ANNO QUINQUAGESIMO NONO

GEORGII III. REGIS.

Cap. xvi.

An Act to enlarge the Powers of Three Acts of His preſent Majeſty, for paving, cleanſing, and lighting the Streets and other public Places within the King's Town of *Maidſtone*, in the County of *Kent*; and better ſupplying the Inhabitants with Water; and for watching the ſaid Town, and making public Wharfs therein. [6th *April* 1819.]

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 public Paſſages and Places within the King's Town of* Maidſtone, *in the County of* Kent; *for removing and preventing Incroachments, Obſtructions, Nuiſances, and Annoyances therein; for better ſupplying the ſaid Town with Water; and for repairing the Highways within the Pariſh of* Maidſtone: And whereas the Commiſſioners appointed to put the ſaid Act in Execution were thereby authorized, once in every Year, to rate and aſſeſs any Sum not exceeding One Shilling and Sixpence in the Pound upon the ſeveral Tenants or Occupiers of all Houſes, Oaſts, Buildings, Yards, Gardens, Lands, Rents, Revenues, Tenements, and Hereditaments within the ſaid Town, according to the annual Value of the ſame reſpectively, as therein is expreſſed, for defraying the Expences of carrying the ſaid Act into Execution; and were alſo authorized to borrow and take up at Intereſt, upon the Credit of the ſaid Rates or Aſſeſſments, and the Highway 31 G. 3. c. 62.

Compoſition Money, any Sum not exceeding Seven thouſand Pounds, for the more expeditious Performance of the then ſeveral intended Improvements: And whereas the ſaid Commiſſioners accordingly borrowed and expended the whole of the ſaid Sum of Seven thouſand Pounds, and alſo incurred conſiderable Debts in Addition thereto: And whereas by another Act paſſed in the Thirty-ſixth Year of the Reign of His ſaid 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 public 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*; the ſaid Commiſſioners were empowered to borrow and take up at Intereſt, on the Credit of the ſaid Rates or Aſſeſſments, and Highway Compoſition Money, any Sum not exceeding Two thouſand five hundred Pounds in Addition to the ſaid Sum of Seven thouſand Pounds: And whereas the ſaid Rates or Aſſeſſments authorized to be made by the ſaid firſt recited Act were not ſufficient to enable the ſaid Commiſſioners to raiſe the ſaid further Sum of Two thouſand five hundred Pounds: And whereas by another Act paſſed in the Forty-ſecond Year of the Reign of His ſaid preſent Majeſty, intituled *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 public Paſſages and Places within the King's Town of* Maidſtone, *in the County of* Kent; *for removing and preventing Incroachments, 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*; the ſaid Commiſſioners were alſo empowered to borrow and take up at Intereſt, upon the Credit of the ſaid Rates or Aſſeſſments, and Highway Compoſition Money, any further Sum not exceeding Five hundred Pounds, in Addition to the ſaid Sums of Seven thouſand Pounds, and Two thouſand five hundred Pounds, and were alſo authorized, once in every Year, to rate and aſſeſs any further Sum not exceeding Four-pence in the Pound, in Addition to the ſaid 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 whereas the ſaid Commiſſioners have, under the Authority of the ſaid ſeveral recited Acts, and for the Purpoſes thereof, endeavoured to borrow further Sums of Money, but have not been able to procure the ſame, by reaſon that the ſaid Rates or Aſſeſſments, and Highway Compoſition Money, authorized to be made and impoſed by the ſame recited Acts, are not ſufficient to induce Perſons to lend more Money on the Credit thereof: And whereas for the more fully and effectually carrying into Execution the good Purpoſes of the ſaid ſeveral recited Acts, and for making ſtill further Improvements in the ſaid Town, it is neceſſary that the ſaid Commiſſioners ſhould be empowered to increaſe the ſaid ſeveral Rates or Aſſeſſments authorized to be made and impoſed by

36 G. 3. c. 66.

42 G. 3. c. 90.

the ſaid recited Acts, and alſo to raiſe a ſtill further Sum of Money upon the Credit thereof, and that the Powers and Proviſions of the ſame recited Acts ſhould be amended and enlarged: And whereas it would be very beneficial to the ſaid Town, if the ſaid Commiſſioners were empowered to eſtabliſh a Watch therein, and to light the Town with Gas, and were alſo empowered to make a common Town Wharf or Wharfs for the ſhipping and unſhipping of Goods within the ſaid Town, and to convey the waſte Water of the Spring Head, which now ſupplies the public Conduits of the ſaid Town, into the Houſes of ſuch of the Inhabitants as ſhould be willing to pay a reaſonable Compenſation for the ſame: 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 from and after the Tenth Day of *October* One thouſand eight hundred and nineteen, ſo much of the ſaid firſt and laſt recited Acts, and each of them, as authorizes the ſaid Commiſſioners, or any Five or more of them, to make and levy the ſaid before mentioned ſeveral Rates or Aſſeſſments of One Shilling and Sixpence in the Pound, and Four-pence in the Pound, 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 thereof reſpectively, be, and the ſame is hereby repealed, ſave and except as to any Arrears of the ſaid Rates or Aſſeſſments, or of either of them, that ſhall or may be due or owing, and recoverable from any Perſon or Perſons liable to the ſame, upon or after the ſaid Tenth Day of *October* One thouſand eight hundred and nineteen. Repeal of former Rates.

II. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, once in every Year, to rate and aſſeſs any Sum not exceeding Two Shillings and Sixpence in the Pound, 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, for and in lieu and ſtead of the ſaid Rates or Aſſeſſments hereby repealed; the Limits and Extent of the ſaid Town, for the Purpoſes of the ſaid recited Acts and this Act, as to the ſaid Rates or Aſſeſſments, being hereby determined and declared to be to the Extent of Three Quarters of a Mile from the preſent Town Hall of *Maidſtone*; and the ſaid Rate or Aſſeſſment hereby authorized to be made, to be made, collected, levied, and ſued for and recoverable and recovered and be ſubject to Appeal under and according to all and every 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, were ſeverally and ſeparately enacted in and made Part of this Act, except ſo far only as the ſame, or any of them, or any Part thereof, ſhall or may be altered or varied by this Act. Grant of new Rate.

III. And whereas it was by the ſaid firſt recited Act enacted, that One Moiety of the Rates or Aſſeſſments thereby ordered to be made ſhould be allowed by the Owners of all Houſes, Oaſts, Buildings, Yards, Gardens, Lands, So much of 31 G. 3. as related to apportioning the Rates

between the Owners and Tenants, &c. repealed, and new Provisions granted in lieu thereof.

Lands, Rents, Revenues, Tenements, and Hereditaments, to the Tenants thereof, who ſhould pay the ſame, and ſuch Tenants were thereby authorized and empowered to deduct and retain out of their Rents ſuch Sums of Money as they ſhould reſpectively pay for and on behalf of the reſpective Owners of ſuch reſpective Premiſes, and that the Payment of ſuch Moiety, by the ſaid Tenants, ſhould be conſidered as Money actually paid for Rent, due or to become due to ſuch Owners of the ſaid Eſtates, Hereditaments, and Premiſes; and that they ſhould allow the ſame to their ſaid reſpective Tenants out of their Rents accordingly, and that the other Moiety thereof ſhould be borne and ſuſtained by ſuch Tenants; and alſo, that for and in reſpect of ſuch Houſes, Oaſts, Buildings, Yards, Gardens, Lands, Rents, Revenues, Tenements, and Hereditaments, in the ſaid Town, whereof the Tenants or Occupiers ſhould not, on account of their Poverty, be rated to the Poor Rates of the ſaid Town and Pariſh, or any of them, it ſhould be lawful for the Commiſſioners thereby appointed, and they were thereby authorized and required, to rate and aſſeſs the Landlords or Owners thereof, according to the Rents which ſuch Tenants or Occupiers ſhould reſpectively pay for the ſame, and in ſuch Manner as Tenants or Occupiers were in and by the ſaid Act directed to be rated and aſſeſſed; and that the Tenants or Occupiers, whoſe Landlords or Owners ſhould be ſo rated and aſſeſſed, ſhould ſtand chargeable with and pay ſuch Rates or Aſſeſſments, and ſhould and might from Time to Time deduct the ſame out of their reſpective Rents, as Money paid in Part of ſuch Rents; but that ſuch Rates or Aſſeſſments ſo to be made on the ſaid Landlords or Owners ſhould be only for the Portion which ſuch Landlords or Owners were liable to pay or allow out of the Rates or Aſſeſſments by the ſaid Act directed to be made on Tenants or Occupiers; and alſo, that the ſaid Commiſſioners ſhould rate or aſſeſs the Landlords or Owners of any Houſes or Buildings that ſhould be let out into Lodgings or Tenements to Two or more Tenants, and that ſuch Rates or Aſſeſſments ſhould be paid by One or more of the Occupiers of any Part or Parts of ſuch Houſes or Buildings, and that he or they ſhould deduct the ſame out of his, her, or their Rent, as therein mentioned; and alſo, that it ſhould be lawful for the ſaid Commiſſioners, upon the Complaint of any Occupier of a Dwelling Houſe ſubject to the Payment of any Rate or Aſſeſſment by virtue of the ſaid now reciting Act, whoſe Rent for ſuch Dwelling Houſe ſhould not exceed Five Pounds a Year, to mitigate, reduce, leſſen, remit, or excuſe for and on account of his, her, or their Poverty or Inability only, the Payment of that Part of the ſaid Rate or Aſſeſſment, which by the ſame Act was made payable by ſuch Tenant or Occupier for ſuch Dwelling Houſe, in ſuch Manner as the ſaid Commiſſioners ſhould in their Diſcretion think juſt and reaſonable: And whereas the ſaid ſeveral laſt-mentioned Proviſions have been found ineffectual for the Purpoſes intended, and require to be altered and amended; be it therefore enacted,

Houſes let at Rents not exeeeding Twelve Pounds, or let out in Lodgings, to be rated to Landlords.

That the ſame ſeveral laſt-mentioned Proviſions in the ſaid firſt-recited Act be and the ſame are hereby repealed; and that from and after the ſaid Tenth Day of *October* One thouſand eight hundred and nineteen, all Houſes, Tenements, and Hereditaments within the ſaid Town and Pariſh of *Maidſtone*, which are or ſhall or may hereafter be let at any Sum not exceeding the Rent of Twelve Pounds, and every Houſe or Tenement, and Part of a Houſe or Tenement, which are or which ſhall or may hereafter be underlet or let out in Lodgings; and all ſeparate Apartments and Lodgings ready-furniſhed, which ſhall be let to and occupied

cupied by any Perſon or Perſons other than the Owner or Owners, ſhall, in the ſaid Rate or Aſſeſſment by this Act authorized to be made, be rated and aſſeſſed to the Landlord or Landlords, Owner or Owners, or Leſſor or Leſſors thereof, according to the Value thereof; and the Rent and Conſideration paid or agreed to be paid for the Uſe and Occupation of the ſame; and ſuch Landlord or Landlords, Owner or Owners, or Leſſor or Leſſors thereof, ſhall, for the Purpoſes of the making and paying any ſuch Rates or Aſſeſſments, be deemed and taken to be the Occupier or Occupiers thereof reſpectively, and ſhall be rated to and pay ſuch Rates and Aſſeſſments accordingly.

