ANNO QUADRAGESIMO NONO

GEORGII III. REGIS.

Cap. 117.

An Act to amend and render more effectual Two Acts for the Maintenance and Support of the Pier and Harbour, and paving and lighting the Town of *Margate*, in the County of *Kent*. [27th *May* 1809.]

WHEREAS an Act was passed in the Twenty-seventh Year of the Reign of His present Majesty, intituled, *An Act for rebuilding the Pier of* Margate *in the Isle of* Thanet, *in the County of* Kent; *for ascertaining, establishing, and recovering certain Duties in lieu of the ancient and customary Droits for the Support and Maintenance of the said Pier; for widening, paving, repairing, cleansing, lighting, and watching the Streets, Lanes, Highways, and Public Passages in the Town of* Margate *and Parish of* Saint John the Baptist, *in the said Isle of* Thanet; *for settling the Rates of Porters, Chairmen, Carters, and Carmen within the said Town, and for preventing Encroachments, Nuisances, and Annoyances therein*: And whereas an Act was also passed in the Thirty-ninth Year of the Reign of His present Majesty, intituled, *An Act to amend and render more effectual an Act passed in the Twenty-seventh Year of the Reign of His present Majesty, for rebuilding the Pier of* Margate *in the Isle of* Thanet, *in the County of* Kent, *and for other Purposes mentioned in the said Act*: And whereas great Damages have been done to the said Pier of *Margate*, by the repeated Storms which occurred during the last Year, the repairing of which Damages will be attended with considerable Expence, and it is also necessary, for better protecting the Harbour and Town of *Margate*, that

27 G. 3. c. 45.

39 G. 3. c. 2.

that the ſaid Pier ſhould be heightened and extended: And whereas a conſiderable Sum of Money is now due on the Credit of the Tolls and Duties granted by the before-mentioned Acts, which cannot be repaid, nor the repairing, heightening, and extending of the ſaid Pier, or the other Works neceſſary for the Protection and Improvement of the ſaid Harbour and Town of *Margate*, effected without the further Aid of Parliament: And whereas it is expedient that ſeveral of the Rates and Duties granted by the ſaid former Acts ſhould be repealed, and other Rates and Duties impoſed in lieu thereof; may it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Lord Warden of the *Cinque Ports* for the Time being, the Deputy Warden of the *Cinque Ports* for the Time being, the Knights of the Shire for the County of *Kent* for the Time being, the Members of Parliament for the Town and Port of *Dover*, in the ſaid County of *Kent*, for the Time being, the Mayor, Deputy Mayor, and Recorder of the ſaid Town and Port of *Dover* for the Time being, the Deputy of the Mayor of *Dover* in and for the ſaid Town of *Margate* and Pariſh of *Saint John the Baptiſt* for the Time being, the Vicar of the ſaid Pariſh of *Saint John the Baptiſt* for the Time being, and all Commiſſioned Officers of His Majeſty's Royal Navy reſident and on Service in the ſaid Pariſh for the Time being, *William Abbot*, *William Adams*, *John Baker*, *John Barber*, *Daniel Beale*, *Edward Boys*, *John Boys*, *John Brooman*, *Thomas Chapman*, *John Chippendale*, *Francis Cobb*, *Francis William Cobb*, *William Cobb*, *Francis Cobb* (Brother of *William Cobb*), *Henry Covell*, *John Cowell*, *John Cramp*, *Edward Dering*, *John Finch*, *William Fuller*, *John Garrett*, *Thomas Gillow*, *Thomas Gore* of *King Street*, *John Gyles*, *James Hall*, *Joſeph Hume*, *Daniel Jarvis*, *Robert Kidd*, *William Lenſell*, Sir *Egerton Leigh* Baroner, *Matthias Mummery*, *Latham Oſborn*, *William Paine*, *John Palmer* Clerk, *George Paterſon*, *Edward Peirce*, *Edward Pilcher*, *Gibon Rammell*, *Samuel Righton*, *Iſaac Rowe*, *Thomas Smith Rowe*, *John Sackett*, *Robert Salter*, *Jacob Sawkins*, *Samuel Silver*, *George Slater* the elder, *Thomas Smith*, *Daniel Swinford*, *Edward Taddy*, *James Taddy*, *John Tomlin*, *Robert Tomlin*, *James Webſter*, *Robert Wells*, *Edward White* the younger, *Samuel Whitehead*, *Richard Wiles*, and *Sackett Wood*, and their Succeſſors, to be elected in Manner in the firſt of the ſaid former Acts mentioned, ſhall be and they are hereby appointed Commiſſioners for putting in Execution all the Powers and Authorities by the ſaid former Acts and by this Act given and granted; and all ſuch Powers and Authorities ſhall and may be exerciſed by any Five or more of the ſaid Commiſſioners, except in Caſes where ſome other Number is appointed by the ſaid former Acts or this Act.

