last-mentioned Person shall happen to be out of Repair.

Commissioners to enter Premises, to see that there is no undue Waste of Water.

CXII. And be it enacted, That it shall be lawful for any Engineer, Surveyor, or other Person acting by or under the Authority of the said Commissioners, from Time to Time, between the Hour of Eight in the Forenoon and Sunset, giving One Hour's previous Notice of his or their Intention, to enter any House, Building, or other Pre-

mises supplied with Water by the said Commissioners, in order to inspect and examine if there be any Waste, undue Diversion, or improper Appropriation of the Water so supplied by the said Commissioners, and if the Pipes or Cocks be in good and proper Repair; and if such Engineer, Surveyor, or other Person acting as aforesaid shall at any such Time, and having given such Notice as aforesaid, be refused Admittance or Entrance into any such House, Building, or other Premises, for the Purpose of making such Inspection and Examination as aforesaid, or on being admitted shall be obstructed or prevented from making such Inspection and Examination as aforesaid, then and in every such Case it shall be lawful for the said Commissioners to cut and turn off, or cause to be cut and turned off, the Water supplied by them from such House, Building, or other Premises; but such Suspension or Discontinuance of such Supply of Water shall not prevent the said Commissioners from recovering the Rents then due for or in respect of such Supply.

Mains to be kept full and Fire Plugs made in the Streets.

CXIII. And be it enacted, That all the Mains to be laid down and used by virtue of this Act shall at all Times be kept charged to the full with Water, if possible; and the said Commissioners shall and they are hereby required, upon the laying down any Main or other Pipe in any Street, Way, or Place, for supplying the same with Water, to fix and place at the Time of laying down such Main or other Pipe a proper and sufficient Fire Plug or Fire Plugs in such Streets, Ways, or Places as they shall judge proper and necessary, and shall deliver the Keys of such Fire Plugs to the Person having the Care of the Fire Engines or Engine House in the said Town and Port, and shall cause other Keys thereof to be hung up in the Watch-house or some other convenient Place in the same Town and Port.

Market and Waterworks exempted from Parochial Rates.

CXIV. And be it enacted, That the said Market or Markets, Rooms, Warehouses, Cellars, Stalls, Standings, or Market Tolls, or the said Waterworks, Main, Branch, and other Pipes, or the said Water Rents, herein-before authorized to be made, maintained, received, and collected, or any Part thereof, or any Person in respect thereof, or any Part thereof, shall not, during such Time as the same respectively shall be demised and let to any Person in pursuance of this Act, as well as at any other Time, be subject or liable to be assessed to the Rates or Assessments to be made by virtue of this Act, or to the Relief of the Poor, or to any Parochial Charge, Rate, or Assessment whatsoever made or to be made; any Law or Usage to the contrary notwithstanding.

Power to cover, &c. the Water of the Bourne.

CXV. And be it enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, to cause the said Stream of Water called the *Bourne*, or such Part thereof as they shall think requisite, to be contracted, paved, and covered over, and otherwise improved, regulated, maintained, and kept in such Manner as they shall direct, and it shall be lawful for them or their Surveyor, or any Person acting under their or his Authority, to take away and remove any Stumps, Boards, Stones, or other Things standing or being in or across any Part of the said Stream, and by such Means as they or he shall think most effectual to stop up and prevent

any

any Diversion or Loss of the Water therein, and for that Purpose to enter upon any Lands, Grounds, or Premises adjoining to the said Stream; and if any Person shall, without the Consent in Writing of the said Commissioners first obtained, alter or divert the Course of the said Stream, or any Part thereof, or if any Person shall do or commit any Damage, Injury, or Spoil, or wash, put, throw, or cast any live or dead Animal, Gravel, Stone, or Rubbish, or Clothes, or any Filth, Dirt, or noisome or offensive Matter or Thing therein, or cause or suffer the Water of any Sink, Sewer, Drain, Dungheap, Hogstye, or any other offensive Liquid, Matter, or Thing whatsoever, to run, drain, or be conveyed into the said Stream or any Part thereof to the Northward of the Bridge called the *Creek Bridge*, or suffer any Hogpound or Hogstye to stand or be placed within Thirty Feet of the said Stream, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, and a further Sum not exceeding Ten Shillings *per* Day for every Day such Offence shall continue or be permitted to remain unremoved after Three Days Notice shall have been given to him by the said Commissioners, or by their Order, to remove the same: Provided always, that the said Penalty shall not be enforced in respect of the overflowing of any Cesspool, Privy, Hogstye, or Dungheap from sudden or violent Rain or Frost, or other unavoidable temporary Cause or Accident; and provided further, that immediately or at any Time after the said Waterworks shall have been completed, and the Supply of Water herein-before directed to be furnished to the poor Inhabitants of the said Town and Port shall have been provided, it shall be lawful for the said Commissioners to cause such Part of the Course or Channel of the said Stream as they shall think fit, and as shall be adapted for the Purpose, to be used as and for a Common Sewer or Drain, and to give public Notice thereof; and after such Notice shall have been given it shall be lawful for all Persons to use the same in such Manner and for such Purposes as any Common Sewer or Drain within the said Town and Port is used or applied, without being liable or subject to the Penalties herein-before contained, or any of them, for committing or causing to be committed any Injury, Nuisance, or Annoyance therein.

Power for Commissioners to purchase Premises for the Purposes of this Act.

CXVI. And be it enacted, That it shall be lawful for the said Commissioners from Time to Time to contract and agree with any Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenant or Tenants for Life or in Tail, Husbands, Guardians, Trustees, Committees, Executors, Administrators, and all other Persons whomsoever, not only for or on behalf of themselves, but also for and on behalf of their respective Cestüique Trusts or Wards, Femes Covert, Infants, Issue unborn, Lunatics, Idiots, and other Persons, and also with any Femes Covert who are or shall be seised of or interested in their own Right, or entitled to any Interest therein, and to and with every other Person who is or are or shall be seised, possessed of, or interested in any Lands, Tenements, or Hereditaments which the said Commissioners shall judge necessary and proper to be purchased for widening, altering, or otherwise improving the Streets and other Places in the said Town and Port, or forming and making any new Streets or Places therein, or for providing a Site for the said Market or Markets, and a suitable Approach or Approaches

proaches thereto, or for making and forming the said Reservoirs, Aqueducts, and other Waterworks, or for any other Purpose mentioned in this Act, and for the absolute Purchase thereof respectively, or for the Compensation or Satisfaction to be made for the same or for any Part thereof, or for any Rights or Interests therein, and to purchase the same respectively, and to pay the Purchase Money out of the Monies to be by them received by virtue of this Act for such respective Purposes.

Compulsory Powers limited to Lands, &c. in Schedules.

CXVII. Provided always, and be it enacted, That nothing herein contained shall authorize or empower the said Commissioners to take or use any House or Houses or other Buildings erected or built before the passing of this Act, or any Yard, Garden, Orchard, Lawn, Shrubbery, or Plantation, or Nursery for Trees, without the Consent of the Owner thereof first obtained, (except such as are mentioned in the Schedules to this Act annexed marked (A.), (B.), and (C.).

Misnomer in Schedule not to prevent the Execution of Act.

CXVIII. Provided also, and be it enacted, That it shall be lawful for the said Commissioners to purchase any of the Lands, Tenements, or Hereditaments mentioned in the Schedules hereto annexed, although the same, or the Name of any Owner, Leaseholder, or Occupier of any of the said Premises shall happen to be mis-stated or omitted or inaccurately described therein, in case it shall appear to any Two or more Justices of the Peace, and be certified by Writing under their Hands, that such Mis-statement, Omission, or inaccurate Description proceed from Mistake only.

Premises not to be taken after Five Years, but with Consent.

CXIX. And be it enacted, That it shall not be lawful for the said Commissioners, after the Expiration of Five Years from the passing of this Act, to take and use any Lands, Tenements, or Hereditaments mentioned in the Schedules to this Act annexed, which shall then be remaining unpurchased, without the Consent in Writing of the Owners thereof first had and obtained for that Purpose.

Bodies Politic, &c. may sell to Commissioners any Premises required for the Purposes of this Act.

CXX. And be it enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Committees, Executors, Administrators, and all other Persons whomsoever, not only for and on behalf of themselves, but also for and on behalf of their respective Cestuique Trusts or Wards, Femes Covert, Infants, Issue unborn, Lunatics, Idiots, and other Persons, and for all Femes Covert who are or shall be seised or interested in their own Right, or entitled to any Interest therein, and for every other Person whomsoever who is or shall be seised, possessed of, or interested in any Lands, Tenements, or Hereditaments mentioned in the said Schedules marked (A.), (B.), and (C.), or which the said Commissioners shall judge necessary and proper to be purchased, taken, or used for the Purposes aforesaid, or any of them, to contract for the Sale of, and to sell, convey, and assure the same, and any Part thereof, to the Commissioners for executing this Act; and all such Contracts, Agreements, Sales, Conveyances, and Assurances shall be made at the Expense of the said Commissioners, and may be made in the Form or to

the Effect following, or as nearly applicable and conformable thereto as the Circumstances of the Case will admit; (that is to say,)

Form of Conveyance to Commissioners.

'I [*or* We] of in consider-
'ation of the Sum of paid
'to me [*or* us] by the Commissioners acting under and by virtue of
'an Act passed in the Second Year of the Reign of King *William* the
'Fourth, intituled [*here set forth the Title of this Act*] do hereby
'grant and convey to the said Commissioners [*describe the Parcels to*
'*be conveyed*] and all my [*or* our] Right, Title, and Interest to and
'in the same and every Part thereof, to hold to the said Commis-
'sioners for the Purposes of the said Act. In witness whereof I
'[*or* we] have hereunto set my Hand and Seal [*or* our Hands and
'Seals], this Day of in the Year of our
'Lord .'

And all such Contracts, Agreements, Sales, Conveyances, and Assurances as aforesaid shall be good, valid, and effectual in the Law to all Intents and Purposes whatsoever, not only to convey the Estate, Term, and Interest of the Body or Bodies Politic, Corporate, or Collegiate, or Person conveying, but also the Right, Estate, Interest, Use, Trust, Property, Claim, and Demand whatsoever of their several and respective Cestuique Trusts, Wives, Infants or Issue unborn, Lunatics, Idiots, Femes Covert, or other Persons whomsoever, and all Persons claiming or to claim in Remainder or otherwise howsoever.