Goods of Tenants liable to be diſtrained for Rates in Arrear.

IV. Provided always nevertheleſs, and be it further enacted, That the Goods and Chattels of every Perſon renting or occupying any ſuch laſt-mentioned Houſe, Tenement, or Hereditaments, or any Part or Parts thereof, or any ſeparate Apartments or Lodgings, furniſhed or unfurniſhed therein, ſhall be liable at all Times to be diſtrained and ſold for Payment of ſo much of the ſaid Rates or Aſſeſſments, and all Arrears thereof, as ſhall accrue and become due from each of them reſpectively, during the Time of the Occupancy of ſuch Perſon; but no ſuch Occupier ſhall at any Time be ſubject or liable to pay any greater Sum in or towards the Diſcharge of the ſaid Rates or Aſſeſſments, or any of them, or any Arrears thereof, than the Amount of the Rent that ſhall be actually due, by ſuch Occupier, to the Landlord or Landlords, Owner or Owners of the ſaid Premiſes ſo occupied by ſuch Perſon at the Time or Times of ſuch Diſtreſs and Sale, or at the Time of the Expiration of his, her, or their then current Year or other Tenancy.

Tenants paying ſuch Rates to deduct them out of their Rents.

V. Provided alſo, and be it further enacted, That every Tenant or Occupier, who ſhall pay any ſuch laſt-mentioned Rates or Aſſeſſments, or upon whom any ſuch ſhall be levied, ſhall and may from Time to Time deduct and retain the ſame from and out of the Rent or Rents due and payable from him, her, or them, to his, her, or their reſpective Landlord or Owner (unleſs there ſhall be ſome Agreement between them to the contrary), and that the Receipt or Receipts for ſuch Rates or Aſſeſſments, or of any Part thereof, ſhall be a ſufficient Diſcharge to ſuch Tenant or Occupier paying the ſame, or whoſe Goods or Chattels ſhall have ſo contributed to the Payment thereof as aforeſaid, as for Payment of ſo much of his, her, or their Rent or Rents to his, her, or their Landlord or Owner, Landlords or Owners, as in ſuch Receipt or Receipts ſhall be expreſſed to have been paid, or otherwiſe ſatisfied as aforeſaid, any Law, Statute, or Uſage to the contrary notwithſtanding.

Rates on Houſes above Twelve Pounds a Year apportioned between Landlord and Tenant.

VI. And be it further enacted, That One Moiety of all and every the Rates or Aſſeſſments by this Act authorized to be made ſhall be allowed by the Owner and Owners, Landlord and Landlords of all and every the ſaid Houſes, Oaſts, Buildings, Yards, Gardens, Lands, Rents, Revenues, Tenements, and Hereditaments, which are or ſhall or may hereafter be let at any Sum exceeding the Rent of Twelve Pounds, to the Tenants or Occupiers thereof reſpectively, who ſhall pay ſuch Rates or Aſſeſſments; and ſuch Tenants or Occupiers ſhall and may and are hereby authorized and empowered to deduct and detain from and out of their reſpective Rents ſuch Sums of Money as they ſhall reſpectively pay, for and on behalf of the reſpective Owners or Landlords of ſuch reſpective Premiſes;

and the Payment of ſuch Moiety, by the ſaid Tenants or Occupiers, ſhall be conſidered as Money actually paid by them for Rents due or to become due to ſuch Owners or Landlords of the ſaid Eſtates, Hereditaments, and Premiſes; and ſuch Owners or Landlords are hereby required to allow the ſame to their ſaid reſpective Tenants or Occupiers from and out of their ſaid Rents accordingly; and the other Moiety of the ſaid Rates or Aſſeſſments ſhall be borne and ſuſtained by ſuch reſpective Tenants or Occupiers aforeſaid.

Power to borrow more Money.

VII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, and they are hereby authorized and empowered from Time to Time, when and as they ſhall judge neceſſary for all or any of the Purpoſes aforeſaid, to borrow and take up at Intereſt any further Sum or Sums of Money, not exceeding in the Whole the Sum of Four thouſand Pounds, in Addition to the ſaid ſeveral Sums of Seven thouſand Pounds, Two thouſand five hundred Pounds, and Five hundred Pounds reſpectively, which by the ſaid recited Acts they were authorized to borrow; and the ſaid additional Sum of Four thouſand Pounds, or ſuch Part thereof as the ſaid Commiſſioners ſhall find it neceſſary or expedient to borrow, and alſo the ſaid ſeveral Sums of Seven thouſand Pounds, Two thouſand five hundred Pounds, and Five hundred Pounds, ſhall be and are hereby charged upon the Credit of the Rates or Aſſeſſments, Highway Compoſition Money, and other Sums of Money, by the ſaid firſt recited Act and by this Act reſpectively granted or authorized to be made, levied, collected, or received, or any of them, and ſhall be ſecured to the Perſon or Perſons who ſhall advance and lend the ſame by Mortgage, Demiſe, Grant, or Aſſignment, in ſuch and the like Manner and Form to all Intents and Purpoſes as the ſaid Sum of Seven thouſand Pounds is by the ſaid firſt-recited Act charged thereon and directed to be ſecured.

Compelling Payment of Subſcriptions.

VIII. And be it further enacted, That if any Perſon or Perſons who have or ſhall, or may hereafter become, or agree to become a Subſcriber or Subſcribers towards raiſing the Monies or any Part thereof, authorized to be borrowed by the ſaid recited Acts or this Act, or any of them, for the Purpoſes of the ſame Acts, ſhall, after Twenty-one Days previous Notice in Writing under the Hand of the Treaſurer or Clerk to the ſaid Commiſſioners, to him, her, or them given or left at his, her, or their Dwelling Houſe, or moſt uſual Place or Places of Abode, requiring Payment of the Sum or Sums of Money by him, her, or them ſubſcribed, or agreed to be ſubſcribed, or of any Part or Parts thereof, neglect or refuſe to make Payment of the ſame, as in and by ſuch Notice ſhall be required, it ſhall and may be lawful to and for the ſaid Commiſſioners to bring and commence, or to cauſe and procure to be brought and commenced in the Name or Names of their Treaſurer or Clerk, or of any One or more of the ſaid Commiſſioners, any Action or Actions of Debt, or on the Caſe, Bill, Plaint, or Suit, againſt any ſuch Perſon or Perſons ſo neglecting or refuſing Payment as aforeſaid, his, her, or their Heirs, Executors or Adminiſtrators, in any of His Majeſty's Courts of Record at *Weſtminſter*, and wherein no Eſſoign, Protection, or Wager of Law, nor more than One Imparlance ſhall be allowed; and that upon Proof of ſuch Perſon or Perſons having ſo ſubſcribed or agreed to ſubſcribe as aforeſaid, and that ſuch Notice for Payment was given as aforeſaid, a Verdict or Verdicts ſhall be

given for the Plaintiffs in all such Action and Actions, and Executions be issued thereupon, as the Case shall or may require.

Power to light the Town in part or in the whole with Gas.

IX. And be it further enacted, That it shall and may be lawful to and for the said Commissioners from Time to Time, and at all Times when and so often as they shall think proper, to cause, order, and direct all and every the Streets, Lanes, Passages, and Places within the said Town of *Maidstone*, or any of them, and any other public Street, Lane, Passage, or Place that shall or may hereafter be or be made within the said Town, to be lighted with Gas, and for that Purpose to lay down Mains or Pipes in or along the said Streets, Lanes, Passages, and Places, and to place and affix and provide and set up Pipes and Lamps against the Houses, Walls, or Buildings within the said Town, and maintain, repair, alter, and remove such Mains or Pipes, Lamps and Lamp Posts, or to contract and agree with any Person or Persons for the laying down, placing and fixing, providing and setting up, and maintaining, repairing, altering, and removing any of such Mains or Pipes, Lamps and Lamp Posts, as they shall think proper, and also to contract and agree with any Person or Persons for supplying the said Pipes, Mains, and Lamps with Gas, and lighting the same, and to defray the Costs and Expences thereof by and out of the Monies to be received by virtue of the said recited Acts and this Act, and the said Commissioners shall have such and the same Powers for effecting the Purposes aforesaid; and Persons wilfully, accidentally, or negligently breaking, throwing down, spoiling, or damaging the Lamps to be erected by virtue of this Act, or the Pipes, Plugs, Posts, Irons, or Furniture thereof, or wilfully extinguishing the Light or Lights of any of the said Lamps, shall be subject and liable to such and the same Penalties and Forfeitures as are in the said first-recited Act expressed, contained, and imposed with respect to lighting the said Town in the Manner thereby authorized, and the Lamps to be set up for that Purpose.

Commissioners to appoint Watchmen.

X. And be it further enacted, That the said Commissioners shall and may, and they are hereby authorized and empowered to order, establish, and appoint such Number of Watchmen and Patroles as they shall judge necessary to be kept and employed in or about the said Town of *Maidstone*, and likewise direct and appoint how and where such Watchmen and Patroles shall be stationed, and 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 allowed to them for their Service; and shall and may also erect and provide proper Places, Boxes, or Watch-houses for the Reception of such Watchmen and Patroles, and make Orders and Regulations from Time to Time for the better Direction and Government of such Watchmen and Patroles; and it shall be lawful for such Watchmen and Patroles, and they are hereby authorized and required to keep Watch and Ward within the said Town of *Maidstone*, and to arrest, apprehend, and detain in some Watchhouse, or other convenient Place of Security within the said Town to be provided or appointed by the said Commissioners, all Disturbers of the public Peace, disorderly Persons, Vagrants, Beggars, and such other Persons as shall be found misbehaving themselves, or whom they shall have cause to suspect of any evil Design, and shall take them as soon as conveniently may be before One of His Majesty's Justices of the Peace for the said Town and Parish of *Maidstone*, to be examined and dealt with according to Law, and they shall

ſhall during the Time of their being upon Duty uſe their utmoſt Endeavours to prevent Miſchief or Damage from or by Fire.

Penalty on Watchmen not doing their Duty, and on Victuallers, &c. harbouring them.