Commiſſioners.

II. Provided always, and be it further enacted, That no Perſon hereby appointed, or hereafter to be appointed a Commiſſioner as aforeſaid, ſhall be capable of acting as ſuch during the Time he ſhall enjoy any Office (except the Office of Treaſurer), or any Place of Profit under, or be directly or indirectly concerned in any Contract to be made by virtue of the ſaid former Acts or of this Act; or in any Caſe where he ſhall be perſonally intereſted, except as a Creditor, upon pain of being rendered incapable of acting as a Commiſſioner.

No Commiſſioner to enjoy any Place of Profit or to be concerned in any Contract.

III. And

Qualification of Commiſſioners.

III. And be it further enacted, That no Perſon ſhall hereafter be qualified or capable to act as a Commiſſioner in the Execution of the ſaid former Acts or of this Act, (except in adminiſtering the Oath or Affirmation herein-after mentioned, which Oath or Affirmation the ſaid Commiſſioners, or any Two or more of them, are hereby empowered to adminiſter at their firſt or any ſubſequent Meeting to be holden in purſuance of this Act), unleſs he ſhall be, in his own Right, or in the Right of his Wife, in the actual Poſſeſſion and Enjoyment or Receipt of the Rents and Profits of Meſſuages, Lands, Tenements, or Hereditaments, Freehold or Copyhold, of the clear Yearly Value of Sixty Pounds above Reprizes, or ſhall be poſſeſſed of a Perſonal Eſtate to the Amount of One thouſand two hundred Pounds, or poſſeſſed of a Real and Perſonal Eſtate of the annual Value together of Sixty Pounds above Reprizes; and unleſs he ſhall, before he acts as a Commiſſioner, take and ſubſcribe an Oath or Affirmation in the Words or to the Effect following; that is to ſay,

Form of Oath of Commiſſioners.

'I *A. B.* do ſwear [*or*, being one of the People called *Quakers*, do ſolemnly affirm], That I am truly and *bonâ fide* in my own Right, or in the Right of my Wife, in the actual Poſſeſſion and Enjoyment or Receipt of the Rents and Profits of Meſſuages, Lands, Tenements, or Hereditaments of the clear Yearly Value of Sixty Pounds above Reprizes, or poſſeſſed of a Perſonal Eſtate to the Amount or Value of One thouſand two hundred Pounds, or poſſeſſed of a Real and Perſonal Eſtate of the annual Value together of Sixty Pounds above Reprizes [*as the Caſe may be*]; and that I will truly and faithfully execute the Truſts, Powers, and Authorities veſted in me by an Act of Parliament paſſed in the Forty-ninth Year of the Reign of King *George* the Third, intituled, [*here ſet forth the Title of this Act*], to the beſt of my Skill and Knowledge, without Favour or Affection to any Perſon whomſoever.

'So help me GOD.'

Penalty on acting as a Commiſſioner, not being qualified.

And if any Perſon, not being qualified as aforeſaid, ſhall henceforth act as a Commiſſioner for putting the ſaid former Acts or this Act, or any of the Powers therein or herein reſpectively contained or referred to, in Execution, or being qualified, ſhall, previous to his acting as a Commiſſioner, refuſe or neglect to take ſuch Oath or make ſuch Affirmation as aforeſaid, contrary to the Intent and Meaning hereof, every ſuch Perſon ſhall, for every ſuch Offence or Omiſſion, forfeit and pay the Sum of Fifty Pounds, 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 Eſſoin, Protection, or Wager at Law, or more than One Imparlance ſhall be allowed; and every Perſon ſo ſued or proſecuted ſhall prove that he was, at the Time of acting, qualified as aforeſaid, or otherwiſe ſhall pay the ſaid Penalty, without any other Proof or Evidence being given on the Part of the Plaintiff or Proſecutor, than that ſuch Perſon had acted as a Commiſſioner in the Execution of the ſaid former Acts or of this Act; and the Money ſo to be recovered ſhall, after Payment of the extra Coſts and Expences attending the Recovery thereof, be applied, one Moiety to the Informer or Proſecutor, and the other Moiety to the Purpoſes of the ſaid former Acts and of this Act.