If the Parties refuse or are incapable to treat, the Value to be settled by a Jury;

CXXI. And be it enacted, That if any such Person or Persons, Body Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Committees, Executors, and Administrators, or other Person in anywise interested, entitled, or empowered to sell as aforesaid, for and on behalf of himself or themselves, or for and on behalf of their respective Cestuique Trusts, or of the Person entitled in Remainder after them as aforesaid, shall, for the Space of Twenty-one Days next after Notice in Writing signed by the Clerk of the said Commissioners for the Time being shall have been given to him or them, or left at the Dwelling House or Houses, or usual or last Place or Places of Abode, of him, her, or them, or of the principal or Head Officer or Officers of such Bodies Politic or Corporate, or Corporation, or at the House or Houses of the Tenant or Tenants in Possession of such Lands, Tenements, or Hereditaments intended to be purchased and taken for the Purposes of this Act, of such Lands, Tenements, or Hereditaments being required for the Purposes of this Act, neglect or refuse to treat and agree or shall not agree for the Sale of the said Premises, or by reason of Absence or Disability shall be prevented from treating and agreeing, or cannot be found or known, or shall not produce a clear Title to the Hereditaments they are in Possession of, or the Interest they claim therein, to the Satisfaction of the said Commissioners, then and in every such Case the said Commissioners, or any Seven or more of them, shall and they are hereby empowered from Time to Time to issue their Warrant or Warrants to the Sheriff of the said County of *Sussex*, commanding such Sheriff to impannel, summon, and return, and the said Sheriff is hereby required to impannel, summon, and return an indifferent Jury of

 Twenty-

Twenty-four Persons, qualified according to the Laws of this Realm to be returned for the Trial of Issues joined in His Majesty's Courts of Record at *Westminster*, to appear before the said Sheriff at such Time and Place as in such Warrant or Warrants shall be appointed, and out of the Persons so to be impannelled, summoned, and returned a Jury of Twelve Men shall be drawn by the said Sheriff; and in case a sufficient Number of Jurymen shall not appear, the said Sheriff shall return other honest and indifferent Men of the Standers by, or that can be speedily procured to attend that Service (being so qualified as aforesaid), to make up the said Jury to the Number of Twelve; and all Persons concerned shall have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and such Sheriff is hereby empowered and required, by a Summons or Notice to be signed by him either previous to or at the Time of such Meeting or Meetings, to summon and call before him every Person who shall be thought necessary to be examined as a Witness or Witnesses concerning the Premises; and the said Sheriff may order and authorize the said Jury, or any Five or more of them, to view the Place or Places or Matter in question; and such Jury, upon their Oaths (which Oaths, as well as the Oaths to such Persons as shall be called upon to give Evidence, the said Sheriff is hereby empowered and required to administer), shall inquire of, assess, and ascertain the Sum or Sums of Money to be paid for the Purchase of such Lands, Tenements, or Hereditaments as aforesaid, or what Damage has been or will be sustained by, and what Recompence and Satisfaction shall be made to such Owners, Occupiers, or other Persons interested as aforesaid, for or on account of the taking of such Lands, Tenements, or Hereditaments for the Purposes of this Act, and shall assess separate Damages for the same; and the said Sheriff shall accordingly give Judgment for such Purchase Money or Recompence as shall be assessed by such Jury; which said Verdict, and the Judgment to be thereupon pronounced as aforesaid, shall be signed by the Sheriff before whom the same shall be taken, and shall be final, binding, and conclusive to all Intents and Purposes against all such Bodies Politic, Corporate, and Collegiate, and all other Persons whomsoever, and shall not be removed by Certiorari or other Process into any of His Majesty's Courts of Record at *Westminster*, or any other Courts; any Law or Statute to the contrary notwithstanding.

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

Witnesses may be summoned.

Jury may view the Place or Matter in question.

Verdict and Judgment thereon to be conclusive.

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

Jurors and Witnesses to be fined for Non-attendance.

CXXIII. And

Allowance to Jurymen and Sheriff.

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

Expences of Jury, by whom to be borne.

CXXIV. And be it enacted, That in every Case where a Verdict shall be given for more Money than shall have been previously offered by or on behalf of the said Commissioners as a Recompence or Satisfaction for any such Lands, Tenements, or Hereditaments as aforesaid, or for any such Estate, Right, or Interest therein, or for any such Damage or Injury as aforesaid, all the Costs and Charges incurred in impannelling, summoning, and returning such Jury, taking such Verdict, and the Attendance of Witnesses, and recording the Verdict or Judgment thereon, and all other reasonable Expences, shall be borne by the said Commissioners out of the Monies to be raised by virtue of this Act respectively, and shall and may be recovered by the Person entitled thereto by Distress and Sale of the Goods and Chattels of the said Commissioners, under a Warrant to be issued for that Purpose by any Justice of the Peace, which Warrant any such Justice is hereby authorized and required to issue on Application made to him for that Purpose by the Party entitled or claiming to receive such Costs and Charges; and in every Case where a Verdict shall be given for no more or for less Money than shall have been previously offered by or on the Behalf of the said Commissioners as such Recompence or Satisfaction as aforesaid, all the Costs and Charges incurred as aforesaid shall be borne in equal Proportions by the Party neglecting or refusing to treat or not agreeing as before mentioned and the said Commissioners; but in Cases where any Person or Party shall have been prevented by Absence or other Impediment or Disability as aforesaid from entering into any Treaty with the said Commissioners, the Costs and Charges so incurred shall be borne by the said Commissioners in manner aforesaid; and in all Cases where any Difference shall arise touching the Amount of the said Costs and Charges, the same shall be settled and ascertained by any Justice of the Peace not interested in the Matter in question, who is hereby authorized and required to examine into and settle the same, and to appoint a Time and Place for Payment thereof; and when the Costs shall be payable by the Party having had any such Disagreement or Dispute with the said Commissioners as aforesaid, the Amount thereof, having been first paid by the said Commissioners, may be deducted by them out of the Monies awarded to be paid to such Party, as so much Money advanced for his Use; and the Payment or Tender of the Balance of such Money shall be deemed and taken to all Intents and Purposes to be a Payment or Tender of the whole Money awarded and adjudged to such Party, or otherwise, if such Costs and Charges be not paid upon Demand, the same

same may be recovered by the said Commissioners from the Party liable to the Payment thereof, on Complaint made by them or their Clerk to some Justice of the Peace, who is hereby empowered to levy the same by such Ways and Means as Penalties are by this Act directed to be recovered.

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

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

Compensation for Damage, under 20*l.*, may be determined by Justices.

CXXVI. And be it enacted, That in case where the Amount of the Compensation for any Damage done or occasioned by the said Commissioners in the Exercise of any of the Powers herein contained shall be disputed, and be alleged by the Parties claiming the Compensation to amount to any Sum under Twenty Pounds, then the Amount of the Compensation for such Damage shall or may be ascertained and settled by any Two Justices of the Peace, and shall and may be levied and recovered by a Warrant under the Hands and Seals of such Justices, together with such reasonable Costs and Charges as shall be awarded and allowed by such Justices, by Distress and Sale of the Goods of the Treasurer of the said Commissioners, unless such Treasurer shall pay and discharge the same, which he is hereby authorized to do out of any Monies received or to be received by him as such Treasurer as aforesaid on account of the Water Rents or Consolidated Fund herein-after mentioned, as the Case may be.

On Payment of Purchase Money the Property to vest in the Commissioners.

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

to bar the Dower of the Wife of every such Person, and all Estates, Rights, Titles, and Interests of all other Persons whomsoever therein.

Tenants of purchased Premises to quit after Six Months Notice.

CXXVIII. And be it enacted, That every Lessee or Tenant for Years, or from Year to Year, or at Will, Mortgagee, and every other Person in possession of any Lands, Tenements, or Hereditaments which shall be purchased, taken, or used for the Purposes of this Act, shall deliver up the Possession of such Premises to the said Commissioners, or to such Person as they shall appoint to take possession of the same, at the Expiration of Six Calendar Months next after Notice to that Effect shall have been duly given by the Clerk to the said Commissioners to such Lessee, Tenant, or other Person, whether such Notice be given with reference to the Time or Times of such Tenant's holding or not; and in case any such Lessee, Tenant, or other Person shall, in case of any Difference or Dispute, refuse to give up such Possession as aforesaid, it shall be lawful for any Justice of the Peace to issue his Precept or Warrant to the Constables of the said Town and Port, or any of them, commanding and requiring such Constables, or any of them, to deliver Possession of the said Premises to such Person as shall in such Precept or Warrant be nominated to receive the same; and the said Constables are hereby required to deliver Possession of the said Premises accordingly, and to levy such Costs as shall accrue from the issuing and Execution of such Precept or Warrant on the Person so refusing to give Possession as aforesaid, by Distress and Sale of his Goods: Provided always, that where any such Lessee, Tenant, or other Person in possession shall be required to deliver up Possession of any Premises so occupied by him to the said Commissioners before the Expiration of the Term or Interest of such Lessee, Tenant, or other Person in the said Premises, the said Commissioners shall and they are hereby directed to make or tender unto such Lessee, Tenant, or other Person as aforesaid (not being a Mortgagee), before any Justice shall issue his Precept or Warrant as herein-before mentioned, Satisfaction or Compensation for the Value of such unexpired Term or Interest in the said Premises; which Satisfaction or Compensation, in case of Difference, shall be settled and ascertained in the same Manner as any other Satisfaction or Compensation for any Lands, Tenements, or Hereditaments taken or made use of by the said Commissioners is by this Act directed to be ascertained and settled in case of Dispute or Difference about the same.

Satisfaction to be made to such Tenants.

Mortgages to be conveyed to the Commissioners on Tender of Principal and Interest.

CXXIX. And be it enacted, That all and every Corporation and Person who shall have any Mortgage or Mortgages on any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes of this Act (not being in possession thereof by virtue of such Mortgage or Mortgages), shall, on the Tender of the Principal Money and Interest due thereon, together with the Amount of Six Calendar Months Interest on the said Principal Money, by the said Commissioners, or by such Person as they shall appoint, immediately convey, assign, and transfer such Mortgage or Mortgages to the said Commissioners, or to such Person as they shall appoint; or in case such Mortgagee or Mortgagees shall have Notice in Writing from the

the said Commissioners, or such Person as they shall appoint, that they will pay off and discharge the Principal Money and Interest which shall be so due on the said Mortgage or Mortgages, at the End or Expiration of Six Calendar Months, to be computed from the Day of giving such Notice, then, at the End of the said Six Calendar Months, on Payment of the Principal Money and Interest so due, such Mortgagee or Mortgagees shall convey, assign, and transfer his, her, or their Interest in the Premises to the said Commissioners, or to such Person as they shall appoint in Trust for them; and in case such Mortgagee or Mortgagees shall refuse to convey and assign as aforesaid, on such Tender or Payment, then all Interest on every such Mortgage shall from thenceforth cease and determine: Provided always, that in case the Sum due for Principal and Interest upon any such Mortgage or Mortgages shall amount to more than the real Value of the Premises so to be purchased, taken, or made use of for the Purposes of this Act, then the said Commissioners shall not be liable to pay such Mortgagee or Mortgagees more than the real Value of such Premises.

