ANNO QUADRAGESIMO SECUNDO

GEORGII III. REGIS.

Cap. 90.

An Act for altering and amending an Act, passed in the Thirty-first Year of the Reign of His present Majesty, intituled, *An Act for widening, improving, regulating, paving, cleansing, and lighting the Streets, Lanes, and other publick Passages and Places within the King's Town of* Maidstone *in the County of* Kent; *for removing and preventing Encroachments, Obstructions, Nuisances, and Annoyances therein; for better supplying the said Town with Water; and for repairing the Highways within the Parish of* Maidstone; and for raising a further Sum of Money for completing the Purposes of the said Act. [22d *June* 1802.]

WHEREAS an Act was passed in the Thirty-first Year of the Reign of His present Majesty, intituled, *An Act for widening, improving, regulating, paving, cleansing, and lighting the Streets, Lanes, and other publick Passages and Places within the King's Town of* Maidstone *in the County of* Kent; *for removing and preventing Encroachments, Obstructions, Nuisances, and Annoyances therein; for better supplying the said Town with Water; and for repairing the Highways within the* 31 Geo. 3.

Pariſh of Maidſtone: And whereas the Commiſſioners appointed to put the ſaid Act in Execution, were authorized to borrow, on the Credit of the Rates thereby granted, a Sum not exceeding Seven thouſand Pounds, for the more expeditious Performance of the ſeveral intended Improvements: And whereas the ſaid Commiſſioners have proceeded to execute the ſaid Act, and have made great Progreſs therein, and for that Purpoſe have borrowed and expended the Whole of the ſaid Sum of Seven thouſand Pounds, and have alſo incurred ſeveral conſiderable Debts, which they have no Means of diſcharging: And whereas the ſaid Commiſſioners are not able to carry the Purpoſes of the ſaid Act into complete Execution without further Powers: And whereas an Act was paſſed in the Thirty-
36 Geo. 3. ſixth Year of the Reign of His preſent Majeſty, intituled, *An Act for enabling the Commiſſioners for executing an Act, paſſed in the Thirty-firſt Year of the Reign of His preſent Majeſty, intituled,* 'An Act for widening, improving, regulating, paving, cleanſing, and lighting the Streets, Lanes, and other publick Paſſages and Places within the King's Town of Maidſtone in the County of Kent; for removing and preventing Encroachments, Obſtructions, Nuiſances, and Annoyances therein; for better ſupplying the ſaid Town with Water; and for repairing the Highways within the Pariſh of Maidſtone, to raiſe a further Sum of Money for completing the Purpoſes of the ſaid Act:' And whereas the ſaid Commiſſioners have endeavoured to borrow a further Sum of Money under the Authority of the ſaid laſt recited Act, but have not been able to procure the ſame, by Reaſon that the Rates which they are now authorized to impoſe by the ſaid firſt recited Act, are not ſufficient to induce Perſons to lend any more Money on the Credit thereof: And whereas the ſaid Improvements of the ſaid Town cannot be completed, nor the ſaid Debt ſo incurred by the ſaid Commiſſioners be paid off, unleſs Power is given to raiſe a further Sum of Money for that Purpoſe, and alſo to increaſe the ſaid Rates: And whereas the Powers and Proviſions of the ſaid Acts have been found defective in other Reſpects: 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

Power to borrow more Money.

Authority of the ſame, That it ſhall be lawful for the Commiſſioners appointed by the ſaid firſt recited Act, and they are hereby empowered, from Time to Time, when they ſhall judge neceſſary, for the Purpoſe of paying off and diſcharging the ſaid Debts, and of completing the ſeveral Works directed to be done by the ſaid firſt recited Act, to borrow and take up at Intereſt any Sum or Sums of Money, not exceeding in the Whole the Sum of Five hundred Pounds, in Addition to the ſaid Sums of Seven thouſand Pounds and Two thouſand five hundred Pounds reſpectively, which by the ſaid recited Acts they were authorized to borrow; and the ſaid additional Sum of Five hundred Pounds, or ſuch Part thereof as the ſaid Commiſſioners ſhall find it neceſſary or expedient to borrow, and alſo the ſaid Sum of Two thouſand five hundred Pounds, ſhall be, and are hereby charged upon the Credit of the Rates or Aſſeſſments, Highway Compoſition Money, and all other Sums of Money by the ſaid firſt recited Act or by this Act granted or authorized to be laid, collected, or received, or any of them, in ſuch and the like Manner, to all Intents and Purpoſes, as the ſaid Sum of Seven thouſand Pounds, is by the ſaid firſt recited Act charged thereon.

Rates to be laid on Tenants and Occupiers of Houſes in *Maidſtone*.