XI. And be it further enacted, That if ſuch Watchmen or Patroles, or any of them, ſhall not obſerve, perform, and keep the lawful Orders, Rules, and Regulations, which ſhall be made for the Purpoſes aforeſaid, by the ſaid Commiſſioners, or ſhall in any Manner neglect their Duty or Miſbehave themſelves, every Perſon ſo offending ſhall forfeit and pay for every ſuch Neglect or Offence any Sum not exceeding Forty Shillings, and if the ſaid Commiſſioners think proper, be immediately diſcharged from his or their reſpective Office or Employment; and if any Victualler or Publican, or other Perſon ſelling or dealing in Spirtuous or other Liquors, ſhall knowingly or wilfully entertain or harbour in his, her, or their Houſe or Habitation, or Shop, any Watchman or Patrole to be appointed under this Act, during any of the Hours or Times appointed for ſuch Watchmen or Patroles to be on Duty by virtue or in purſuance of this Act, every Victualler, Publican, or other Perſon ſo offending ſhall for every Offence forfeit and pay any Sum not exceeding Five Pounds.

Reward for apprehending offenders, and Compenſation to Watchmen, &c.

XII. And be it further enacted, That the ſaid Commiſſioners from Time to Time, if they ſhall ſee Cauſe, ſhall and may offer, pay, and apply, out of the ſaid Monies to be levied and raiſed by virtue of the ſaid recited Acts and this Act, ſuch Sum and Sums of Money as they ſhall think proper, as a Reward and Encouragement to Perſons to diſcover, apprehend, or convict Offenders againſt the ſaid Acts or this Act, or any or either of them; and alſo ſhall and may, by and out of the ſame Monies or any of them, make ſuch Compenſation in Money to Watchmen and Patroles who ſhall or may be diſabled, wounded, or hurt, in the Execution of their Duty, as they the ſaid Commiſſioners ſhall think reaſonable.

Payment of Sixpence in the Pound in lieu of Statute Labour in Pariſh of Maidſtone.

XIII. And whereas it was by the ſaid recited Act of the Thirty-firſt Year of the Reign of His preſent Majeſty enacted, that the ſaid Act, or any Thing therein contained, ſhould not repeal, aboliſh, or in anywiſe alter the Proviſions made by the Act of the Thirteenth Year of His preſent Majeſty's Reign, intituled *An Act to explain, amend, and reduce into One Act of Parliament, the Statutes now in being for the Amendment and Preſervation of the Public Highways within that Part of* Great Britain *called* England, *and for other Purpoſes*, or by any other Statute or Statutes for the Amendment and Preſervation of the Highways of or in the ſaid Town and Pariſh, or to repeal, aboliſh, or in anywiſe alter the Remedies, Powers, and Authorities for enforcing ſuch Proviſions, but that the Commiſſioners appointed by the ſaid Act of the Thirty-firſt Year of the Reign of His preſent Majeſty, ſhould be from and after the paſſing of the ſame Act inveſted with all and ſingular the Powers and Authorities, and in the Receipt and Poſſeſſion of all Compenſation, Monies, Fines, Penalties, Rates, Aſſeſſments, and Proviſions, created and given by the ſaid therein recited Statute, or any other Statute or Statutes then in force, to the Surveyors of the Highways, in all Caſes whatſoever: And whereas the Commiſſioners appointed under and by virtue of the ſaid Act of the Thirty-firſt Year of the Reign of His preſent Majeſty, have, ſince the paſſing of the ſame Act, and hitherto for the Amendment and Preſervation of the Highways, Bridges, Cauſeways, Streets, and Pavements belonging to the ſaid Town and Pariſh, made, collected, and levied upon all and every the Occupiers of Lands, Tenements,

ments, Woods, Tithes, and Hereditaments within the ſaid Town and Pariſh, an annual Rate or Aſſeſſment of Sixpence in the Pound, for and in reſpect of ſuch Lands, Tenements, Woods, Tithes, and Hereditaments ſo occupied by them, for and in lieu of the Duty or Labour required to be performed by them by the ſaid Acts, for the Amendment and Preſervation of the Highways, or any of them, or for the Compoſition authorized to be paid and received in lieu of ſuch Duty or Labour, in Addition to the Rate or Rates of One Shilling and Sixpence, and Four-pence in the Pound, authorized to be made by the ſaid recited Acts of the Thirty-firſt and Forty-ſecond Years of His ſaid preſent Majeſty, and ſuch Rates or Aſſeſſments of Sixpence in the Pound have hitherto been found fully adequate to the repairing of the Highways, Bridges, and Cauſeways within the ſaid Pariſh of *Maidſtone:* And whereas the making, collecting, and levying of ſuch Rate or Aſſeſſment of Sixpence in the Pound, have been found to be attended with much leſs Inconvenience to the ſaid Commiſſioners, and alſo to the Perſons paying the ſame, than the Requiſition and Performance of the Statute Duty and Labour required by the ſaid Highway Acts, or the Payment of the Compoſition in lieu thereof, would have been, and that therefore it would be deſirable to the Inhabitants and Occupiers of Lands, Tenements, Woods, Tithes, and Hereditaments within the ſaid Town and Pariſh, who are liable to the ſaid Statute Duty and Labour, or Compoſition in lieu thereof, under the ſaid Highway Acts, if the ſaid annual Rate or Aſſeſſment of Sixpence in the Pound were continued and authorized to be made, collected, and levied for the future, under and by virtue of this Act, inſtead and lieu of ſuch Statute Duty, Labour, or Compoſition; be it therefore enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, from and after the paſſing of this Act, and they are hereby authorized and required, once in every Year, upon or after the Tenth Day of *October* in each Year, to rate and aſſeſs the Inhabitants and Occupiers of all Lands, Tenements, Woods, Tithes, and Hereditaments within the ſaid Town and Pariſh, who are liable to the Performance of Statute Duty or Labour, under any of the Statutes now in force for the Amendment and Preſervation of the Highways, Bridges, and Cauſeways, in the Sum of Sixpence in the Pound, upon and for ſuch Lands, Tenements, Woods, Tithes, and Hereditaments, according to the annual Value of the ſame reſpectively, for and in lieu and ſtead of ſuch Statute Duty, Labour, or Compoſition aforeſaid, and that every Perſon and Perſons paying ſuch Rate or Aſſeſſment from Time to Time ſhall, and he and they is and are hereby diſcharged and declared to be diſcharged from the Performance of ſuch Statute Duty or Labour, and from Payment of any ſuch Compoſition under the ſaid Statutes, for the Amendment and Preſervation of the Highways in lieu thereof as aforeſaid; ſuch Rate or Aſſeſſment of Sixpence in the Pound, hereby authorized to be from Time to Time made as aforeſaid, being and to be in Addition to the ſaid other Rate or Aſſeſſment of Two Shillings and Sixpence in the Pound, authorized to be made by this Act as aforeſaid, and to be made and commence from Time to Time, upon or from the Tenth Day of *October* in each and every Year, and be collected and levied by equal quarterly Payments by the Collector or Collectors appointed, or to be appointed to collect and levy the ſaid other Rate or Aſſeſſment of Two Shillings and Sixpence in the Pound, and in default of Payment thereof, be ſued for, recovered, and received in a ſummary Way in like Manner as the ſame laſt-mentioned Rate or Aſſeſſment is directed to be levied, recovered, and

received by the ſaid firſt recited Act or this Act, in caſe of Neglect or Refuſal to pay the ſame; and ſuch Rate or Aſſeſſment of Sixpence in the Pound, when collected and received, ſhall be conſolidated with the ſaid other Rate or Aſſeſſment of Two Shillings and Sixpence in the Pound, and applied in the Amendment and Preſervation of the Highways, Bridges, Cauſeways, Streets, or Pavements belonging to the ſaid Pariſh of *Maidſtone*, in like Manner as the ſaid Statute Duty, or Labour, or Compoſition in lieu thereof, under or by virtue of the Statutes now in force for the Amendment and Preſervation of the Highways, Bridges, Cauſeways, Streets, or Pavements, is or are directed to be applied and diſpoſed of.

Commiſſioners empowered to ſupply the Inhabitants with Water at their reſpective Houſes.

XIV. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners to ſupply and diſtribute any ſurplus or waſte Water that ſhall or may ariſe, or be at any of the preſent or future public Conduits, Fountains, or Reſervoirs within the ſaid Town, to ſuch of the Inhabitants as ſhall be diſpoſed and deſirous to receive the Benefit thereof by private Pipes and Ciſterns or otherwiſe, as ſhall be thought proper and beſt, into their reſpective Houſes; and the ſaid Commiſſioners are hereby authorized to demand and receive ſuch Sums as ſhall be fixed and agreed upon between them and the Perſons who ſhall apply for and obtain the Uſe and Benefit of ſuch ſurplus or waſte Water as aforeſaid; and it ſhall be lawful for the ſaid Commiſſioners to dig and break up the Soil and Pavement of any of the Roads, Highways, Footways, Streets, Lanes, Paſſages, and Public Places within, adjacent, and near to the ſaid Town, and to ſink and lay Pipes and other Conveniences for the Purpoſes aforeſaid, and do all ſuch Matters and Things as the ſaid Commiſſioners ſhall from Time to Time and at any Time think neceſſary and convenient for completing, amending, repairing, improving, and altering the Pipes and other Works hereby authorized to be made, provided, and maintained; and the ſaid Commiſſioners are hereby empowered to make ſuch Engines and other Works, Ciſterns, Ponds, Baſons, Reſervoirs, Main Pipes, Feeders, and Pumps, as the ſaid Commiſſioners ſhall think requiſite for the ſeveral Purpoſes aforeſaid; and alſo from Time to Time to divert, alter, repair, widen, enlarge, amend, and diſcontinue the ſame, as they ſhall judge proper and expedient, they the ſaid Commiſſioners, their Agents, Officers, Workmen, and Servants doing as little Damage as may be in the Execution of the Powers hereby granted to them, and making full Satisfaction for any Damages that ſhall or may be occaſioned thereby.

Commiſſioners may water Streets.

XV. And be it further enacted, That the ſaid Commiſſioners ſhall and they are hereby authorized and empowered to cauſe the ſaid Streets, Lanes, Paſſages, and other public Places within the ſaid Town to be watered when and as they ſhall think proper, and to defray the Expence thereof out of the Monies to be received by virtue of the ſaid recited Acts and this Act.