Application of Purchase Money belonging to Bodies Politic, &c. when amounting to 200*l.*

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

1 G. 4. c. 35.

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

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

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

Application of Money when less than 20*l.*

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

If Titles cannot be made,

CXXXIII. And be it enacted, That in case the Corporation or Person to whom any Sum or Sums of Money shall be agreed or awarded

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

or Persons found, &c., Money to be paid into the Bank.

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

If Title disputed, the Person in possession to be deemed entitled.

ration or Person was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

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

CXXXV. And be it enacted, That where, by reason of any Disability or Incapacity of the Corporation or Person entitled to any Lands, Tenements, or Hereditaments to be purchased, taken, or used under the Authority of this Act, the Purchase or Compensation Money for the same shall be required to be paid into the said Court of Exchequer, or to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Commissioners out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Power to sell Premises not wanted for the Purposes of this Act.

CXXXVI. And be it enacted, That it shall be lawful for the said Commissioners to sell and dispose of, and by Indenture or Indentures under the Hands and Seals of any Seven or more of them, from Time to Time to grant and convey, in Fee Simple, all or any Part or Parts of the Lands, Tenements, or Hereditaments which may be purchased by or vested in them by virtue of the Powers herein contained, as shall at any Time be found by them to be unnecessary or more than sufficient for the Purposes of this Act, or which they shall think it expedient to sell to any Person willing to contract or agree for the Purchase of the same; and all Monies to arise by or from any such Sale of such Premises as aforesaid shall be applied to such of the Purposes of this Act for which the same were or was originally purchased; but the respective Purchasers thereof, having paid his, her, or their Purchase Monies to the Treasurer of the said Commissioners, and obtained his Receipt for the same, shall not be liable to see to the Application of the said Monies respectively, or be answerable or accountable for the Misapplication or Nonapplication of the same.

The Words "grant, bargain, and sell" to operate as Covenants.

CXXXVII. And be it enacted, That in all Grants and Conveyances to be made by the said Commissioners under or by virtue of the several Powers and Authorities by this Act granted, the Words "grant, bargain, and sell," shall be construed and adjudged in all Courts of Judicature to be express Covenants to the Grantee, Lessee, or Purchaser, his, her, and their Heirs, Executors, Administrators, and Assigns, from the said Commissioners, for themselves and their Successors, that the said Commissioners, notwithstanding any Act done by them, were at the Time of the Execution of every such Grant or Conveyance seised of the Hereditaments and Premises thereby granted, conveyed, and sold of an indefeasible Estate of Inheritance in Fee Simple, free from all Incumbrances, and for the quiet Enjoyment thereof against the said Commissioners and their Successors, and all Persons claiming under them.

CXXXXVIII. And

For making good Deficiencies in the Land-Tax.

CXXXVIII. And whereas, by reason of taking down Houses and Buildings, and making Alterations for the Purposes of the said Waterworks, there may be Deficiencies in the Assessment for Land Tax in the said Town and Port; be it therefore enacted, That the said Commissioners shall, from and after the said Commissioners shall become seised and possessed of any Premises charged with the Land Tax, and until the Waterworks hereby authorized to be made shall be completed, and assessed to such Land Tax, (unless the said Commissioners shall think fit to redeem the same under the Powers of the Acts for the Redemption of the Land Tax,) be subject and liable from Time to Time to pay and make good, to or in aid of the said Town and Port, out of the Monies to arise by virtue of this Act, all such Sums of Money as shall be sufficient in the said Assessment for Land Tax within the said Town and Port, by reason or means of taking down or using, for the Purposes of the said Waterworks, any Houses, Buildings, or Premises liable to such Assessment, according to the Rental at which the same were valued or rated at the Time of the passing of this Act, and the Treasurer, Collector, or Receiver to be appointed under this Act shall be and is hereby authorized and required to pay all such Assessments, on Demand thereof, to the Collector or Collectors of the Assessments.

Power to make Rates or Assessments.

CXXXIX. And in order to raise Money for carrying the several Purposes of this Act into execution, be it enacted, That it shall be lawful for the said Commissioners, once in every Year after the passing of this Act, or oftener if they shall think it necessary, the first Year to be computed from the First Day of *January* One thousand eight hundred and thirty-two, to make One or more equal Rate or Rates, Assessment or Assessments, to be signed by any Seven or more of the said Commissioners, upon the Tenants or Occupiers of all Houses, Shops, Warehouses, Coach-houses, Cellars, Buildings, Gardens, Grounds, Lands, Tenements, or Hereditaments whatsoever within the said Town and Port (save and except *Saint Mary*'s Chapel, which is now exempted by Law from the Payment of any Rates or Assessments), so as such Rate or Rates, Assessment or Assessments, do not exceed in the whole in any One Year the Sum of Eightpence in the Pound for Houses, Shops, Warehouses, Coach-houses, Cellars, Buildings, Gardens, Grounds, Tenements, and Hereditaments, and the Sum of Four-pence in the Pound for Houses or other Buildings *bonâ fide* used for Purposes of Agriculture, and for Lands used as Arable, Meadow, or Pasture Ground only, according to the real Rackrent or full yearly Value of the same respectively, to be ascertained in manner herein-after mentioned; and the Monies to be raised and assessed as aforesaid shall from Time to Time yearly, half yearly, or oftener if the said Commissioners shall think proper, in every Year, be paid by the respective Tenants or Occupiers of such respective Premises to the Collector of the said Rates to be appointed by the said Commissioners, and shall be collected and paid over by such Collector into the Hands of the Treasurer to the said Commissioners, or such Person as the said Commissioners shall order or direct for that Purpose; and if any such Tenant or Occupier shall neglect or refuse to pay the Money rated or assessed upon him, or his Proportion or Proportions of the same, to the said Collector, for

the Space of Seven Days next after personal Demand made thereof, or Demand thereof in Writing, left at the last or usual Place of Abode of such Tenant or Occupier, or on the Premises for which such Tenant or Occupier shall be so rated or assessed, or any Part thereof, the same shall and may be levied and recovered on and from every such Tenant or Occupier so neglecting or refusing, by Distress and Sale of the Goods and Chattels of such Defaulter, by Warrant under the Hand and Seal of any Justice of the Peace (such Defaulter having been first duly summoned by some Justice to appear before him at a Time and Place to be mentioned in the Summons, to show Cause for such Neglect or Refusal), and the Surplus (if any) of the Monies to be raised by such Distress and Sale shall be paid, on Demand, to the Owner of the Goods or Chattels so distrained and sold, after deducting all Costs, Charges, and Expences attending or preparatory to such Distress and Sale, to be ascertained by such Justice; and in default of such Distress it shall be lawful for such Justice to commit such Tenant or Occupier to the Common Gaol or House of Correction, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, or until Payment of such Sum or Sums of Money as shall have been found to be due and in arrear upon such Rate or Rates, Assessment or Assessments as aforesaid, together with all Costs, Charges, and Expences, to be ascertained by the said Justice.

Commissioners may lessen or excuse Rates on account Poverty.

CXL. Provided always, and be it enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered, upon the Complaint of any Occupier of a Dwelling House or other Hereditaments subject to the Payment of the said Rates or Assessments, to mitigate, reduce, lessen or wholly remit or excuse, for or on account of Poverty or Inability, or any other good and sufficient Cause, Payment of the said Rates or Assessments, or any Part thereof, in such Manner as the said Commissioners shall in their Discretion think just and reasonable.

Commissioners may amend Rates.

CXLI. And be it enacted, That it shall be lawful for the said Commissioners from Time to Time to amend any Rate or Assessment to be made by virtue of this Act, by inserting therein the Name of any Person who ought to have been rated, or by striking out the Name of any Person who ought not to have been rated therein, or by raising or reducing the Sum or Sums at which any Person shall have been rated therein who shall appear to them to have been under-rated or over-rated, or by making such other Amendments therein as will in the Judgment of the said Commissioners make such Rate or Assessment conformable to the true Intent and Meaning of this Act; and no such Amendment, so to be made by the said Commissioners, in any such Rate or Assessment shall be held to vitiate or invalidate the same.

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

CXLII. And be it enacted, That it shall be lawful for the said Commissioners, and for the Collector or Collectors of the Rates or Assessments to be made by virtue of this Act, or for any other Person authorized by the said Commissioners, at all reasonable Times to inspect the Books of Assessment made from Time to Time for the Relief

Relief of the Poor in the several Parishes within the Limits of this Act, and also to take Copies thereof, and make Extracts therefrom; which Inspection, Copies, and Extracts the Collectors of the Poor Rate, or other Officer or Person having the Custody of such Books and Assessments, are hereby required to permit and suffer to be made without Fee or Reward; and in case any such Collector of the Poor Rate, or other Officer or Person, shall neglect or refuse to permit such Inspection, he shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Landlords in certain Cases to be rated as Occupiers.

CXLIII. And be it enacted, That the Lessee, Landlord, or Owner of all Houses, Buildings, or Tenements within the said Town and Port which are or shall or may be let out ready furnished ,or in separate Apartments, Rooms, or Floors, or for any less Term than One Year, shall be deemed and taken to be the Tenant or Occupier thereof for the Purposes of this Act, and shall be liable and subject to the Rates or Assessments by this Act directed to be made or levied, according to the real Rackrent or full yearly Value of the Premises; and every such Lessee, Landlord, or Owner, and every Person renting or occupying any such ready furnished House, or separate Apartments, Rooms, or Floors, or House, Building, or Tenement let for a less Term than a Year as aforesaid, shall be liable and compellable to pay the said Rates and Assessments, to be recovered in manner herein-before directed; and every such Tenant or Occupier who shall pay any such Rates or Assessments, or from whom the same or any Part thereof shall be recovered by virtue of this Act, shall and may deduct the same from and out of the Rent then actually due or next to become due and payable from him or her to such respective Lessee, Landlord, or Owner; and the Receipt for such Payment shall be a sufficient Discharge for such Tenant or Occupier to his Landlord for so much Money as he shall pay or as shall be levied on him by virtue of this Act; but no such Tenant or Occupier shall at any Time be compelled to pay any greater Sum, for or towards the Discharge of such Rates or Assessments or any of them, or the Arrears thereof, than the Amount of the Rent actually due and payable by such Tenant or Occupier to the Lessee, Landlord, or Owner of the Premises occupied by him: Provided always, that nothing herein contained shall extend to prejudice or vacate any Agreement as between Landlords or Tenants.

Persons removing from or coming in to pay a proportionable Part of the Rates.

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

although his Name may not be inserted therein, in proportion to the Time that he shall occupy the same, in like Manner as if he had been originally rated or assessed by Name in such Rate or Assessment, which said Proportion, in case of Dispute, shall be determined by the said Commissioners in such Manner as they shall deem reasonable and just;

Persons aggrieved by any Rate may, after applying to the Commissioners, appeal.