II. And be it further enacted, That for the Purpoſe of paying off or diſcharging any Debts contracted in the carrying into Execution any of the Powers of the ſaid recited Acts or of this Act, or either of them; or of paying or diſcharging any Intereſt or Arrears of Intereſt due or to grow due on any Sum or Sums of Money raiſed or borrowed under the ſaid recited Acts or this Act, or either of them, or for the Purpoſe of completing any of the Works or Things authorized by the ſaid recited Acts or this Act, or either of them, or for better enabling the ſaid Commiſſioners to carry on the Improvements authorized by the ſaid firſt recited Act or this Act, it ſhall be lawful for the ſaid Commiſſioners, or any Five or more of them, from and after the paſſing of this Act, Once in every Year to rate and aſſeſs any Sum not exceeding Four-pence in the Pound, in Addition to the Rate or Aſſeſſment of One Shilling and Sixpence in the Pound, authorized by the ſaid firſt recited Act, upon the ſeveral Tenants or Occupiers of Houſes, Oaſts, Buildings, Yards, Gardens, Lands, Rents, Revenues, Tenements, and Hereditaments, within the ſaid Town of *Maidſtone*, according to the annual Value of the ſame reſpectively, and which additional Rate or Aſſeſſment, Rates or Aſſeſſments, ſhall be made and levied, and ſued for, collected, and recovered, and be ſubject to Appeal under and according to all the Rules, Regulations, Powers, Proviſoes, Reſtrictions, Clauſes, Penalties, and Forfeitures, in the ſaid firſt recited Act contained, in Relation to any Rate or Aſſeſſment authorized by the ſaid firſt recited Act, in like Manner in every Reſpect as if the ſaid ſeveral Rules, Regulations, Powers, Proviſions, Reſtrictions, Clauſes, Penalties, and Forfeitures had, or ſeverally and ſeparately been enacted in and made Part of this Act, except ſo far as the ſame, or any of them, may be altered by this Act.

So much of firſt recited Act as directs the Commiſſioners there in named to determine the Limits and Extent of the Streets, &c. repealed.

III. And be it further enacted, That, from and after the paſſing of this Act, ſo much of the ſaid firſt recited Act as enacts that the ſaid Commiſſioners ſhall and may deſcribe and determine the Limit and Extent of the ſeveral Streets, Lanes, Paſſages, and Places within the ſaid Town, for the Purpoſes of the ſaid Act, according to a Plan thereof made by *Charles Beazley* in the Year One thouſand ſeven hundred and ninety, ſigned by *John King* Eſquire, then Mayor of *Maidſtone*, ſhall be, and the ſame is hereby repealed; and from and after the paſſing of this Act it ſhall be lawful for the ſaid Commiſſioners, and they are hereby required, to deſcribe and determine the Limits and Extent of the ſeveral Streets, Lanes, Paſſages, and Places within the ſaid Town, for the Purpoſes of the ſaid Act, according to the actual Extent thereof, notwithſtanding the ſame may not be included in or according to the ſaid Plan; provided that ſuch Limits ſhall in no caſe be deemed to extend to any greater Diſtance from the now Town Hall of the ſaid Town of *Maidſtone* than Three Quarters of a Mile; and ſuch Commiſſioners ſhall and may thereupon proceed to the Exerciſe of and putting in force the ſeveral Powers of the ſaid firſt recited Act, and do and perform, and cauſe to be done and performed, all Acts, Matters, and Things, for the carrying into Effect the Purpoſes of the ſaid firſt recited Act, within the Limits and Extent deſcribed and determined under and by virtue of this Act, in like Manner as if the ſame had been deſcribed and determined under the ſaid Act.

IV. And

Money already borrowed and to be borrowed, so charged on the Rates, *etc.*

IV. And be it further enacted, That the Sum or Sums of Money heretofore or to be from Time to Time taken up or borrowed by virtue of the ſaid recited Acts or this Act reſpectively, ſhall be charged upon the Rates or Aſſeſſments, Highway Compoſition, and all other Monies by the ſaid firſt recited Act or this Act granted or authorized to be laid, collected, or received, by Mortgage, Demiſe, Grant, or Aſſignment, under the Hands and Seals of the ſaid Commiſſioners in like Manner and Form as by the ſaid firſt recited Act is directed with reſpect to the Money thereby authorized to be taken up or borrowed.