Power to the Commiſſioners to lay dry the Place called the Horſe Waſh, at the Bottom of St. Faith's Street, and

XVI. And whereas the Piece or Parcel of Land covered with the Waters of the River *Medway*, and called and known by the Name of the *Horſe Waſh*, ſituate at the Bottom of *Saint Faith's Street* and adjoining the River *Medway* in the ſaid Town of *Maidſtone*, and lying between the Wharf there occupied by Meſſieurs *Wimble* and *Chaplin* and the Wharf occupied by *Robert Maſon*; and alſo the Piece or Parcel of Land at the South-weſt Side or Corner of the Piece or Parcel of Land ſituate and

being at the Bottom of the *High Street* of the ſaid Town, commonly called and known by the Name of the *Town Meadow*, and adjoining the ſaid River *Medway*, and alſo partly covered with the Water thereof, have from Time immemorial been accuſtomed to be uſed by divers of His Majeſty's Subjects as a public Highway and Place for the loading and unloading of Barges and other Veſſels with Coals and other Goods, by placing their Horſes and Carts, and other Carriages, to and againſt the ſaid Barges and Veſſels, and ſtanding in the Water during the Time of loading and unloading, to the manifeſt Injury of ſuch Horſes, and alſo for the Purpoſe of waſhing and cleaning Horſes, and it would be deſirable and very beneficial to the Perſons uſing the ſame if the ſaid Pieces or Parcels of Land were laid dry, and Wharfs made thereof; be it therefore enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, and they are hereby authorized and empowered immediately from and after the paſſing of this Act, to cauſe, order, and direct the ſaid Pieces or Parcels of Land to be drained, raiſed, altered, and laid dry, in ſuch Manner and with ſuch Materials as they ſhall think proper; and alſo to make, erect, and lay out, and from Time to Time maintain and keep in good and ſubſtantial Repair, or cauſe to be made, erected, and laid out, and from Time to Time maintained and kept in good and ſubſtantial Repair, One or more Wharf or Wharfs in or upon the ſame Piece or Parcel of Land called the *Horſe Waſh*, for the ſhipping and unſhipping of Coals, Goods, Wares, Merchandize, and other Things, leaving at the North End of the ſame Piece or Parcel of Land next to the Wharf of *Robert Maſon* a Space or Opening of the Width of Fifteen Feet at the leaſt to the ſaid River *Medway* as and for a Horſe Waſh, in the ſame Manner as the Whole of the ſaid Land hath hitherto been uſed for that Purpoſe; and alſo One or more Wharf or Wharfs on the ſaid South-weſt Side or Corner of the ſaid Piece or Parcel of Land called the *Town Meadow*, for the like Purpoſe of ſhipping and unſhipping of Coals, Goods, Wares, Merchandize, and other Things, with proper Landing Places, Cranes, and Weighbeams, and alſo proper and convenient Places for Waggons, Carts, and other Carriages to be, and turn in, and paſs each other in, upon and to each and every of ſuch Wharfs; and all Rates and Tolls which ſhall be paid for the Uſe and Benefit of ſuch Wharfs, Landing Places, Cranes, and Weighbeams, ſhall be received by the ſaid Commiſſioners, or ſuch Collector or Collectors, or other Perſon or Perſons as they ſhall from Time to Time appoint, and ſhall be applied for the Purpoſes of the ſaid recited Acts and this Act; and the Charges of laying dry the ſaid Pieces or Parcels of Land, and making and maintaining the ſaid Wharfs, Landing Places, Cranes, and Weighbeams, ſhall be paid out of the ſaid Tolls, Rates, Aſſeſſments, Highway Compoſition Money, and other Monies to be received by virtue of this Act and the ſaid recited Acts.

to make a Town Wharf there; and alſo to make other Wharfs for the ſhipping and unſhipping of Goods, &c.

XVII. And be it further enacted, That Coals and all other Goods, Wares, Merchandize, and Things ſhall and may be ſhipped and landed from and on the ſaid Wharfs, in ſuch Manner, and under ſuch Regulations and Control as the ſaid Commiſſioners ſhall from Time to Time order and direct, and that there ſhall be payable and paid to the ſaid Commiſſioners, or to their Collector or Collectors, Deputy or Deputies, to be from Time to Time appointed, for and upon the Wharfage of all ſuch Coals, Goods, Wares, Merchandize, and Things whatſoever, by the Owner

Coals and other Goods, &c. may be ſhipped and unſhipped at ſuch Wharfs at One Penny per Ton.

Owner or Owners, or the Maſter or other Perſon having the Care of any Boat, Barge, or other Veſſel that ſhall or may be laden or unladen, or in Part laden or unladen at the ſaid Wharfs or either of them, ſuch Sum or Sums of Money as the ſaid Commiſſioners ſhall from Time to Time direct or appoint, not exceeding the Sum of One Penny *per* Ton, ſuch Tonnage on Coals being aſcertained and charged at *per* Chaldron, as and for a Ton Weight, and upon all other Goods, Wares, Merchandize, and Things whatſoever, according to the real Weight thereof, at the Rate of Twenty Hundred Weight, of One hundred and twelve Pounds Weight Avoirdupoiſe to the Hundred Weight, as and for a Ton, any Uſage to the contrary thereof in anywiſe notwithſtanding; and ſuch Tolls ſhall be applied for the Purpoſes of the ſaid recited Acts and this Act; and that for the better aſcertaining and the more eaſy and effectually collecting the ſaid laſt-mentioned Tolls or Rates, the Owner or Owners, or the Maſter or other Perſon having the Care of any ſuch Boat, Barge, or other Veſſel, loading or unloading at the ſaid Wharfs, or either of them, ſhall give to the Collector of the ſaid Tolls or Rates, or his Deputy, a juſt Account in Writing, ſigned by the ſaid Owner or Owners, Maſter or other Perſon having the Care of ſuch Boat, Barge, or other Veſſel, of the Weight of the Coals, Goods, Wares, Merchandize, and other Things that ſhall be unſhipped upon or embarked from the ſaid Wharfs, or either of them, from or to any ſuch Boat, Barge, or other Veſſel aforeſaid, according to the Calculation of ſuch Weights as herein-before mentioned: And in caſe any Difference or Diſpute ſhall ariſe between any ſuch Collector of the ſaid Tolls or Rates, or his Deputy, and the Owner or Owners, Maſter or other Perſon having the Care or Charge of any ſuch Boat, Barge, or other Veſſel, then it ſhall and may be lawful to and for any ſuch Collector or Deputy to ſtop and detain any ſuch Boat, Barge, or other Veſſel, Coals, Goods, Wares, Merchandize, and Things, and to weigh, meaſure, or gauge, or cauſe to be weighed, meaſured, or gauged, ſuch Boat, Barge, or other Veſſel, Coals, Goods, Wares, Merchandize, or other Things; and in caſe the ſame ſhall upon ſuch weighing, gauging, or meaſuring, appear to be of greater Weight or Quantity than the Account given thereof by ſuch Owner or Owners, Maſter, or other Perſon, then it ſhall be lawful to and for the ſaid Commiſſioners, or their ſaid Collector or Deputy, and they and he are and is hereby authorized and empowered, to charge for ſuch Coals, Goods, Wares, Merchandize, and Things, according to the Weight thereof found, or declared to be, by the weighing, meaſuring or gauging of ſuch Boat, Barge, or other Veſſel, Coals, Goods, Wares, Merchandize, or Things, or by any graduated Index on any ſuch Boat, Barge, or other Veſſel as aforeſaid, and the Owner or Owners, Maſter or other Perſon, giving in ſuch Account, ſhall pay the Coſts and Charges of ſuch weighing, gauging, or meaſuring, and which Coſts and Charges, upon Refuſal of Payment on Demand, ſhall and may be recovered and levied in the ſame Manner as the ſaid Tolls or Rates are hereby appointed to be recovered and levied; but if ſuch Coals, Goods, Wares, Merchandize, or other Things, ſhall appear to be of the ſame or a leſs Weight or Quantity than the Account given thereof by the ſaid Maſter, Owner, or other Perſon, then the ſaid Commiſſioners ſhall pay the Coſts and Charges of ſuch weighing, gauging, or meaſuring, and ſhall alſo pay to ſuch Maſter, Owner, or other Perſon of ſuch Boat, Barge, or other Veſſel, Coals, Goods, Wares, Merchandize, or other Things, ſuch Damages as ſhall have ariſen from the Detention occaſioned by ſuch weighing, gauging, or meaſuring; and

Owners, &c. to deliver an Account of Weight, &c.

and in Default of Payment thereof, the ſame ſhall be recovered from the ſaid Commiſſioners by Warrant under the Hands and Seals of Two or more Juſtices of the Peace for the ſaid Town and Pariſh of *Maidſtone*, or by Action of Debt in any of His Majeſty's Courts of Record at *Weſtminſter*; and in caſe any ſuch Owner or Owners, Maſter, or other Perſon having the Care of any ſuch Boat, Barge, or other Veſſel aforeſaid, ſhall neglect or refuſe to give ſuch Account to the Officer requiring the ſame, or ſhall wilfully, and with Intent to avoid the Payment of the ſaid Tolls or Rates, or any Part thereof, give a falſe Account of ſuch Weight as aforeſaid, he or they ſo offending ſhall forfeit and pay any Sum not exceeding Forty Shillings for every Ton of Coals, Goods, or other Things, and ſo in proportion for any leſs Quantity than a Ton, that ſhall or may be in ſuch Boat, Barge, or other Veſſel, and unſhipped therefrom upon the ſaid Wharfs, or either of them, or that ſhall be embarked from the ſaid Wharfs, or either of them, to and on board of ſuch Boat, Barge, or other Veſſel, and of which Coals, Goods, or other Things, ſuch Account ſhall be neglected or refuſed to be given, or of which ſuch falſe Account ſhall be given as aforeſaid, as the Caſe ſhall happen to be, over and above the ſaid Tolls and Rates that ſhall be payable for the ſame, and to be recoverable and recovered in like Manner as the ſame Tolls and Rates.

Power of Diſtreſs for Tolls, &c.

XVIII. And be it further enacted, That it ſhall and may be lawful for any Collector, or Deputy of ſuch Collector, or other Perſon duly authorized, appointed, or deputed by the ſaid Commiſſioners to demand, collect, or receive the ſaid Rates or Aſſeſſments by this Act granted, to demand, collect, and receive the ſaid Tolls and Rates by this Act impoſed, as for Wharfage as aforeſaid; and in caſe of Refuſal or Neglect of Payment of ſuch Tolls or Rates, or any Part thereof, on Demand, to the Perſon or Perſons appointed to receive the ſame as aforeſaid, it ſhall and may be lawful to and for the ſaid Commiſſioners to iſſue their Warrant, directed to ſuch Perſon as they ſhall think proper, to follow, ſeize, and diſtrain the ſaid Coals, Goods, Wares, Merchandize, or other Things, or any Part thereof, for or in reſpect whereof any ſuch Tolls or Rates ought to have been paid, or any Part thereof, or the Boat, Barge, or other Veſſel, Waggon, Cart, or other Carriage, laden therewith, or returning from carrying the ſame, and to detain the ſame for the Space of Five Days, unleſs ſuch Tolls or Rates and the reaſonable Coſts and Charges of Seizure and Diſtreſs ſhall be ſooner paid; and if ſuch Tolls or Rates, and the reaſonable Coſts and Charges of Seizure and Diſtreſs, ſhall not be paid within the ſaid Five Days, that then the ſame ſhall be appraiſed and ſold in ſuch Manner as the Law directs in Caſes of Diſtreſs for Rent.