CXLV. And be it enacted, That if any Person shall think himself aggrieved by any Rate or Assessment which shall be made in pursuance of this Act, he may apply to the said Commissioners, at their First or Second Meeting to be holden after the demanding of such Rate or Assessment; and the said Commissioners are hereby authorized and empowered, if they shall think such Person aggrieved, to give such Relief in the Premises as to them shall seem reasonable; and if any Person shall be dissatisfied with the Determination of the said Commissioners therein, such Person may appeal, in the Manner herein-after mentioned, to the Justices of the Peace, at any General or Quarter Sessions to be holden in and for the said Town and Port, whose Determination therein shall be final and conclusive.

For equalizing the Rates.

CXLVI. Provided always, and be it enacted, That in order that the Inhabitants of the said respective Parishes within the Limits of this Act may not be subjected to or be assessed to or bear a larger Proportion of the Expences of executing this Act than shall be fair and equitable between the said Parishes, it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, to assess, raise, and levy, or to cause to be assessed, raised, and levied, such Sum or Sums only within such respective Parishes as the said Commissioners shall consider necessary for defraying the current Expences of the Year within the same Parishes respectively, and for paying such Part or Proportion of the Expences of carrying the several Purposes of this Act into execution as in the Judgment of the said Commissioners ought to be borne and paid by each such Parish respectively, and for the Payment of any Monies to be borrowed by virtue of this Act, and the Interest thereof, in such Proportions as the said Commissioners shall think just and equitable; and also for the Payment of the aforesaid Debt of Five thousand and Three hundred Pounds, and the Interest thereof, in the Proportions herein-before mentioned; and for the like Purpose it shall also be lawful for the said Commissioners, and they are hereby authorized and empowered, in applying the Monies to be received for the Duty on Coals, Culm, and Coke herein-after mentioned, and the aforesaid Market Tolls, and the Water Rents, after the same shall become applicable to the general Purposes of this Act, and all other the Duties granted by or Monies to be received by virtue of this Act, to pay and apply the Monies so to be received, or cause the same to be paid and applied, in such Parts or Proportions, between, amongst, or within the said respective Parishes, as the said Commissioners shall think equitable and proper, for or towards Payment of the current yearly and other Expences aforesaid within each such Parish respectively; and it shall also be lawful for the said Commissioners to order and direct that separate Accounts shall be made and kept by the Clerk to the said Commissioners of the several Assessments, Rates, Duties, Re-

ceipts, and Payments, Matters and Things aforesaid, for and between each of the said respective Parishes.

Coal Duty.

CXLVII. And whereas by the said recited Act hereby repealed the Commissioners thereby appointed were authorized and empowered to collect a Rate or Duty not exceeding Three Shillings *per* Chaldron on Coals, Culm, and Coke imported, landed, or brought into the said Town and Port, and it is expedient that the Commissioners for executing this Act should be empowered to continue to collect and receive the same Rate or Duty for the general Purposes of this Act; be it therefore enacted, That there shall be paid to the Commissioners for executing this Act, or to their Collector, or to such Person as they shall from Time to Time appoint to collect and receive the same, any Rate or Duty which the said Commissioners shall think fit to order and direct, not exceeding Three Shillings for every Chaldron of Thirty-six Bushels, or for every Twenty-five Hundred Weight and the Half of another Hundred Weight, of all Coals, Culm, and Coke, and so in proportion for any greater or less Quantity, which shall or may be imported or landed within the said Town and Port, or otherwise brought or delivered within the same, such Rate or Duty to be paid in addition to all other Duties and Impositions payable or to become payable in respect thereof by any Law or Statute whatsoever.

No Vessel to leave the Port till the Master produces a Certificate that the Duty is paid.

CXLVIII. And to the Intent that the said Rate or Duty may be duly paid, be it enacted, That it shall be lawful for the Collector, Comptroller, Receiver of Entries, or Ship Surveyor or Searcher, or other Officer of His Majesty's Customs whatsoever, belonging to the said Town and Port, or to any other Port to which the said Town and Port shall for the Purpose of the Laws of Customs or Revenue at any Time belong or appertain, at any Time after the Commencement of this Act, to refuse to give or make out any Discharge, or make any Report outwards, or deliver over or return any Papers or Documents, or do or permit or suffer any other Act or Deed to enable any Ship or Vessel having had on board or been laden with Coals, Culm, or Coke, liable to the aforesaid Rate or Duty, to sail from, leave, or go out of the said Town and Port, until the Master or Owner, or other Person having the Rule, Government, or Command of any such Ship or Vessel, shall produce a Certificate from the Collector to be appointed in pursuance of this Act as aforesaid, that the said Rate or Duty on Coals, Culm, and Coke hath been paid or secured to be paid; which said Certificate the said Collector under this Act is hereby required to give, without Fee or Reward, to the Person requiring the same, on Payment of the said Rate or Duty; and every Master, Owner, or other Person having the Rule, Government, or Command of any such Ship or Vessel which shall sail from, leave, or go out of the said Town and Port, without producing such Certificate as aforesaid, if demanded, shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds.

Vessels or Coals may be distrained for Duty.

CXLIX. And be it enacted, That in case any Master, Owner, or other Person having the Rule, Government, or Command of any Ship or Vessel laden with or having on board, or having been laden with or having had on board, Coals, Culm, or Coke liable to the aforesaid Rate

Rate or Duty, shall refuse or neglect to pay the same, it shall be lawful for the said Commissioners or their Collector, or such Person as they shall appoint, from Time to Time to go on board such Ship or Vessel, to demand, collect, and receive the said Rate or Duty, and on Nonpayment thereof to take and detain every such Ship or Vessel, with all her Tackle, Apparel, and Furniture, or any Part thereof, or all or any Part of the said Coals, Culm, or Coke chargeable with the aforesaid Rate or Duty, either on board such Ship or Vessel or on Land; and in case the said Rate or Duty shall not be paid for the Space of Three Days after any Distress shall be so taken as aforesaid, it shall be lawful for the said Commissioners or their Collector, or such other Person as they shall appoint as aforesaid, to cause the same to be sold by Public Auction or otherwise, and thereout to satisfy as well the said Rate or Duty so refused or neglected to be paid as also the reasonable Charges of taking, keeping, and selling such Distress, rendering to the Master, Owner, or other Person having the Rule, Government, or Command of the said Ship or Vessel, on Demand, the Overplus, if any; and the said Commissioners, or their Collector, or such other Person as they shall appoint as aforesaid, shall not be answerable or accountable for any Damage which may arise or happen by Distress of Weather or otherwise to the said Ship or Vessel, or the other Articles or Things, detained in consequence of such Distress having been made and taken.

Coals brought into the Town by Land Carriage may be distrained for Duty.

CL. And be it enacted, That in case any Coal, Culm, or Coke shall be brought into the said Town and Port by Land Carriage, and the said Rate or Duty shall not be paid thereon as aforesaid by the Owner or Carrier, or the Person attending or bringing in the same, to the Collector or Person appointed by the said Commissioners to collect and receive the said Rate or Duty, on Demand, or if not demanded, then in case the same shall not be paid to such Collector or Person appointed as aforesaid within Twenty-four Hours next after such Coal, Culm, or Coke shall have been brought into the said Town and Port, the Owner, Carrier of, or Person so bringing in or attending as aforesaid, shall, in addition to the said Rate or Duty, forfeit and pay the Sum of One Shilling for each and every Bushel or Seventy-five Pounds Weight of the said Coal, Culm, or Coke for which the said Rate or Duty shall not have been so paid, and so in proportion for any less Quantity; and the said Commissioners, or their Collector, or other Person appointed as aforesaid, are and is hereby authorized and empowered, in either of the said Cases, to seize and detain the said Coal, Culm, or Coke, or any Part thereof, and also the Cart, Waggon, or other Carriage in which the same may be at the Time of Seizure, or in which the same was brought into the said Town and Port, and the Horse or Horses, Mule or Mules, Ass or Asses, or other Cattle drawing the same, together with the Harness and Tackle thereon, and the Person having the Custody thereof, if he shall refuse to deliver the same, and until he shall deliver Possession thereof; and on Nonpayment of the said Rate or Duty and the said Penalty within the Space of Three Days after such Seizure, to sell the said Coal, Culm, or Coke, or any Part thereof, and also the Cart, Waggon, or other Carriage, Horses, Mules, Asses, or other Cattle, Matters and Things, by Public Auction, and by and out of the Produce thereof to retain

the said Rate or Duty and Penalties, and also the Charges and Expences of making, keeping, and selling such Distress, rendering the Overplus (if any), on Demand, to the Owner thereof; provided nevertheless, that nothing in this Act contained shall extend or be construed to extend to enable any Person to seize such Coal, Culm, or Coke, after the same shall have been actually delivered and removed from and out of any Cart, Waggon, or other Carriage, or from off any Horses, Mules, Asses or Cattle, to the private Dwelling House or Premises of the Purchaser thereof, or to enter any such private Dwelling House or Premises for the Purpose of seizing the same, or otherwise, without the Consent of the Owner or Occupier of such Dwelling House or Premises, nor extend to charge with the said Rate or Duty any Coal, Culm, or Coke which shall not be discharged or landed from any Ship or Vessel upon any Part of the Coast or Beach within the said Town and Port, or housed, deposited, or delivered within the same, but only passing through the same for and towards any other Place whatsoever.

Power to erect Buildings, &c. and appoint Officers for collecting the Coal Duty.

CLI. And be it enacted, That it shall be lawful for the said Commissioners and they are hereby authorized and empowered to purchase, and hold to them and their Successors, any Land or Ground (the Owner or Proprietor, or Owners or Proprietors whereof shall be willing to sell the same to the said Commissioners), in One Place or in several Places, adjoining to any of the Highways within the said Town and Port, not exceeding One Quarter of an Acre at any One Place, and to erect thereon, or on the said Highways, or on any Land or Ground belonging to the said Commissioners, suitable Houses or Places for the Accommodation of the Collectors to be appointed by the said Commissioners, and also to set up and erect, across the said Highways or any of them, within the Limits of this Act, any such Bars as they may see proper, for facilitating the Collection of the said Rates or Duties, and also to appoint proper Persons to attend such Bars, for the Purpose of receiving an Account of and collecting the Rates or Duties hereby made payable on Coals, Culm, and Coke brought into the said Town and Port by Land Carriage in manner herein-before provided.

Collectors of Coal Duty to demand Account of Coals brought into the Town by Land.