Application of Compenſation Money where amounting to 200*l.*

V. And be it further enacted, That if any Money ſhall be agreed or awarded to be paid for any Buildings, Lands, or Hereditaments, purchaſed, taken, or uſed by virtue of the Powers of the ſaid firſt recited Act and this Act for the Purpoſes thereof, which ſhall belong to any Corporation, Feme Covert, Infant, Lunatick, or Perſon or Perſons under any other Diſability or Incapacity, as in the ſaid recited Act particularly mentioned, ſuch Money 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 High Court of Chancery, to be placed to his Account there *ex parte* the Commiſſioners for executing the ſaid Acts and this Act, to the Intent that ſuch Money ſhall be applied, under the Direction and with the Approbation of the ſaid Court, to be ſignified by an Order, made upon a Petition, to be preferred in a ſummary Way by the Perſon or Perſons who would have been entitled to the Rents and Profits of the ſaid Buildings, Lands, and Hereditaments, in the Purchaſe or Redemption of the Land Tax, or towards the Diſcharge of any Debt or Debts, or ſuch other Incumbrances, or Parts thereof, as the ſaid Court ſhall authorize to be paid, affecting the ſame Lands or Hereditaments, or affecting other Buildings, Lands, or Hereditaments, ſtanding ſettled therewith, to the ſame or like Uſes, Intents, or Purpoſes, or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted, under the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Buildings, Lands, or Hereditaments, which ſhall be conveyed and ſettled to, for, and upon ſuch and the like Uſes, Truſts, Intents, and Purpoſes, and in the ſame Manner, as the Buildings, Lands, or Hereditaments which ſhall be ſo purchaſed, taken, or uſed as aforeſaid, ſtood ſettled or limited, or ſuch of them as at the Time of making ſuch Conveyance and Settlement ſhall be exiſting undetermined and capable of taking Effect; and in the mean Time and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall, by Order of the Court of Chancery, upon Application thereto, be inveſted by the ſaid Accountant General, in his Name, in the Purchaſe of Three Pounds *per Centum* Conſolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time, and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and annual Produce of the ſaid Conſolidated or Reduced Bank Annuities ſhall from Time to Time be paid, by Order of the ſaid Court, to the Perſon or Perſons who would, for the Time being, have been entitled to the Rents and Profits of the Buildings, Lands, or Hereditaments ſo hereby directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

VI. Provided

Application where the Compenſation Money is leſs than 200 *l.* and above 20 *l.*

VI. Provided always, and be it further enacted, That if any Money ſo agreed or awarded to be paid for any Buildings, Lands, or Hereditaments, purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Corporation, or any Perſon or Perſons under Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds and ſhall exceed the Sum of Twenty Pounds, then and in all ſuch Caſes the ſame ſhall, at the Option of the Perſon or Perſons for the Time being entitled to the Rents and Profits of the Buildings, Lands, or Hereditaments ſo purchaſed, taken, or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees, in caſe of Infancy and Lunacy, to be ſignified by Writing under their reſpective Hands, be paid into the Bank, in the Name and with the Privity of the ſaid Accountant General of the High Court of Chancery, and be placed to his Account as aforeſaid, in order to be applied in Manner herein-before directed, or otherwiſe the ſame ſhall be paid, at the like Option, to Two Truſtees, to be nominated by the Perſon or Perſons making ſuch Option, and approved of by Five or more of the ſaid Commiſſioners (ſuch Nomination and Approbation to be ſignified in Writing under the Hands of the nominating and approving Parties), in order that ſuch Principal Money, and the Dividends ariſing thereon, may be applied in any Manner herein-before directed, ſo far as the Caſe be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application where the Money is leſs than 20 *l.*

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

For paying the Expences of this Act, &c.

VIII. And be it further enacted, That the Money to be from Time to Time borrowed upon the Credit of the ſaid former Acts and this Act, ſhall be laid out and applied in the Firſt Place in defraying the Coſts, Charges, and Expences incident to and attending the obtaining and paſſing of this Act, and then in or towards the paying off and diſcharging of the ſaid Debts, and in the carrying of the Truſts and Purpoſes of the ſaid firſt recited Act and this Act into complete Execution, by the Commiſſioners thereby appointed.

For extending the Powers of the Firſt Act to this Act.

IX. And be it further enacted, That the ſaid firſt recited Act, and all the Clauſes, Powers, Proviſions, Rules, and Regulations, Penalties, Forfeitures, Matters, and Things therein contained, ſhall, ſo far as the ſame are applicable, and not hereby altered, extend, and be conſtrued, deemed, and taken to extend to this Act, and the Powers and Purpoſes thereof, as fully and effectually, to all Intents and Purpoſes, as if the ſame were herein repeated and re-enacted.

Publick Act.

X. And be it further enacted, That this Act shall be taken and allowed in all Courts of Justice as a publick Act, and all Judges, Justices, and others, are hereby required to take Notice thereof as such without being specially pleaded.

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