Penalty for leaving Boats, &c. at Wharfs longer than for the loading or unloading thereof.

XIX. Provided always, and be it further enacted, That if any Boat, Barge, or other Veſſel ſhall be left or remain at any or either of the ſaid Wharfs longer than ſhall be neceſſary for the loading or unloading thereof, or ſhall lie alongſide of or be faſtened to, or remain at any or either of them, for any Purpoſe other than for the loading or unloading the ſame, and the Owner or Owners, Maſter, or other Perſons having the Care or Charge of any ſuch Boat, Barge, or other Veſſel, ſhall not, upon Notice to him or them for that Purpoſe given, immediately remove or cauſe or procure the ſame to be removed therefrom, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any of them, or the Collector of the ſaid Tolls or Rates, or his Deputy, and he and they is and are hereby

hereby required to remove or cauſe or procure to be removed, ſuch Boat, Barge, or Veſſel aforeſaid; and the Owner or Owners, Maſter, or other Perſon having the Care or Charge thereof, ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Forty Shillings, to be ſued for, awarded, recoverable, and recovered, in a ſummary Way, before any One or more of His Majeſty's Juſtices of the Peace for the ſaid Town and Pariſh of *Maidſtone*, and be applied and diſpoſed of by the ſaid Commiſſioners for the Purpoſes of the ſaid recited Acts and this Act.

Weigh-bridge veſted in Commiſſioners, with Power to take Tolls.

XX. And whereas the ſaid Commiſſioners ſome Time ſince made and put down, or cauſed or procured to be made and put down, in the High Street of the ſaid Town of *Maidſtone*, at or near the Butter Market there, a certain Machine or Engine called a Weighing Engine or Weigh Bridge, and it is deſirable that the ſame ſhould be declared to be for the Uſe of the Public, and that the ſaid Commiſſioners ſhould be authorized to demand and take a Toll for the uſing thereof; be it therefore enacted, That from and after the paſſing of this Act, the ſaid Weighing Engine or Weigh Bridge ſhall and it is hereby declared to be for the Uſe and Benefit of the Public, and under the Direction, Management, and Controul of the ſaid Commiſſioners; and that from thenceforth the ſaid Commiſſioners ſhall and may and they are hereby authorized to demand and receive of and from all and every Perſon and Perſons uſing the ſame, any Toll or Rate not exceeding the Sum of One Shilling *per* Ton, at the Rate of Twenty hundred Weight of One hundred and twelve Pounds Weight Avoirdupoiſe to the Hundred Weight, as and for a Ton; ſuch Tolls or Rates to be applied for the Purpoſes of the ſaid recited Acts and this Act, and to be demanded, collected, and received, by ſuch Perſon or Perſons, and in like Manner, and with, under, and ſubject to all ſuch Powers of Diſtreſs and Sale for the Recovery of the ſame, in caſe of Non-payment thereof, or of any Part thereof, as are herein-before expreſſed, declared, and provided, with reſpect to the Tolls or Rates payable for Wharfage as herein-before mentioned.

Preventing Carriages obſtructing the Uſe of the Weigh Bridge.

XXI. And be it further enacted, That if any Waggon, Cart, or other Carriage, ſhall be left or remain upon or near to the ſaid Engine or Weigh Bridge ſo as to obſtruct or prevent the free uſing thereof; and the Perſon or Perſons leaving or placing the ſame there, or having the Charge or Care of the ſame, ſhall not, upon Notice to him or them for that Purpoſe given, immediately remove, or cauſe or procure the ſame to be removed therefrom, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any of them, or their Collector of the ſaid Tolls, or his Deputy, and he and they is and are hereby required to remove or to cauſe or procure the ſame to be removed therefrom; and the Perſon or Perſons ſo leaving or placing the ſame there as aforeſaid ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Forty Shillings, to be ſued for, awarded, recoverable, and recovered, and be applied in like Manner as the Penalty for any Boat, Barge, or other Veſſel being left at any or either of the Wharfs herein-before mentioned, is herein-before directed to be ſued for, recovered, and applied.

Power to leaſe the Tolls and Rates of the

XXII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, and they are hereby authorized and empowered, at any Time or Times, and from Time to Time, when and as they ſhall think

think proper, on giving Twenty-eight Days Notice thereof, by affixing the same on the Door of the Town Hall of the said Town, and publishing it in One or more of the public Newspapers circulated in the said County of *Kent*, to let to farm all and every or any of the Tolls or Rates hereby made payable at the said Wharfs and Engine or Weigh Bridge herein-before mentioned, or any Part or Parts of the said Tolls or Rates respectively, to any Person or Persons whomsoever, for any Time or Term not exceeding Three Years, for the best yearly Sum or Sums that can be gotten for the same: Provided such Lettings or Agreements be made in Writing, and signed by the Person or Persons taking or hiring the same Tolls or Rates respectively, or any Part or Parts thereof, and the Commissioners letting the same; and that the Monies at which the same shall be let or agreed to be paid for the same, be made payable and paid to the said Commissioners or their Treasurer, by quarterly Payments; and that the Person or Persons taking or hiring the said Tolls or Rates always paying down One Quarter's Rent in Advance, and thereupon the Person or Persons taking or hiring the said Tolls or Rates, and all such Person or Persons as he or they shall appoint to collect and receive such Tolls or Rates, shall, during his or their said Term or Interest therein, be deemed and taken to be the Collector or Collectors of the same Tolls or Rates respectively, and shall have the same Powers and Authority for collecting and recovering the same, as if he or they had been appointed for that Purpose by the said Commissioners; and if the Person or Persons, who shall so take or hire the said Tolls or Rates, or any Part thereof, or who shall be so appointed by him or them to collect and receive the same as aforesaid, shall take a greater Toll or Rate from any Person or Persons than what is authorized and directed by this Act, or shall otherwise misbehave or misconduct himself or themselves towards any such Person or Persons, he or they shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, and if the Offender or Offenders shall happen to be the Renter or Farmer of the said Tolls or Rates, he shall also forfeit his Contract for renting the same Tolls or Rates, if the said Commissioners shall think proper to vacate the same; the said Penalty to be recoverable and recovered before any One or more of His Majesty's Justices of the Peace for the said Town and Parish of *Maidstone*, and be applied and disposed of for the Purposes of the said recited Acts and this Act.

Wharfs and weighing Engine.

XXIII. And whereas for the due Safety of His Majesty's Subjects in passing and repassing into and from the Western End of one of the public Streets called *King Street*, it is absolutely necessary to widen and improve the said Street, from the said Western End thereof, up to the Dwelling House occupied by *George Burr*, by wholly taking down the several Houses or Tenements there situated, on the North Side of the said Street, and in the Occupations of *Abraham Collens*, *Jonathan Wicker*, *Walter Rowles*, —— *Cramp*, and *John Cabbell*, and the Warehouse in the Occupation of *John Gurney*, and by cutting through or pulling down another House in the Occupation of *Joseph Sherwin Gazeley*, and also through the Garden Wall of the said *George Burr*; and for the enlarging, improving, and rendering more commodious others of the Streets, Lanes, Passages, and Places within the said Town, and of making a more ready, convenient, and immediate Communication of the said Streets, Lanes, Passages, and Places, or some of them, with each other, it may hereafter be found necessary to take down the several Houses and Buildings mentioned and particularized

Power to purchase and take down Houses, &c.

ticularized in the Schedule to this Act annexed, or ſome of them, or ſome Part or Parts of them or ſome of them, or to take ſome Piece or Parcel, Pieces or Parcels, of Land or Ground within the ſaid Town; be it therefore further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, and they are hereby authorized and required forthwith, after the paſſing of this Act, to contract and agree for, and to purchaſe, in the Manner directed by the ſaid firſt-recited Act, the ſaid ſeveral Houſes and Warehouſes and the Hereditaments and Premiſes to the ſame reſpectively belonging, in the ſeveral Occupations of the ſaid *Abraham Collens*, *Jonathan Wicker*, *William Gowen*, *Walter Rowles*, —— *Cramp*, *John Gurney*, and *John Cabbell*; and alſo ſo much and ſuch Part of the ſaid Houſe in the Occupation of the ſaid *Joſeph Sherwin Gazeley*, and of the ſaid Garden Wall of the ſaid *George Burr* as ſhall be neceſſary for the Purpoſe aforeſaid, and thereupon to take and pull down or cut through the ſaid ſeveral Houſes, Warehouſes, and Premiſes, for the widening and improving the ſaid Street as aforeſaid; and alſo at any Time or Times thereafter to contract and agree for and to purchaſe all or any or either of the ſaid other Houſes or Buildings mentioned and particularized in the ſaid Schedule to this Act, and the Hereditaments and Premiſes to the ſame reſpectively belonging, and alſo any Piece or Parcel, or Pieces or Parcels of Land or Ground, that they the ſaid Commiſſioners ſhall judge neceſſary and proper to be taken down or made uſe of for the Purpoſes aforeſaid, or any or either of them; and that in caſe the Owner or Owners, Proprietor or Proprietors, Occupier or Occupiers of, or other Perſon or Perſons intereſted in the ſaid ſeveral Houſes, Warehouſes, Buildings, and Premiſes in the Occupation of the ſaid *Abraham Collens*, *Jonathan Wicker*, *William Gowen*, *Walter Rowles*, —— *Cramp*, *John Gurney*, *John Cabbell*, *Joſeph Sherwin Gazeley*, and *George Burr*, or any Part thereof, or of or in any ſuch other of the ſaid Houſes or other Buildings mentioned and particularized in the ſaid Schedule to this Act, or of or in any Pieces or Parcels of Land or Ground, which the ſaid Commiſſioners ſhall hereafter judge neceſſary or proper to be purchaſed, taken, or uſed for the Purpoſes aforeſaid, or any or either of them, or any Body Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenant for Life, in Fee Tail, General or Special, or for Years certain or determinable on any Life or Lives, Feoffees, Guardians, Huſbands, Committees, or other Truſtees or Perſons being intereſted therein, upon Notice to him, her, or them given or left in Writing at the Dwelling Houſe or uſual Place of Abode of him, her, or them, or of the Clerk or Head Officer of any ſuch Body Politic, Corporate, or Collegiate, or at the Houſe of the Tenant in poſſeſſion of the ſaid Premiſes ſo required to be taken and purchaſed as aforeſaid, or affixed to the ſaid Premiſes, ſigned by the Clerk to the ſaid Commiſſioners, ſhall for the Space of Twenty-one Days next after ſuch Notice given or left, or affixed as aforeſaid, neglect or refuſe to treat, or ſhall not agree in the Premiſes, or by Reaſon of Abſence or otherwiſe ſhall be prevented from treating or agreeing, or cannot be found or known, then and in every ſuch Caſe the Amount of Damage to be ſuſtained by, and what Recompence and Satisfaction ſhall be made to, ſuch Owner, Proprietor, Occupier, or other Perſon or Perſons intereſted for or on Account of the taking or uſing of the ſaid Houſes, Warehouſes, Buildings, and Premiſes in the Occupations of the ſaid *Abraham Collens*, *Jonathan Wicker*, *William Gowen*, *Walter Rowles*, —— *Cramp*, *John Gurney John Cabbell*, *Joſeph Sherwin Gazeley*, and *George Burr*, or of any Part thereof, and alſo of any ſuch other