CLII. And be it enacted, That for ascertaining the Quantity of Coal, Culm, or Coke which shall be brought into the said Town and Port by Land Carriage, and collecting the Duty thereon, it shall be lawful for the Collector or Persons appointed by the said Commissioners to attend such Bars to demand of the Owner or Carrier of or Person bringing in or attending with the same an Account in Writing of the Quantity of such Coal, Culm, or Coke contained in any Waggon, Cart, or other Carriage or Conveyance whatsoever; and the Owner, Carrier of, or Person attending with such Waggon, Cart, or other Carriage or Conveyance, or having Possession of such Coal, Culm, or Coke, shall and he is hereby required, on such demand being made, and before he shall pass through such Bar, to deliver to such Collector or Person a true and correct Statement in Writing, signed by the Owner, Carrier of, or Person attending with or having the Possession thereof as aforesaid, of the Quantity of such Coal, Culm, or Coke contained in such Waggon, Cart, or other Carriage or Con-

veyance, and shall immediately thereupon pay to such Collector or Person the Rate or Duty payable on the said Coal, Culm, or Coke; and the Collector or Person, attending such Bar shall and he is hereby required, on Receipt of such Rate or Duty, to deliver to the Owner, Carrier, or Person attending with or having the Possession of such Coal, Culm, or Coke, a Certificate, signed by him, of the Payment of the said Rate or Duty; and if such Owner, Carrier, or Person shall neglect or refuse, on Demand, to deliver such Account, or shall deliver an Account which shall be less than the true Quantity thereof, or if such Collector or Person shall neglect or omit, on Receipt of such Rate or Duty, to deliver such Certificate as aforesaid, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Penalty for refusing to deliver, or delivering incorrect Accounts.

Power for Collector to measure or weigh Coals brought by Land.

CLIII. And be it enacted, That it shall be lawful for the Collector or Person appointed as aforesaid, and he is hereby authorized and empowered, for the Purpose of ascertaining the Quantity of Coal, Culm, or Coke brought into the said Town and Port by Land Carriage, and the Correctness of such Account as aforesaid, to detain any such Coal, Culm, or Coke, and the Waggon, Cart, Carriage or other Conveyance in which the same is contained, with the Horses, Asses, Mules, or Cattle drawing the same, and the Harness and Tackle thereon, until such Coals, Culm, or Coke shall have been measured or weighed by a Meter, to be appointed by the said Commissioners by virtue of this Act; and such Meter is hereby authorized and required, at the Request of such Collector or Person, to admeasure or weigh the same, and to report to such Collector or Person, and if present, to the Person in whose Custody such Coals or other Articles as aforesaid shall be, the Admeasurement or Weight thereof; provided that in case it shall appear that the Statement or Account as aforesaid was correct as to the Quantity of the said Coal, Culm, or Coke, in such Case the Owner shall be paid such Compensation by the Treasurer of the said Commissioners, for any Delay or Damage which he may have sustained by reason of such Admeasurement or Weight having been made, as shall be settled and awarded by any Justice.

Drawback on Coals landed to be carried and consumed out of the Town.

CLIV. Provided also, and be it enacted, That in every Case where any Coals, Culm, or Coke shall have been imported or landed, brought or delivered, within the said Town and Port, and for which the Rate or Duty hereby imposed shall have been paid, and shall afterwards be forwarded to any other Place out of the said Town and Port for Sale or Consumption, then and in every such Case the Collector or Treasurer to be appointed by virtue of this Act is hereby directed and required to return and pay, on Demand, to the Owner, or any other Person on his Behalf, a Drawback of the whole Rate or Duty paid for every Chaldron or Twenty-five Hundred Weight and the Half of another Hundred Weight of such Coals, Culm, or Coke so forwarded to any other Place for Sale or Consumption, and so in proportion for any smaller Quantity, not being less than One Bushel or Seventy-five Pounds in Weight; and that if the said Collector or Treasurer shall refuse or neglect to return and pay, on Demand, to any Person entitled to the same, such Drawback, or if any Person shall

shall fraudulently obtain or endeavour to obtain the Allowance of such Drawback, not being legally entitled to the same, every such Collector, Treasurer, or Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Power to appoint Coal Meters.

CLV. And be it enacted, That it shall be lawful for the said Commissioners from Time to Time to nominate and appoint such Number of Persons as they may think proper to be Coal Meters for the said Town and Port, for the Purposes of this Act, and from Time to Time to remove such Meters, and appoint others in their Stead, and also to fill up Vacancies therein as they shall occur; and that such Coal Meters shall have full Power and Authority, with all necessary Assistants, to go on board all Ships or Vessels laden with or having on board any Coals, Culm, or Coke liable to the aforesaid Rate or Duty, to ascertain and measure or weigh the Quantity of such Coals, Culm, or Coke on board such Ship or Vessel, in order that the said Rate or Duty may be duly collected and paid thereon; and every such Coal Meter shall deliver to the said Commissioners or their Collector a true Account of the Quantity of such Coal, Culm, or Coke; and every Person so appointed shall, before he shall be capable of acting as such Meter, take an Oath before some Justice for the due and faithful Performance of his Duty.

Allowance to Coal Meters.

CLVI. And be it enacted, That every Coal Meter to be appointed under the Authority of this Act shall take or receive, from the Owner or Master or other Person having the Rule, Government, or Command of any Ship or Vessel laden with or having on board any Coal, Culm, or Coke liable to the aforesaid Rate or Duty, or the Owner, Carrier, or Person attending with any Waggon, Cart, or other Carriage or Conveyance laden with or carrying such Coals, Culm, or Coke, such Sum for all Coals, Culm, and Coke measured or inspected by him as the said Commissioners shall direct, not exceeding the Sum of Four-pence for every Chaldron or Twenty-five Hundred Weight and the Half of another Hundred Weight thereof.

Power to let the Coal Duties.

CLVII. And be it enacted, That it shall be lawful for the said Commissioners, from Time to Time, by an Order made at any Special Meeting to be convened for the Purpose, to demise and let, by Writing under the Hands and Seals of any Seven or more of them, the Rates or Duties arising from the said Coal, Culm, and Coke, or any of them, to any Person who shall be willing to take and farm the same for any Period not exceeding Three Years, for the best and most improved Rent or Consideration that can be reasonably obtained for the same, and either by public Auction or Tender only, upon such Terms and Conditions, and with such Securities for the Payment of the Rent or Consideration, as the said Commissioners shall think expedient and fit; and the Person renting such Rates or Duties aforesaid shall have and may exercise all the Powers and Authorities for ascertaining, collecting, and enforcing Payment thereof which by this Act are vested in the said Commissioners, or the Collector or Persons to be appointed by them.

Consolidation of Rates, Tolls, and Duties.

CLVIII. And be it enacted, That all the Rates, Assessments, Tolls, Duties, and Impositions which are herein-before authorized to be rated, assessed, levied, or imposed by the said Commissioners, (except the Water Rents,) shall, when received, be consolidated into and form One Fund, and be applicable by the said Commissioners for the general Purposes of this Act.

The Sum of 5,300*l.* borrowed on the Credit of the late Act charged on such Consolidated Fund.

CLIX. And be it enacted, That the said Sum of Five thousand and three hundred Pounds (so remaining due and owing as herein-before mentioned) shall be and the same is hereby charged on all the Rates Assessments, Tolls, Duties, and Impositions herein-before authorized or directed to be rated, assessed, levied, or imposed, and consolidated into One Fund as aforesaid, and the Securities already given on the said Duties, Rates, or Assessments, under or by virtue of the said recited Act, for the said Sum of Five thousand and three hundred Pounds, or any Part thereof respectively, shall be and they are hereby confirmed as Securities on such Consolidated Rates, Assessments, Tolls, Duties, and Impositions, for so much Money as in such Securities respectively is expressed to have been advanced, and as is now remaining due and owing thereon, and shall be payable and paid to the Persons for the Time being entitled to such Securities.

Power to borrow Money.

CLX. And for the more speedy and effectual raising of Money for the several Purposes of this Act, be it enacted, That it shall be lawful for the said Commissioners and they are hereby empowered, from Time to Time when they shall judge necessary for the Purposes of this Act, to borrow and take up at Interest any Sum or Sums of Money not exceeding in the whole the Sum of Four thousand Pounds on the Credit of the said Waterworks and Water Rents, and any Sum or Sums of Money on the Credit of the said Consolidated Rates, Assessments, Tolls, Duties, and Impositions, not exceeding in the whole the Sum of Twelve thousand Pounds, and by Writing or Writings under the Hands and Seals of any Seven or more of them to mortgage or assign the same Waterworks and Water Rents, or the said Consolidated Rates, Assessments, Tolls, Duties, and Impositions, as the Case may be, or any Part or Parts thereof, to the Person who shall advance or lend such Money thereon respectively, as a Security or Securities for the Money so to be borrowed, together with lawful Interest for the same; and the Charges and Expences of such Security or Securities respectively shall be from Time to Time defrayed by the said Commissioners out of the Money so borrowed; and every such Mortgage or Assignment may be in the Words or to the Effect following; (that is to say,)

Form of Mortgage.

'BY virtue of an Act passed in the Second Year of the Reign of 'King *William* the Fourth, intituled [*here set forth the Title of* '*this Act*], we the undersigned, being of the Commis-'sioners acting in the Execution of the said Act, in consideration 'of the Sum of Pounds advanced and lent by 'of to the said Com-'missioners, upon the Credit of the Waterworks and Water Rents '[*or* Consolidated Rates, Assessments, Tolls, Duties, and Impositions,

'*as*

'*as the Case may be*,] authorized to be made, raised, and collected by 'the said Act, do hereby grant and assign unto the said 'his Executors, Administrators, and Assigns, such Proportion of the 'said Waterworks and Water Rents [*or* Consolidated Rates, Assess-'ments, Tolls, Duties, and Impositions, *as the Case may be*,] as the 'said Sum of Pounds doth or shall bear to the whole 'Sum borrowed or charged, or to be borrowed or charged, upon the 'Credit of the same Waterworks and Water Rents [*or* Consolidated 'Rates, Assessments, Tolls, Duties, and Impositions, *as the Case may* '*be*]; to be had and holden from the Day of the Date of these 'Presents until the said Sum of Pounds, with 'Interest for the same after the Rate of Pounds *per Centum per* '*Annum*, shall be fully repaid and satisfied. In witness whereof 'we have hereunto set our Hands and Seals, the 'Day of in the Year of our Lord One thousand 'eight hundred and .'

And every such Mortgage or Assignment shall be good, valid, and effectual in the Law; and every Person to whom such Mortgages or Assignments shall be made, or who shall be entitled to the Money thereby secured, shall be, in proportion to the Sums therein respectively mentioned, Creditors on the said Waterworks and Water Rents, or Consolidated Rates, Assessments, Tolls, Duties, and Impositions, as the Case may be, equally one with another, without any Preference in respect of the Priority of advancing any such Money, or the Dates of any such Mortgages or Assignments: Provided always, that previous to borrowing any Sum or Sums of Money under or by virtue of this Act, an Order for that Purpose shall be made by the said Commissioners, at a Meeting to be specially called for that Purpose in the Manner directed by this Act for calling Special Meetings; and that no less a Sum than Fifty Pounds shall be borrowed of any Person or Body Politic or Corporate upon the Credit of this Act.

Power to borrow 2,000*l.* on the Credit of the Waterworks.

CLXI. And be it enacted, That in case the Money herein-before authorized to be raised on the Credit of the said Waterworks and Water Rents shall be found insufficient for the making, completing, and maintaining the said Waterworks hereby authorized to be made, and for altering or improving the same from Time to Time, and all necessary Charges and Expences relating thereto, and the said Commissioners shall be desirous of raising an additional Sum or Sums of Money for that Purpose, it shall be lawful for the said Commissioners and they are hereby authorized, from Time to Time, with the Consent in Writing previously obtained of Three Fourths in Number and Value of the Persons who shall then have any Money due or owing to them on the Security of the same Waterworks and Water Rents, to borrow and take up at Interest any such further or additional Sum or Sums as the said Commissioners shall require, not exceeding in the whole the Sum of Two thousand Pounds over and above the Sum of Four thousand Pounds herein-before authorized, on the Credit of the same Waterworks and Water Rents, and to grant and assign the same as a Security for such further Sum or Sums in the Manner herein-before mentioned.

Power to borrow further Sum on the Credit of the Consolidated Fund.

CLXII. Provided always, and be it enacted, That in case the whole Debt by this Act charged on or hereafter to be borrowed on the Credit of the said Consolidated Fund shall at any Time hereafter be wholly paid off and discharged, or reduced below the Sum of Four thousand Pounds, then it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, from Time to Time when they shall judge necessary for the general Purposes of this Act, to borrow and take up at Interest on the Credit of the said Consolidated Rates, Assessments, Tolls, Duties, and Impositions, in the Manner herein-before mentioned, any further Sum or Sums of Money, so that the whole Sum to be charged or secured at any One Time on the Credit of the said Consolidated Fund shall not exceed the Sum of Four thousand Pounds.

Mortgages may be transferred.

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

Form of Transfer.

'I, being entitled to the Sum of secured to Executors, Administrators, and Assigns, by virtue of a Mortgage or Assignment bearing Date the Day of under the Hands and Seals of Seven of the Commissioners acting in the Execution of an Act passed in the First Year of the Reign of His late Majesty King *George* the Fourth, intituled [*here set forth the Title of the said recited Act hereby repealed, or* of an Act passed in the Second Year of the Reign of His Majesty King *William* the Fourth, intituled, *here set forth the Title of this Act, (as the Case may be)*], upon the Credit of the Rates, Duties, or Assessments [*or* Waterworks and Water Rents, *or* Consolidated Rates, Assessments, Tolls, Duties, and Impositions, (*as the Case may be*),] authorized to be made, raised, and collected by the said Act, do hereby transfer all my Right and Interest in and to the same, and all Interest and other Money now due and owing thereupon, unto of his Executors, Administrators, and Assigns. Given under my Hand and Seal, this Day of One thousand eight hundred .'

Mortgages and Transfers to be entered in a Book by the Clerk.

CLXIV. And be it enacted, That the several Mortgages or Assignments which shall be made in pursuance of this Act shall be numbered in regular arithmetical Order, and a Copy or an Extract of every such Mortgage or Security and of every such Transfer as aforesaid shall be entered in a Book to be kept for that Purpose by the Clerk to the said Commissioners, which Extract shall specify and contain the Dates and Numbers of such Securities, Names of the Parties, and the Sums of Money thereby secured or transferred; to which Book any Person interested shall at all seasonable Times have

Access and free Liberty to inspect the same, without Fee or Reward; and for the entering of every such Security or Transfer the said Clerk shall be paid, by the Person to whom such Security or Transfer shall be made, the Sum of Two Shillings and Sixpence and no more; and every such Transfer, after the entering thereof as aforesaid, shall entitle the Person to whom the same shall be made, and his Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred: Provided always, that before such Transfer shall be so entered by the Clerk, an Affidavit, taken before some Justice of the Peace or other Person duly authorized to administer Oaths, shall be delivered to the said Clerk, of the due Execution of such Transfer, and the said Clerk is hereby directed to file such Affidavit accordingly.

Mortgages redeemable.

CLXV. And be it enacted, That every such Security already made under the said recited Act hereby repealed, or to be made by virtue of this Act, for any Sum of Money which shall be borrowed by the said Commissioners on the Credit of the Waterworks or Water Rents, or Consolidated Rates, Assessments, Tolls, Duties, or Impositions respectively, as herein-before mentioned, shall be liable and subject to be paid off and redeemed by the said Commissioners, at such Time or Times, and in such Manner and Proportion as they shall think fit, giving Three Calendar Months previous Notice to the Person entitled thereto of their Intention to redeem or discharge the same, and paying the full Principal Sum so borrowed, and the Interest and Arrears due thereon.

Sinking Fund on the Debt borrowed on the late Act.

CLXVI. And whereas, in order to form a Sinking Fund, in compliance with the Provisions of the said recited Act hereby repealed, for the gradual Payment of the Money borrowed under the Authority of the same Act, and now due; be it enacted, That the Sum of Three Pounds *per Centum per Annum* on the said Sum of Five thousand and three hundred Pounds, Part of the said Sum of Eight thousand Pounds, and also the Sum of Five Pounds *per Centum per Annum* on the said Sum of Eight thousand Pounds, shall from and after the passing of this Act be appropriated and raised from and out of the said Consolidated Rates, Assessments, Tolls, Duties, and Impositions, and applied in discharging the Interest of the said Sum of Five thousand and three hundred Pounds, and in forming a Sinking Fund for the gradual Payment of the Principal; and that as often as such Sinking Fund shall amount to the Sum of Fifty Pounds the same shall be applied in the Payment of a like Amount of the Money remaining due, by Lot, among the respective Creditors; and that when and as often as any Part of the said Sum of Five thousand and three hundred Pounds shall be paid off the said Three Pounds *per Centum per Annum* shall no longer be appropriated thereto, but the full Interest which would have been payable for or in respect of the same to the Creditor or respective Creditors shall nevertheless be annually from thenceforth charged on and appropriated and paid out of the said Consolidated Fund, in aid of the said Sinking Fund, until the whole of the said Debt or Sum of Five thousand and three hundred Pounds shall be paid off and discharged.

CLXVII. And

Sinking Fund on the Debt borrowed under this Act.

CLXVII. And in order to form a Sinking Fund for the Payment of the Money to be borrowed under the Authority and for the general Purposes of this Act, be it enacted, That the said Commissioners shall and they are hereby authorized and required to appropriate from the said Consolidated Rates, Assessments, Tolls, Duties, and Impositions the Sum of Three Pounds *per Centum per Annum* on the Money which shall from Time to Time be borrowed on the Credit of the said Consolidated Fund, over and besides the Interest payable on the Money so borrowed, in order to form a Sinking Fund for the gradual Payment thereof; and that after the Payment of any Part of the said Principal Money the said Three Pounds *per Centum per Annum* shall no longer be appropriated in respect of the Part so paid, but the full Interest which would have been payable for or in respect of the same to the Creditor or respective Creditors shall nevertheless be annually from thenceforth charged on and appropriated and paid out of the said Consolidated Fund, in aid of the said Sinking Fund; and as often as the said Sinking Fund shall amount to the Sum of Fifty Pounds, the same shall be applied in the Payment of a like Amount of the said Principal Money owing, by Lot, among the Creditors.

Power to borrow Money at a lower Rate of Interest to pay off Mortgages bearing a higher.

CLXVIII. And be it enacted, That in case the said Commissioners can borrow any Sum or Sums of Money at a lower Rate of Interest than the Money borrowed under the said recited Act hereby repealed or this Act shall bear, it shall be lawful for the said Commissioners from Time to Time to charge the said Waterworks and Water Rents, or Consolidated Rates, Assessments, Tolls, Duties, or Impositions, as the Case may be, in manner aforesaid, with such Sum or Sums of Money and Interests as they shall think proper to borrow at such lower Rate of Interest, and therewith to pay off and discharge any of the Securities bearing a higher Rate of Interest, by Lot as aforesaid; and any Money so borrowed at such lower Rate of Interest shall and may be charged on the said Waterworks and Water Rents, or Consolidated Fund respectively, in manner herein-before mentioned, in addition to the said Principal Sums herein-before authorized to be borrowed and taken up at Interest on the Credit of the same respectively, and shall not be deemed or taken to form Part of the same Principal Sums so as to limit or restrain the said Commissioners from borrowing the full Amount of the same.

For the Discharge of the Debt of 600*l.* from Saint Clements.

CLXIX. And be it enacted, That it shall also be lawful for the said Commissioners and they are hereby empowered, by the same Ways and Means as are herein provided for rating, assessing, collecting, levying, and recovering the Rates or Assessments for the general Purposes of this Act, herein-before mentioned, and in addition thereto by a Rate or Assessment on the several Tenants or Occupiers of all Houses, Buildings, Lands, Tenements, and Hereditaments within the said Parish of *Saint Clement*, to rate, assess, collect, levy, and recover the Sum of One hundred and twenty Pounds in each and every Year, until the said Sum of Six hundred Pounds, Part of the aforesaid Debt of One thousand and five hundred Pounds, borrowed on the Credit of the Rates and Assessments granted by the former Act, repealed by the said recited Act, as herein-before mentioned, and all

all Interest due and to grow due thereon, shall be fully paid and satisfied; and the said Sum of One hundred and twenty Pounds so to be raised shall from Time to Time be applied by the said Commissioners in Payment of the Interest now due and hereafter to accrue on the said Sum of Six hundred Pounds, and in the gradual Payment and Discharge of the Principal to the Persons entitled to receive the same, their Executors, Administrators, and Assigns.

Collectors to pay Money to Treasurer, and Treasurer to pay as ordered by the Commissioners.

CLXX. And be it enacted, That all and every Collector and Collectors to be appointed in pursuance of this Act shall and he and they is and are hereby required to pay all such Monies as he or they shall or may respectively collect or receive by virtue of this Act, within Fourteen Days after the Receipt thereof, into the Hands of the Treasurer to be appointed by the said Commissioners, who is hereby required, out of the Monies collected and paid into his Hands, to pay such Sum or Sums of Money as the said Commissioners, or any Seven or more of them, at any Meeting to be held in pursuance of this Act, shall from Time to Time draw upon him for or order him to pay; and the said Treasurer shall and he is hereby required to keep regular and clear Entries, in a Book to be for that Purpose provided, of all and singular his Receipts, Payments, and Disbursements on account of or in pursuance of this Act, to which Book, and all others kept for the Purposes of this Act, every Person liable to the Payment of the said Rates shall have free Access at all convenient Times to inspect the same, without Fee or Reward; and the said Treasurer shall, as often as the said Commissioners shall think proper, produce the said Accounts before the said Commissioners for the Purpose of being audited, passed, and allowed, together with proper Vouchers for all Payments, if required so to do by them.