In caſe of Perſons refuſing to treat, Valuations to be made by a Jury.

of the ſaid Houſes or other Buildings mentioned and particularized in the ſaid Schedule to this Act, and Lands or Hereditaments for the Purpoſes aforeſaid, or any or either of them, ſhall be aſcertained and determined by a Jury in the ſame Manner as the Amount of the Loſs or Damage ſuſtained by the Owners or Occupiers of any Private Lands or Grounds where Stone, Gravel, or other Materials ſhould be had or taken, or over or through which the ſame ſhould be carried, is directed to be aſſeſſed and determined by the ſaid firſt-recited Act; and on Payment or Tender of the Money ſo aſſeſſed to the reſpective Perſons entitled thereto, or their Agents, or (as the Caſe may be) upon paying the ſame into the Bank of *England*, in Manner by this Act directed, it ſhall be lawful for the ſaid Commiſſioners to enter and take Poſſeſſion of the Premiſes in reſpect whereof ſuch Money ſhall be ſo aſſeſſed, and to diſpoſe of the ſame for the Purpoſes of the ſaid firſt-recited Act and this Act; and the Verdict of the ſaid Jury, and the Judgment, Order, or Determination thereupon of the ſaid Commiſſioners, ſhall be final, binding, and concluſive to all Intents and Purpoſes whatſoever, againſt all Parties and Perſons claiming or to claim in Poſſeſſion, Reverſion, Remainder, or otherwiſe; and the Coſts and Charges of the Notice or Notices to be given, and the Precept or Precepts to be iſſued, and of the impannelling, ſummoning, and returning ſuch Jury, and of the Inqueſt thereon, ſhall be paid in the like Manner; and the Sheriff, or his Deputy or Deputies, Bailiffs, or Agents reſpectively, and other Perſons who ſhall make Default in the Premiſes, ſhall be ſubject to ſuch or the like Fine as is expreſſed and impoſed in the ſaid firſt-recited Act, in reſpect to a Jury to be ſummoned by virtue thereof: Provided always, that it ſhall not be lawful for the ſaid Commiſſioners to take any Houſes for the Purpoſes of this Act without the Conſent in Writing of the Owners thereof firſt had and obtained thereto (ſave and except thoſe particularly ſpecified in the Schedule hereunto annexed).

Puniſhing Perſons giving falſe Evidence.

XXIV. And be it further enacted, That all and every Perſon and Perſons who, in any Examination upon Oath directed to be taken and made by virtue of this Act, ſhall ſwear falſely before any Perſon or Perſons hereby empowered to adminiſter ſuch Oath, ſhall and may be proſecuted for the ſame, and being convicted thereof, ſhall be ſubject and liable to ſuch and the ſame Pains, Penalties, Puniſhments, and Forfeitures, as any Perſon or Perſons can, ſhall, or may be ſubject or liable, for wilful and corrupt Perjury by any of the Laws and Statutes of this Realm.

How Expences of the Jury ſhall be paid.

XXV. And be it further enacted, That in caſe any Jury ſhall give in and deliver a Verdict or Aſſeſſment for more Money, as a Recompence for the Right, Intereſt, or Property of any Perſon or Perſons in any Lands or Hereditaments, or for any Loſs or Damage to be by them ſuſtained, than what ſhall have been agreed and offered by the ſaid Commiſſioners, or their Treaſurer, Clerk, Surveyor, or other known Agent, before the ſummoning and returning of the Jury, as a Recompence and Satisfaction for any ſuch Right, Intereſt, and Property, or Loſs or Damage as aforeſaid, that then and in ſuch Caſe the Coſts and Expences of ſummoning and maintaining the Jury and Witneſſes ſhall be borne and paid by the Treaſurer to the ſaid Commiſſioners, out of the Money in his Hands, to ariſe by virtue of this Act; but if ſuch Jury ſhall give and deliver a Verdict or Aſſeſſment for no more or leſs Money than ſhall have been agreed to and offered by the ſaid Commiſſioners, or their Treaſurer, Clerk, Surveyor,

veyor, or known Agent, as aforesaid, before the summoning and returning the said Jury, as a Recompence or Satisfaction for any such Right, Interest, or Property, or Loss or Damage as aforesaid, that then the full Costs and Expences of summoning and maintaining the said Jury and Witnesses, and other Expences attending the hearing and determining of such Difference, shall be borne and paid by the Person or Persons with whom the said Commissioners shall have such Controversy or Dispute; which said Costs and Expenses, having been ascertained and settled by some Justice of the Peace of the said County of *Kent*, not interested in the Matter in Question, (who is hereby required to examine and settle the same, at the Time and Place to be by him appointed, after summoning the Parties interested therein, to attend him for that Purpose), shall and may be deducted out of the Money so assessed and adjudged, as so much Money advanced to and for the Use of such Person or Persons, and the Payment or Tender of the Remainder of such Money shall be deemed and taken, to all Intents and Purposes, to be a Payment or Tender of the whole Sum or Sums so assessed and adjudged, or otherwise such Costs and Expences, in case the same be not paid upon Demand, after being so ascertained as aforesaid, may be recovered by the Clerk to the said Commissioners, by such Ways and Means as are herein provided for Recovery of Penalties and Forfeitures: Provided always, that in all Cases where any Person or Persons shall, by reason of Absence, have been prevented from treating, the Whole of such Costs and Expences shall be borne and paid by the Treasurer to the said Commissioners, out of the Money to arise by virtue of this Act.

Trustees empowered to sell Ground not wanted for the Purposes of this Act.

XXVI. And whereas, by reason of the Purchases which the said Commissioners are empowered to make by virtue of this Act, they may happen to be seized of some House or Houses, or other Building, or some Piece or Pieces of Land or Ground, over and above what shall be necessary for effecting the Purposes of the said recited Acts and of this Act; be it therefore further enacted, That it shall and may be lawful for the said Commissioners, to sell and dispose of such House or Houses, or other Buildings, Piece or Pieces of Land and Ground, either together or in Parcels, as they shall find most convenient and advantageous, to such Person or Persons as shall be willing to contract for and purchase the same.

Persons whose Lands adjoin to have the Preference.

XXVII. Provided always, and be it further enacted, That the said Commissioners, before they shall sell and dispose of any such surplus Houses or other Buildings, Piece or Pieces of Land or Ground, purchased by virtue of this Act or the said recited Acts, to any such Person or Persons as aforesaid, they shall first offer to resell the same to the Person or Persons from whom they shall have purchased or taken the same; and in case such Person or Persons respectively shall not then and thereupon agree, or shall refuse to purchase or repurchase the same respectively, an Affidavit to be made and sworn before a Master or Masters Extraordinary in the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the said Town and Parish of *Maidstone*, by some Person or Persons no ways interested in the said Houses or other Buildings, Piece or Pieces of Land or Ground, stating that such Offer was made by or on the Behalf of the said Commissioners, and that such Offer was not then and thereupon agreed to, or was refused by the Person or Persons to whom the same was so offered, shall in all Courts whatsoever be sufficient Evidence and Proof

that ſuch Offer was made and was not agreed to, or was refuſed by the Perſon or Perſons to whom ſuch Offer was made, as the Caſe may be; and in caſe ſuch Perſon or Perſons ſhall be deſirous of purchaſing or repurchaſing the ſame, and he, ſhe, or they, and the ſaid Commiſſioners, ſhall differ and not agree with reſpect to the Price thereof, then and in ſuch Caſe the Price or Prices thereof ſhall be aſcertained by a Jury in Manner herein-before directed, with reſpect to diſputed Value of Premiſes to be purchaſed by the ſaid Commiſſioners in purſuance of this Act, and the Expences of hearing and determining ſuch Difference ſhall be borne and paid in like Manner as herein-before directed, with reſpect to ſuch Purchaſe made by the ſaid Commiſſioners, *mutatis mutandis*; and the Money to ariſe by the Sale or Sales which may be made by the ſaid Commiſſioners of ſuch ſurplus Houſes or other Buildings, or Land or Ground as aforeſaid, ſhall be applied to the Purpoſes of the ſaid recited Acts and of this Act; but the Purchaſer or Purchaſers thereof ſhall not be anſwerable or accountable for any Miſ-application or Non-application of ſuch Money.

Application of Compenſation when exceeding 200l.

XXVIII. And be it further enacted, That the principal Money to ariſe from the Sale of any Lands, Tenements, or Hereditaments, which ſhall be purchaſed for the Purpoſes of this Act, of any Body Corporate, Eccleſiaſtical, or Civil, Corporation Aggregate or Sole, not having the Power to ſell without the Authority of this Act, Feoffees in Truſt, Guardians, Committees, or other Truſtees, or from any Feme or Femes Covert, or other incapacitated Perſon or Perſons, ſuch Money ſhall, in caſe the ſame 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 this Act, to the Intent that ſuch Money ſhall be applied under the Direction and with the Approbation of the ſaid Court, to be ſignified by an Order made upon a Petition, to be preferred in a ſummary Way by the Perſon or Perſons who would have been entitled to the Rents and Profits of the ſaid Lands, Tenements, or Hereditaments, in the Purchaſe of the Land Tax, or towards the Diſcharge of any Debt or Debts, or ſuch other Incumbrances, or Part thereof, as the ſaid Court ſhall authorize to be paid, affecting the ſame Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments, ſtanding ſettled therewith to the ſame or the like Uſes, Intents, and Purpoſes; or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out under the like Direction and Approbation of the ſaid Court in the Purchaſe of other Lands, Tenements, 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 Lands, Tenements, 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, or capable of taking Effect; and in the mean Time, and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall, by Order of the ſaid 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,

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 Lands, Tenements, or Hereditaments, so hereby directed to be purchased in case such Purchase or Settlement was made.

Application when Money does not amount to 200l. and shall exceed 20l.

XXIX. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any such Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or 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 Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England* 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 the said Commissioners for executing this Act (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 Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Chancery.

Application where less than 20l.

XXX. 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 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 Lands, Tenements, or Hereditaments so purchased, taken, or used as aforesaid, in such Manner as the said Commissioners shall think fit; or in Case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles.