Application of the Money raised under this Act.

CLXXI. And be it enacted, That all Monies borrowed or to be borrowed on the Credit of the said Waterworks and Water Rents, and all Monies to be produced by or from the same Waterworks and Water Rents, and all other Monies to be received by the said Commissioners for or in respect of the same, shall be applied, in the first place, in paying the Interest of the Monies borrowed or to be borrowed on the Credit of the said Waterworks and Water Rents, and in the next place in paying and defraying the Charges and Expences of carrying into effect such of the Provisions and Purposes of this Act as relate to the supplying the said Town and Port, and the Houses, Buildings, and Premises therein, and the Inhabitants thereof, with Water, and as may be incurred respecting the same, and lastly in paying off the Principal Monies borrowed or to be borrowed on the Credit of the same Waterworks and Water Rents, and from and after Payment and Satisfaction thereof and of every Part thereof the annual Surplus, if any, of the said Water Rents or Monies to be received for or in respect of the said Waterworks, shall be applied in paying off the Principal Monies by this Act charged or to be hereafter borrowed on the Credit of the said Consolidated Rates, Assessments, Tolls, Duties, and Impositions, to and for the general Purposes of this Act, and ultimately in carrying into execution the several Purposes of this Act; and that the Monies to be produced from the Duties upon Coals, Culm, and Coke, and the Market Tolls or

As to the other Monies to be raised.

or Rates, and the Rates or Assessments upon Houses, Buildings, Lands, Tenements, and Hereditaments herein-before imposed or directed to be raised and levied, and all the Monies which shall be borrowed on the Credit thereof respectively, and all other Monies to be collected, raised, or received by virtue or under the Authority of this Act, (not relating to the said Waterworks or Water Rents,) shall be and the same are hereby vested in the said Commissioners, and shall (unless by this Act otherwise directed) be applied and disposed of, in the first place, in paying and defraying all the Costs, Charges, and Expences of applying for or incident to the obtaining and passing of this Act, with Interest for the Money which shall have been advanced for those Purposes, and in the next place in paying the Interest of the Monies secured by virtue of this Act, and hereafter to be borrowed and secured on the Credit of the said Consolidated Rates, Assessments, Tolls, Duties, and Impositions, and in the next place in paying and discharging the Principal Money or Sum of Five thousand and three hundred Pounds now due and owing and secured on the Credit of the same Consolidated Fund, and in the next place in paying and discharging the Principal Monies to be borrowed or secured under or by virtue of this Act for the general Purposes of this Act, and in the last place in carrying into execution the several Purposes of this Act (except in relation to the said Waterworks and Water Rents), and to and for no other Use, Intent, or Purpose whatsoever.

Damages, how to be recovered of the Commissioners.

CLXXII. And be it enacted, That when and as often as any Sum of Money shall be directed or ordered by any Justice or Justices of the Peace to be paid by the said Commissioners, in pursuance of the Directions of this Act, as or by way of Compensation or Satisfaction for any Materials, Costs, Damages, Spoil, or Injury of any Nature or Kind whatsoever, done or committed by the said Commissioners or any Person acting by or under their Authority or Direction, and such Sum or Sums of Money, together with the reasonable Costs and Charges of hearing and determining the same, shall not be paid by the said Commissioners or their Treasurer to the Party entitled to receive the same, within Five Days after Demand thereof in Writing shall have been made and delivered to the Clerk or Treasurer to the said Commissioners for the Time being, then and in such Case the Amount of such Compensation or Satisfaction, and Costs, as aforesaid, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Commissioners by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, together with the Costs of such Distress and Sale, 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, upon Application made to him or them for that Purpose by the Party entitled to receive such Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid: Provided always, that it shall be lawful for such Treasurer to retain, out of any Monies which shall come to his Hands by virtue 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.

CLXXIII. And

For Recovery of Damages.

CLXXIII. And be it enacted, That where by this Act any Damages, Charges, or Expences are directed to be paid, and the Manner of ascertaining the Amount thereof is not specified or provided for, the Amount of such Damages, Charges, or Expences, in case of Nonpayment, or of any Dispute respecting the same, shall be settled, ascertained, and determined by some Justice or Justices of the Peace; and in all Cases where by this Act any Damages, Charges, or Expences are directed or authorized to be paid or recovered, in addition to any Penalty or Penalties for any Offence or Offences, the Amount of such Damages, Charges, or Expences, in case of Nonpayment, or of any Dispute respecting the same, shall be settled, ascertained, and determined by the Justice or Justices by or before whom any Offender shall be convicted of any such Offence or Offences, and the Justice or Justices aforesaid respectively is and are hereby authorized and required, on Nonpayment thereof, to levy such Damages, Charges, or Expences by Distress and Sale of the Offender's Goods and Chattels in manner by this Act directed for the levying of any Penalties or Forfeitures.

For enforcing Payment of Subscriptions.

CLXXIV. And be it enacted, That the several Persons who have subscribed for or who shall hereafter subscribe for any Money for and towards making the said Waterworks shall, and he, she, and they is and are hereby respectively required to pay the Sum or Sums of Money respectively subscribed and to be subscribed for, in such Parts and Proportions, at such Times and Places, to such Person or Persons, and in such Manner as shall be ordered and directed by the said Commissioners, according to the Conditions of the Contract; and in case any Person or Persons, Body or Bodies Politic or Corporate, shall neglect or refuse to pay any such Sum according to such Order and Direction, it shall be lawful for the said Commissioners to sue for and recover the same by Action of Debt or otherwise in any of His Majesty's Courts of Record at *Westminster*.

For Recovery of Penalties not exceeding 20*l.*

CLXXV. And be it enacted, That all Fines, Penalties, and Forfeitures inflicted or imposed by this Act, or by or under any Bye Law, Rule, Order, or Regulation to be made in pursuance thereof (the Manner of levying and recovering whereof is not herein-before particularly directed), not exceeding the Sum of Twenty Pounds, may be recovered in a summary Way by the Order and Adjudication of One or more Justice or Justices of the Peace, 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 liable to pay the same, by Warrant under the Hand and Seal or Hands and Seals of such One or more 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 to hear and determine the same, and the Overplus (if any) of the Monies raised or recovered, after discharging the Fine, Penalty, or Forfeiture for which such Warrant shall be issued, and the Costs and Expences of recovering and levying the same, shall be rendered to the Owner of the Goods and Chattels so seized and distrained, all which Penalties not herein directed to be otherwise

otherwise applied, shall be paid to the said Commissioners or their Treasurer, to be applied for the general Purposes of this Act, unless such Penalties shall be incurred by the said Commissioners, in which Case the same shall be paid, unless otherwise directed by this Act, to the Overseers of the Poor of the Parish in which the Penalty shall be incurred, and be by them applied in aid of the Poor Rate of such Parish; and it shall be lawful for the said Justice or Justices to order the Offender so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the said Offender shall give sufficient Security, to the Satisfaction of such Justice or Justices, for his Appearance before the said Justice or Justices on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Justice or Justices is and are hereby empowered to take, by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be made whereon to levy the said Penalty or Penalties, and such Costs as aforesaid, and the same shall not be forthwith paid, or if it shall appear to such Justice or Justices, either by the Confession of the Offender or otherwise, that he hath not sufficient Goods and Chattels whereon to levy such Penalty and Costs as aforesaid, on a Warrant of Distress being issued, such 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 authorized and required, by Warrant under his or their Hand and Seal or Hands and Seals, to commit such Offender to the Common Gaol, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless such Fines, Penalties and Forfeitures, and all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justice or Justices, shall be sooner paid and satisfied: Provided always, that in all Cases when the Penalty or Forfeiture imposed by this Act shall exceed the Sum of Five Pounds, no Proceeding before Justices shall be had and taken for the Recovery thereof, unless Two Justices shall be present at the Hearing and Determination to be thereupon had and made.

Where Penalty imposed exceeds 5*l*. Two Justices to determine.

Recovery of Penalties exceeding 20*l*.

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

Justices may proceed by Summonses in the Recovery of Penalties.

CLXXVII. And be it enacted, That in all Cases in which by this Act any Penalty or Forfeiture is imposed and made recoverable by Information before a Justice or Justices of the Peace, it shall be lawful for any Justice or Justices of the Peace to whom Complaint shall be made of any Offence against this Act to summon the Party complained against before him or them, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of

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the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice or Justices; and all such Proceedings by Summons without Information shall be as good, valid, and effectual, to all Intents and Purposes, as if an Information in Writing was or had been exhibited.

Form of Conviction.

CLXXVIII. And be it enacted, That for the more easy Conviction of Offenders against this Act any Justice or Justices before whom any Person shall be convicted of any Offence against this Act, or any Bye Law, Rule, Order, or Regulation made in pursuance thereof, shall and may cause the Conviction to be drawn up in the Form of Words or to the Effect following; (that is to say,)

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

Inhabitants and Officers competent Witnesses.

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

Penalty on Witnesses summoned not attending.

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

Informations for Offences to be laid within Six Months.

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

Transient Offenders may be detained.

CLXXXII. And be it enacted, That it shall be lawful for any of the said Commissioners, or their Collectors, Surveyors, or other Officers or Servants, and such other Person as they or any of them shall call to their Assistance, without any other Warrant or Authority than this Act, to seize and detain any Person (being unknown to such Commissioners, Collectors, Surveyors, or other Officers, Servants, or Persons,) who shall commit any Offence or Offences against this Act, and take him before any Justice of the Peace, to be dealt with according to this Act; and such Justice is hereby empowered and direct to proceed immediately to the hearing and determining of the Complaint.

Power to reward Informers.

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

Power to direct Frosecutions at Assizes, &c.

CLXXXIV. And be it enacted, That it shall be lawful for the said Commissioners to direct any Prosecution or Prosecutions at the Assizes or Quarter Sessions for the County of *Sussex*, or at the Quarter Sessions of the said Town and Port, for any public Nuisance which shall be committed or suffered within the said Town and Port, or for or concerning any Resistance to the Execution of the Authorities of this Act, or to the Authority of any Person acting under the same, and to direct and order the Expences of such Prosecutions to be paid and borne by and out of the Funds to be raised by virtue of this Act.

Notices on the Commissioners, how to be served.

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

CLXXXVI. And

Other Notices how to be served.

CLXXXVI. And be it enacted, That in all other Cases of Notices or Demands in Writing directed or required by this Act to be given or served, or which shall or may be necessary for carrying into execution any of the Powers or Provisions of this Act, the Service of any such Notice or Demand, by delivering the same or a true Copy thereof to the Person to whom the same ought to be given, or by leaving the same or a true Copy thereof at his Dwelling House or usual or last Place of Abode, shall be a sufficient Service thereof (except only in Cases where personal Service is herein-before expressly required), or in case it shall be necessary to serve Notice upon any Body Politic, Corporate, or Collegiate, Ecclesiastical or Civil, then the leaving such Notice, or a true Copy thereof, at the Office or Place of Residence of the chief Officer of any such Body Politic, Corporate, Collegiate, Ecclesiastical, or Civil, shall be deemed sufficient Service thereof; and in all Cases where any such Notice ought to be given to Two or more Persons, for or respecting any joint Act, Refusal, Omission, Offence, Neglect, or Default of any Persons who shall be in Partnership, or jointly concerned in such Act, Refusal, Omission, Offence, Neglect, or Default, the like Service of any such Notice on any One of such Persons shall be a sufficient Service thereof.

Distresses not to be deemed unlawful for Want of Form.

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

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

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

Limitation of Actions, and Notice required.

CLXXXIX. And be it enacted, That no Action or Suit shall be commenced against any Person for any Act or Thing done in pursuance of or under the Authority of or Colour of this Act until Ten Days Notice thereof shall have been given in Writing to the Person intended to be sued, or to the Clerk to the said Commissioners, as the Case may be, nor after sufficient Satisfaction, or Tender thereof, shall have been made to the Party aggrieved, nor after Six Calendar Months from the Time when the Cause of such Action shall have arisen or been committed, or have ceased and been determined, unless otherwise particularly directed by this Act; and every such Action and Suit shall be brought, laid, and tried in the County or Place where the Cause of Action shall have arisen or been committed, and

not

not elsewhere; and the Defendant or Defendants in every such Action or Suit may plead the General Issue, and give this Act and the special Matter in Evidence, at any Trial or Trials which shall be had thereupon; and if the Matter or Thing shall appear to have been done in pursuance or under the Authority or Colour of this Act, or if it shall appear that such Action or Suit was brought before Ten Days Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or paid into Court with the Leave of the Court, either before or after Issue joined in such Action or Suit, or if such Action or Suit shall not be commenced within the Time herein-before limited, or shall be brought or laid in any other County or Place than as aforesaid, then the Jury shall find a Verdict for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, Defendant or Defendants, then the Plaintiff or Plaintiffs, Defendant or Defendants, as the Case may be, shall recover his, her, or their Costs, and have such Remedy for the same as any other Plaintiff or Defendant hath in other Cases by Law.

Persons aggrieved may appeal to the Sessions.

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

Sessions may amend Rates without

CXCI. And be it enacted, That upon any Appeal from any Rate or Assessment made in pursuance of this Act the Justices at any

General or Quarter Sessions of the Peace for the said Town and Port shall and may amend the same in such Manner as may be necessary for giving Relief to the Appellant or Appellants personally, without wholly quashing such Rate or Assessment: Provided always, that if the said Justices shall be of opinion that it is necessary for the Purpose of giving Relief to the Person appealing that the Rate or Assessment shall be wholly quashed, then they may quash the same, and order a new One to be made by the said Commissioners. quashing them.

CXCII. And in order to remove Doubts as to the Meaning of certain Words in this Act, be it enacted, That the Word "Justice" or the Words "Justice of the Peace" shall be deemed to mean Justice of the Peace for the said Town and Port of *Hastings*, and that the Word "Officer" shall be deemed to apply to and include any One or more Person or Persons holding any Office or Appointment, Offices or Appointments, under the said Commsssioners, or acting under their Authority by virtue of this Act; and that the Word "Streets" shall be deemed and construed to extend and apply to all and every or any of the present and future Streets, Lanes, Roads, Ways, and other public Passages and Places within the said Town and Port; and that the Word "Penalty" shall be deemed to include any Fine, Penalty, or Forfeiture of a pecuniary Nature; and also that the Words "Collector," "Clerk," "Offender," "Owner," "Occupier," "Carrier," "Person," "House," "Building," "Book," "Contract," "Time," "Body," and "Party" shall each be deemed to include any Number of Collectors, Clerks, Offenders, Owners, Occupiers, Carriers, Persons, Houses, Buildings, Books, Contracts, Times, Bodies, and Parties; and that the Meaning of the aforesaid several Words shall not be restricted although the same may be previously or subsequently referred to in the Singular Number and Masculine Gender only, unless it be otherwise specially provided. Defining Meaning of certain Words.

CXCIII. And be it enacted, That nothing in this Act contained shall extend, or be deemed or construed to extend, to abridge, diminish, or take away any Rents, Tolls, or Customs belonging, due, or payable to, or had, received, or taken by, the Mayor, Jurats, and Commonalty of the said Town and Port of *Hastings*, not by this Act in express Terms abridged, diminished, or taken away, but that the said Mayor, Jurats, and Commonalty, and their Successors, shall and may continue to have, hold, and enjoy all such Rights, Liberties, Privileges, and Franchises, and to have, receive, and take all such Rents, Tolls, or Customs, in like Manner as they could or might or ought to do in case this Act had not been passed. Saving Rights of the Corporation of Hastings.

CXCIV. And be it 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. Public Act.

The SCHEDULE marked (A.) to which the Act refers.

Description of Property.	Names of Owners.	Names of Occupiers.	Parish.
A Messuage or Building called the Old Warm Bath -	William Chapman and others - -	William Chapman and others - -	Saint Mary in the Castle.
A Messuage and Premises - -	Samuel Satterley -	Eardley Wilmot Mitchell and others - -	Ditto.
Ditto - -	William Lucas Shadwell - -	Edward Honiss -	Ditto.
Ditto - -	Elizabeth Woollet and others - -	John Austin - -	Ditto.
A Rope Shop - -	John Cox - -	Himself - -	Saint Clement.
A Shop or Building	John Manington -	David Delves - -	Ditto.
Ditto - -	William Kerby Simmonds -	William Bran - -	Ditto.
The Watch-house or Searcher's Office	The Corporation of Hastings - -	The Commissioners of Customs - -	Ditto.
A Shop or Building	Thomas Mann - -	Himself - - -	Ditto.
Ditto - -	Ditto - -	James Phipps - -	Ditto.
Ditto - -	William Spice - -	Himself - -	Ditto.
Ditto - -	John White - -	Richard Catt - -	Ditto.
Ditto - -	William Breach -	Himself and George Osborne - -	Ditto.
Ditto - -	Thomas James Breeds	William Breach - -	Ditto.
Ditto - -	John Sargent - -	George Osborne and William Breach	Ditto.
Ditto - -	Thomas Thwaites -	Thomas Sinden - -	Ditto.
Ditto - -	Ditto - -	John Cole - -	Ditto.
Ditto - -	Henry Thwaites -	- - - -	Ditto.
Ditto - -	John Webb - -	Himself - - -	Ditto.
A Coalshed or Building - - -	Robert Kent - -	Himself - - -	Ditto.
A Messuage - -	Richard Page - -	Himself - - -	Ditto.

The SCHEDULE marked (B.) to which the Act refers.

Description of Property.	Names of Owners.	Names of Occupiers.	Parish.
The Workhouse, and Yard, Stable, Coach-house, and Three Shops or Buildings - -	The Parishioners of Saint Clement -	The Poor of the Parish of Saint Clement, and Katherine Sayer, Joseph Job, Charles Perry, and Thomas Osborne -	Saint Mary-in-the-Castle.
A Piece of Land 135 Feet long and 50 Feet wide - -	Edward Milward -	Himself and Miss Katherine Sayer	Ditto.
A Messuage and Premises - -	Sarah Dunn - -	Edward Fisher - -	Saint Clement.
A Messuage, Cellar, and Premises -	Ditto - -	Herself, Charles Hogsflesh, and Thomas Daniel	Ditto.
A Dryhouse or Building - -	Ditto - -	Samuel Stace - -	Ditto.
A Coach-house - -	Ditto - -	Edward Stevens -	Ditto.
A Building or Coal-shed - - -	Ditto - -	William Ranger -	Ditto.
A Wash-house or Building - -	Thomas Daniel - -	Himself - - -	Ditto.
A Messuage - -	William Jex and Honor his Wife -	Jeremiah Curteis and William Stone-street - - -	Ditto.
A Building or Warehouse - -	Thomas Thwaites -	Himself and John Bayley - -	Ditto.
A Coalshed and Sail-loft - - -	Ditto - -	Ditto - -	Ditto.
A Deeze or Building	Robert Kent - -	Himself - - -	Ditto.
A Messuage - -	John Phillips - -	Martha Colbran -	Ditto.
A Messuage - -	Sarah Thwaites - -	Sarah Finch - -	Ditto.
A Messuage and Blacksmith's Shop	John Stace - -	Samuel Stace and William Stace -	Ditto.
A Messuage - -	Thomas Thwaites -	Himself - - -	Ditto.
Ditto - -	Elizabeth Arrow -	Peter Wingfield - -	Ditto.
Ditto - -	Ditto - -	Thomas Fuller - -	Ditto.
Ditto - -	Ditto - -	Henry French - -	Ditto.
Ditto - -	Ditto - -	Mary Southcot -	Ditto.
Ditto - - -	Ditto - -	John Swaine - -	Ditto.

The SCHEDULE marked (C.) to which the Act refers.

Description of Property.	Names of Owners or reputed Owners.	Names of Occupiers.	Parish.
A Field - -	Edward Milward -	Himself - -	All Saints.
Ditto - -	Ditto - -	Ditto - -	Ditto.
Ditto - -	Thomas Newman Ward - -	Thomas Jenner -	Ditto.
Ditto - -	William Thorpe and William Scrivens, Trustees of the Will of Robert Thatcher deceased - -	John Boys - -	Ditto.
Ditto - -	Ditto - -	Ditto - -	Ditto.
Ditto - -	Thomas Newman Ward - -	Thomas Jenner -	Ditto.
Ditto - -	Mary Ann Gordon -	Ditto - -	Ditto.
Ditto - -	Ditto - -	Ditto - -	Ditto.
Ditto - -	Joseph Kay - -	John Boys - -	Ditto.
Ditto - -	Frederick North -	Himself - -	Ditto.
Ditto - -	Maria Milward and Frances Milward	Edward Milward -	Ditto.
Ditto - -	Ditto - -	Ditto - -	Ditto.
Ditto - -	Frederick North -	Himself - - -	Ditto.
Workhouse Garden -	Parishioners of All Saints - -	Themselves - -	Ditto.
Field - - -	Solomon Bevill sen.	Henry Sinden - -	Saint Clement.
Turnpike Road -	Trustees of the Turnpike Road from Hastings to Flimwell - -	The Public - -	Ditto.
Garden - - -	Frederick North -	John Snow - -	Ditto.
Field - - -	Maria Milward and Frances Milward	Edward Milward -	Ditto.
Ditto - -	Ditto - -	Ditto - - -	Ditto.
Ditto - -	Edward Milward -	Ditto - -	Ditto.
High Road - -	Commissioners for the Improvement of Hastings -	The Public - -	Ditto.
Field - - -	Edward Milward, Maria Milward and Frances Milward - -	Edward Milward -	Ditto.

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