XXXI. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded, for the Purchase of any Lands, Tenements, or Hereditaments, to be purchased by virtue of this Act or the said recited Acts, or either of them, shall refuse to accept the same, or shall not be able to make a good Title to the Premises, to the Satisfaction of the said Commissioners, or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall and may be lawful for the said Commissioners to order the said Sum or Sums so awarded to be paid into the Bank of *England*, in the Name

Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account, to the Credit of the Parties intereſted in the ſaid Lands, Tenements, or Hereditaments (deſcribing them), ſubject to the Order, Controul, and Diſpoſition of the ſaid Court of Chancery, which ſaid Court on the Application of any Perſon or Perſons making Claim to ſuch Sum or Sums of Money, or any Part thereof, by Motion or Petition, ſhall be and is hereby empowered in a ſummary Way of Proceeding or otherwiſe, as to the ſame Court ſhall ſeem meet, to order the ſame to be laid out and inveſted in the Public Funds, and to order Diſtribution thereof, or Payment of the Dividends thereof, according to the reſpective Eſtate or Eſtates, Title or Intereſt of the Perſon or Perſons making Claim thereunto, and to make ſuch other Order in the Premiſes as to the ſaid Court ſhall ſeem juſt and reaſonable; and the Caſhier or Caſhiers of the Bank of *England*, who ſhall receive ſuch Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for ſuch Sum or Sums, mentioning and ſpecifying for what and for whoſe Uſe the ſame is or are received to ſuch Perſon or Perſons as ſhall pay any ſuch Sum or Sums of Money into the Bank as aforeſaid.

Reſpecting diſputed Titles.

XXXII. Provided always, and be it further enacted, That where any Queſtion ſhall ariſe touching the Title of any Perſon to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, in purſuance of this Act, for the Purchaſe of any Lands, Tenements, or Hereditaments, or of any Eſtate, Right, or Intereſt in any Lands, Tenements, or Hereditaments to be purchaſed in purſuance thereof, or to any Bank Annuities to be purchaſed with any ſuch Money, or to the Dividend and Intereſt of any ſuch Bank Annuities, the Perſon or Perſons who ſhall have been in Poſſeſſion of any ſuch Lands, Tenements, or Hereditaments at the Time of ſuch Purchaſe, and all Perſons claiming under ſuch Perſon or Perſons, or under the Poſſeſſion of ſuch Perſon or Perſons, ſhall be deemed and taken to have been lawfully entitled to ſuch Lands, Tenements, or Hereditaments according to ſuch Poſſeſſion, until the contrary ſhall be ſhewn to the Satisfaction of the ſaid Court of Chancery, and the Dividends and Intereſt of the Bank Annuities to be purchaſed with ſuch Money, and alſo the Capital of ſuch Bank Annuities, ſhall be paid, applied, and diſpoſed of accordingly, unleſs it ſhall be made appear to the ſaid Court that ſuch Poſſeſſion was a wrongful Poſſeſſion, and that ſome other Perſon or Perſons was or were lawfully entitled to ſuch Lands, Tenements, or Hereditaments, or to ſome Eſtate or Intereſt therein.

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

XXXIII. Provided alſo, and be it further enacted, That where by reaſon of any Diſability or Incapacity of the Perſon or Perſons or Corporation entitled to any Lands, Tenements, or Hereditaments to be purchaſed under the Authority of this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the ſaid Court, and to be applied in the Purchaſe of other Lands, Tenements, or Hereditaments, to be ſettled to the like Uſes, in purſuance of this Act, it ſhall 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,

who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Power for Payment of Purchase Money, &c. and for vesting Property in the Commissioners.

XXXIV. And be it further enacted, That every Sum of Money to be agreed for, awarded, or assessed as aforesaid, shall be paid out of the Monies to be received by virtue of the said recited Acts and this Act; and that upon Payment to the Party or Parties respectively entitled to such Monies, or to their Agents respectively, or placing the same in the Bank of *England* to the Credit or for the Use of such Parties or Persons in Manner by this Act directed (as the Case may be), all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law and in Equity, of the Person or Persons respectively, to whose Credit or Use the same shall have been paid, in, to, and out of such Houses or other Buildings, Lands, or other Hereditaments, shall by Force of this Act be vested in the said Commissioners; and such Payment or placing of the Money as aforesaid (as the Case may be) shall not only bar all Right, Title, Interest, Claim, and Demand of the Person or Persons to whose Use or Credit such Payments or placing shall have been made as aforesaid, but also shall extend to, and be deemed and construed to bar the Dower and Dowers of the Wife or Wives of such Person or Persons, and all Estates Tail, and other Estates in Possession, Reversion, Remainder, or Expectancy, and the Issue and Issues of such Person and Persons, and every Person claiming under them or any of them, as effectually as Fines or Common Recoveries would do if levied or suffered by the proper Parties in due Form of Law.

Power to deliver Possession of Property purchased.

XXXV. And be it further enacted, That every Lessee or Tenant for Years or at Will, and every other Person in Possession of any Houses or other Buildings, Lands, or other Hereditaments, which shall be purchased or taken for the Purposes of the said recited Acts and this Act, or either of them, shall deliver up the Possession of such Premises to the said Commissioners, or to such Person or Persons as they shall appoint to take Possession of the same, upon having Notice from the said Commissioners, or the Person so appointed by them, to quit the same at such Time or Times as shall be required by such Notice, such Time or Times not being less than Six Calendar Months from the Delivery thereof, and the said Commissioners, or such Person or Persons, making such Satisfaction and Compensation to every such Tenant or Lessee as aforesaid, in case he or she shall be required to quit before the Expiration of his, her, or their Term or Tenancy in the Premises, as the said Commissioners shall deem just and reasonable; and in case any Dispute or Difference shall arise touching or concerning the same, such Satisfaction and Compensation shall be settled and ascertained by a Jury, in such and the like Manner as the Satisfaction and Compensation to be made by the said Commissioners for the Purchase of any Houses or other Buildings, Lands or Hereditaments, is and are herein directed to be settled and ascertained in case of any Difference or Dispute concerning the same; and such Person or Persons in Possession shall, at such Time or Times as he, she, or they shall be required by the said Commissioners, peaceably and quietly deliver up the Possession of the said Premises to the said Commissioners, or to the Person or Persons authorized by them to take Possession thereof as aforesaid; and if any such Person or Persons so in Possession as aforesaid shall neglect or refuse

refuſe to deliver up ſuch Poſſeſſion, then and in every ſuch Caſe it ſhall and may be lawful to and for the ſaid Commiſſioners to iſſue their Precept or Precepts to the Sheriff of the ſaid County of *Kent*, to deliver Poſſeſſion of the Premiſes to ſuch Perſon or Perſons as ſhall in ſuch Precept or Precepts be nominated to receive the ſame; and the ſaid Sheriff is 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 Precepts, or the Perſon or Perſons ſo neglecting or refuſing to deliver up Poſſeſſion as aforeſaid, by Diſtreſs and Sale of his, her, or their Goods.

Powers of the Commiſſioners to execute the Acts, transferred to and veſted in a Committee.

XXXVI. And whereas by the ſaid firſt recited Act it was enacted that the ſaid Commiſſioners, or any Five or more of them, ſhould meet at the Place and Time therein mentioned, in order to put the ſaid Act in Execution, and ſhould from Time to Time afterwards, as therein mentioned, adjourn themſelves to meet when and as often as it ſhould be neceſſary for putting the ſaid Act in Execution; and that they ſhould, at all their Meetings, defray their own Expences; and that no Act of the ſaid Commiſſioners ſhould be valid, unleſs made or done at ſome Public Meeting holden in purſuance of the ſaid Act; and that at every ſuch Meeting, the Powers and Authorities by the ſaid Act granted ſhould and might be exerciſed, and carried into Execution, by the major Part of the Commiſſioners then preſent, ſuch Meeting not conſiſting of a leſs Number than Seven, except where by the ſaid Act otherwiſe directed, in the Manner therein directed; and that all Acts, Orders, and Proceedings of the ſaid Commiſſioners ſhould be entered in a Book or Books to be kept for that Purpoſe, and ſigned by the Treaſurer or Clerk, or One or more of the ſaid Commiſſioners, and that ſuch Orders ſhould then be deemed and taken to be original Orders, and ſuch Book or Books ſhould and might be produced and read in Evidence in all Courts and Caſes whatſoever; and that the ſame ſhould, at every ſuch Meeting, be open and liable to the Inſpection of all the ſaid Commiſſioners, and every Perſon paying any of the Rates by the ſaid Act granted, and alſo of all and every the Creditors and Annuitants on the ſaid Rates; and it was by the ſame Act provided, that no Order made by the ſaid Commiſſioners, at any of their Meetings, ſhould be revoked or altered, unleſs at ſome Meeting holden for that Purpoſe, with ſuch Notice as therein mentioned, and unleſs a greater Number of Commiſſioners ſhould attend at ſuch Meeting, to revoke or alter the ſame, than were preſent to make ſuch Order: And whereas, under the ſaid laſt recited Powers and Proviſions of the ſaid firſt recited Act, the due Execution of the ſame Act, and of the ſaid other recited Acts, have been found to be difficult and inconvenient, and that the ſame ſeveral Acts and this Act would be better and much more advantageouſly executed, if the ſame were to be carried into Execution by, and be under the Management and Direction of a Committee of the ſaid Commiſſioners appointed and to be appointed as herein mentioned, inſtead of by or under the Management and Direction of the Commiſſioners generally; be it therefore enacted, That from and after the paſſing of this Act, ſo much of the ſaid firſt herein-before recited Act, as relate to the Powers and Proviſions laſt herein-before recited or mentioned, ſhall be and the ſame is hereby repealed; and that from and after the paſſing of this Act there ſhall be a Committee of Seven of the ſaid Commiſſioners for carrying into Execution all and every the Powers and Proviſions of the ſaid ſeveral recited Acts and of this Act, and that any Four or more of ſuch Committee, aſſembled together

together from Time to Time, ſhall and may have, and are hereby inveſted with, full Power and Authority to execute all and every or any of the ſaid Powers and Proviſions of the ſaid recited Acts and of this Act, as fully and effectually, to all Intents and Purpoſes, as the ſaid Commiſſioners generally, or any of them, are by the ſaid recited Acts or this Act empowered or authorized to do and execute the ſame; and that Seven of the ſaid Commiſſioners, duly qualified to execute the ſaid recited Acts and this Act, to be elected and choſen by the ſaid Commiſſioners at a General Meeting of the Commiſſioners to be holden at the Town Hall aforeſaid immediately after the paſſing of this Act, ſhall conſtitute and be the firſt Committee, and ſhall continue ſuch Committee until the Tenth Day of *October* next after the paſſing of this Act; and further, until others ſhall be choſen in their Stead, unleſs any Member of the ſaid Committee ſhall happen to die, or refuſe to act, or ſhall ceaſe to be qualified to act as a Commiſſioner, according to the Directions of the ſaid firſt recited Act; any Thing in the ſaid recited Acts, or either of them, contained to the contrary thereof notwithſtanding.

General Meetings of Commiſſioners.

XXXVII. And be it further enacted, That a General Meeting of the Commiſſioners for executing the ſaid recited Acts and this Act ſhall be holden in the Town Hall of the ſaid Town of *Maidſtone*, on the Tenth Day of *October* next after the paſſing of this Act, or within One Calendar Month next thereafter, between the Hours of Ten in the Forenoon and Four in the Afternoon; and a like Annual General Meeting of the ſaid Commiſſioners ſhall be holden on the Tenth Day of *October*, or within One Calendar Month next thereafter, in each and every ſucceeding Year, at the Place and within the Hours aforeſaid; and of which General Meetings, Seven Days Notice at the leaſt ſhall be given by the Clerk to the ſaid Commiſſioners, by a Notice affixed on the ſaid Town Hall; and at every ſuch Annual General Meeting the ſaid Commiſſioners ſhall elect and chooſe Seven of the ſaid Commiſſioners to be the Committee of Management for the Year enſuing, and until others ſhall be choſen in their ſtead (except in caſe of Death or Refuſal to act, or ceaſing to be qualified in Manner by this Act directed), and that in ſuch Annual Election and Choice of the ſaid Committee it ſhall and may be lawful to and for the ſaid Commiſſioners to re-elect and chooſe any Member or Members of the ſaid Committee going out of that Office to be again a Member or Members of the ſaid Committee for the then next Year; and that at ſuch Annual General Meetings it ſhall be the Duty of the ſaid Committee to report to the Commiſſioners then aſſembled their Proceedings in carrying the ſaid recited Acts and this Act into Execution; and the ſaid Committee ſhall be ſubject and liable to the Controul of the Commiſſioners, and ſhall obey the Orders or Directions given to them by the ſaid Commiſſioners when aſſembled at any ſuch General or at any Special General Meeting herein-after mentioned.

Committee to paſs Accounts, and make Entries of Proceedings, &c.

XXXVIII. And be it further enacted, That the ſaid Committee ſhall make up their Accounts annually, and paſs the ſame before the Commiſſioners at their Annual General Meeting, in like Manner as the ſaid Commiſſioners were directed to make up and paſs their Accounts in and by the ſaid firſt-recited Act, and ſhall enter or cauſe to be entered in a Book or Books to be kept for that Purpoſe all and every their Acts, Orders, and Proceedings whatſoever, and ſhall ſign or cauſe the ſame to be ſigned by One or more of them, or by their Clerk, at the End of the Proceedings

of every of their Meetings; and that then such Acts, Orders, and Proceedings shall be deemed and taken to be original Acts, Orders, and Proceedings, and such Book or Books shall and may be produced and read in Evidence in any and all Courts and Cases whatsoever, and the same shall at each and every General or Special General Meeting of the said Commissioners be open and liable to the Inspection of all and every or any of the said Commissioners under the said Acts; and all and every or any Person or Persons paying any of the Rates or Assessments thereby or by this Act granted and made payable, and also of all and every or any of the Specialty Creditors and Annuitants on the same Rates.

Clerk not to be Treasurer, and vice versa.

XXXIX. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to continue or appoint the Person who shall or may be appointed to act as their Clerk in the Execution of the said recited Acts and this Act, or any of them, or the Partner of any such Clerk, the Treasurer for the Purposes of the said recited Acts and this Act or any of them, or to continue or appoint the Person who shall or may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Commissioners for executing the said recited Acts and this Act, or any of them; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of the said recited Acts and this Act, or any of them, or if any Person being the Partner of any such Clerk shall act as Treasurer, or being the Partner of any such Treasurer shall act as Clerk in the Execution of the said recited Acts and this Act, or any of them, every Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster* by Action of Debt, or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance shall be allowed.

Accounts to be kept of Receipts and Disbursements.

XL. And be it further enacted, That the said Commissioners shall and they are hereby required from Time to Time, and at all Times hereafter, 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, paid, laid out, and expended under or by virtue of the said recited Acts and this Act, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed, laid out, and paid, which Book or Books shall at all seasonable Times be open to the Inspection of all and every or any of the said Commissioners, or of any Specialty or Annuitant Creditor or Creditors on the said Rates and Tolls hereby granted, without Fee or Reward; and the said Commissioners and Creditors shall or may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and in case the said Clerk, who shall have the Care and Custody of the said Book or Books, shall refuse to permit or shall not permit the said Commissioners or such Creditors, or any of them, to inspect or take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum not exceeding Five Pounds, to be levied and recovered in like Manner as other Penalties are by this Act directed to be levied and recovered, before any One or more of His Majesty's Justices of the Peace for the said Town and Parish of *Maidstone*.

Special General Meeting of Commissioners.

XLI. And be it further enacted, That if it shall at any Time appear that, for the more effectually putting the said Acts and this Act into Execution, or for supplying any Vacancy or Vacancies in the said Committee that shall or may happen by Death or otherwise, a Special General Meeting of the said Commissioners is necessary to be holden, it shall and may be lawful to and for any Seven or more of the said Commissioners, by a Notice under their Hands, to be given to the Clerk of the said Commissioners, to require the said Clerk to give Notice of such Special General Meeting; and that thereupon the said Clerk shall, and he is hereby required, within Three Days from the Receipt of such Notice, to give Seven Days Notice of such Special General Meeting, by affixing a Notice thereof on the Door of the Town Hall, or by publishing it in One or more of the public Newspapers generally circulated within the said Town, specifying in such Notice the Reason, Occasion, and Intention of such Special General Meeting, and that the same will be holden in the said Town Hall on the Day and at the Time mentioned in such Notice; and the said Commissioners are hereby authorized to meet, pursuant to such Notice, and such of them as shall be present at such Special General Meeting (being of the Number of Twelve at the least), shall proceed to the Execution of the Powers by this Act given to the said Commissioners with respect to the Matters to be so specified in such Notice only; and all such Acts, Orders, or Determinations of the said Commissioners, or the Majority of them, at every such Special General Meeting, shall be as valid with respect to the Matters specified in such Notice as if the same had been done at any stated General Meeting.

General Meetings to appoint a Chairman.

XLII. And be it further enacted, That at the said respective General and Special General Meetings, the said Commissioners shall appoint a Chairman; and that such Chairman shall not only vote as a Commissioner, but, in case of an Equality of Votes, shall have a decisive and casting Vote.

Accounts of the Committee, &c. to be published and distributed throughout the Parish annually.

XLIII. And whereas it would be satisfactory and might be advantageous to the Inhabitants of the said Town and Parish, if general Statements of the Funds, Receipts, and Disbursements, under the said recited Acts and this Act, and also if the Overseers and Trustees of the Poor of the said Parish of *Maidstone*, and likewise of the Churchwardens of the same Parish, were published and distributed annually amongst the said Inhabitants; be it therefore enacted, That the said Committee for the Time being under this Act shall annually, within Fourteen Days next after the Accounts of the then late Committee shall have been passed and allowed in Manner hereinbefore mentioned, and also the Overseers and Trustees of the Poor of the said Parish, and likewise the Churchwardens of the said Parish, shall annually, within Fourteen Days next after the passing of their respective Accounts, at the respective Periods appointed by Law for that Purpose, publish and distribute to and amongst the Inhabitants of the said Town and Parish true and authentic Statements of such Accounts respectively, and of the Funds under their respective Management and Controul.

Commissioners not answerable in their private Capacity.

XLIV. Provided always, and be it further enacted and declared, That no Contract which shall be made by the said Commissioners, or any of them, for any of the Purposes of the said recited Acts or this Act, or any of them, shall be binding or obligatory upon the said Commissioners as Individuals, or in their private Capacity, nor shall any of the said Commissioners per-

sonally,

ſonally, or their reſpective Eſtates, be anſwerable for or ſubject to the Payment of any of the Mortgages or Annuities granted or to be granted in purſuance of the ſaid recited Acts or this Act; and that all Money which ſhall be expended by or recovered againſt any of the ſaid Commiſſioners, or any Perſon or Perſons employed by them, by means of any Action, Proſecution, or Appeal, to be brought by or againſt them, or any of them, touching the Execution of this Act, ſhall be borne and defrayed by and out of the Money which ſhall come to their Hands, or the Hands of the Treaſurer to the ſaid Commiſſioners, or any other Perſon, by virtue of the ſaid recited Acts and this Act: Provided nevertheleſs, that nothing herein contained ſhall extend to exonerate and diſcharge any of the ſaid Commiſſioners, their Houſes, Lands, Tenements, Hereditaments, Goods, Chattels, or Effects, from the Payment of the Rates or Aſſeſſments authorized to be made and raiſed by virtue of the ſaid recited Acts or this Act, or any of them. **but ſubject to the Rates.**

XLV. 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, and the Rates, or Aſſeſſments and Tolls, to be received by virtue of 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 the fully carrying into Execution the ſaid ſeveral recited Acts and this Act. **For paying the Expences of this Act, &c.**

XLVI. And be it further enacted, That the ſaid recited Acts, and all the Clauſes, Powers, Proviſions, Rules and Regulations, Penalties, Forfeitures, Matters, and Things therein contained, ſhall, ſo far as the ſame are 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, and adapted to the Purpoſes of this Act. **Extending the Powers of the firſt Act to this Act.**

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

The

The SCHEDULE referred to in and by the foregoing Act.

Description of Houſes, &c.	Owners.	Occupiers.	Situation.
Two Tenements	Joſeph Lee and another	William Jarvis and another	Foot of the Bridge at the Bottom of the High Street.
Two Tenements	William Turner	Thomas Johnſon and another	
Houſe	James Stanford	Himſelf	
Millwright's Shop	William Moore	Thomas Johnſon	
Houſe	Joſeph Martin	Himſelf	Upper End of the High Street.
Houſe	Ann Hill	William Morgan	
Fiſh Market	Maidſtone Corporation	—— ——	
Houſe	John Mercer and another	Thomas Mercer	Mill Lane
Cottage and Garden	William Pincke Kingſley	Daniel Cork and another	Near the upper End of Stone Street on the Weſt Side thereof.
Two Cottages	—— Bligh	William Hunt and another	
Two Cottages	Jury and Brattle	William Spencer and others	
Houſe	Edward Sutton	Robert Tilby	
Six Cottages and a Blackſmith's Forge	The Heirs and Deviſees of John Beeching	Lomas Aſhdown and others	At the upper End of Stone Street on the Eaſt Side thereof.
An Oaſt-Houſe	George Edward Sayer	Jury and Brattle	
Cottage and Garden	—— Lewis	Richard Martin	
Two Cottages	Aſſignees of William Elgar	William Gorham and another	
Warehouſe and Shed	Robert Maſon	Himſelf	Neareſt the Bottom of Saint Faith's Street.

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