Annual Election of Pier Wardens repealed.

IV. And be it further enacted, That ſo much and ſuch Part of the ſaid Act paſſed in the Twenty-ſeventh Year of His preſent Majeſty's Reign as relates to

to the Annual Election of Two Persons as Pier Wardens, shall be and the same is hereby repealed.

Former Rates, except Duties on Coals, repealed.

V. And be it further enacted, That from and after the passing of this Act, all and every the Rates and Duties granted by the said former Acts or either of them, except the Duties on Coals, Culm, Splint, Coke, or Cinder, shall respectively cease and determine, save and except such of the respective Rates and Duties hereby repealed, or so much and such Parts thereof respectively as shall before have become due or payable, and shall then remain in Arrear or unpaid, all which Rates and Duties so in Arrear and remaining unpaid as aforesaid, shall be recoverable by the same Ways and Means, and with such and the same Penalties, and in such and the same Manner, in all respects, as if this Act had not been made, except so far as any Provision is hereby made to the contrary.

Former Rates, not repealed, and new Rates, to form an aggregate Fund.

VI. And be it further enacted, That such of the Rates and Duties in and by the said former Acts imposed and vested in the Commissioners for carrying the same into Execution as are not hereby repealed, and all and every the Rates and Duties granted and imposed in and by this Act, shall form one aggregate Fund, and be vested in the Commissioners hereby appointed, to be applied and disposed of for the Uses and Purposes of the said former Acts and of this Act.

Lastage and Poundage on Corn, Goods, and Passengers passing from Port to Port within the Realm.

VII. And be it further enacted, That from and after the passing of this Act every Master of every Ship, Hoy, Packet, or other Vessel, who shall lade or unlade, take on board, or discharge within the said Harbour of *Margate*, or the Bay thereunto adjoining, any Corn, Grain, or Seeds, or any other Goods, Wares, or Merchandize, or any Baggage, Parcels, or Passengers, passing or to pass from Port to Port within this Realm, being a *British* Subject, whether an Inhabitant of any of the *Cinque Ports*, two ancient Towns, or their Members, commonly denominated a Portsman, or an Inhabitant of any other Part of the United Kingdom of *Great Britain* and *Ireland*, commonly denominated a Shireman, shall pay for the Purposes of the said former Acts and of this Act, in regard of his Freight, for every Twenty Quarters of Wheat, Meal, Rye, Barley, Malt, Oats, Beans, Pease, Tares, Mustard Seed, Canary Seed, and Seeds of every Denomination so laden or unladen there, Ten Pence, and after that Rate for a larger or less Quantity, which Duty is called Lastage, and for all other Goods, Wares, and Merchandize, and all Baggage, Parcels, and Passengers so laden or unladen, taken on board, or discharged there, every such Master shall pay by the Pound Freight at and after the Rate of Sixpence in the Pound upon the Freight of all such Goods, Wares, Merchandize, Baggage, and Parcels, and upon the Fare of all such Passengers, which last-mentioned Duty is called Poundage; and every such Master being an Alien or Merchant Stranger, shall pay Double the Rates of a Subject of the United Kingdom.

Lastage and Poundage on Corn, Goods and Passengers coming from or to be carried to Parts beyond the Seas.

VIII. And be it further enacted, That from and after the passing of this Act, every Master of every Ship, Hoy, Packet, or other Vessel, who shall lade or unlade, take on board, or discharge within the said Harbour of *Margate*, or the Bay thereunto adjoining, any Corn, Grain, or Seeds, or any other Goods, Wares, or Merchandize, or any Baggage, Parcels, or Passengers coming from or to be carried to any Part or Parts beyond the Seas,

Seas, except *Ireland*, being a Subject of the United Kingdom, whether denominated a Portſman or a Shireman, ſhall pay for the Purpoſes of the ſaid former Acts and of this Act, in regard of his Freight, for every Twenty Quarters of Wheat, Meal, Rye, Barley, Malt, Oats, Peaſe, Beans, Tares, Muſtard Seed, Canary Seed, and Seeds of every Denomination, ſo laden or unladen there, coming from, or to be carried to any Part or Parts beyond the Seas, except *Ireland*, One Shilling and Eight-pence; and for all other Goods, Wares, and Merchandize, and all Baggage, Parcels, and Paſſengers ſo laden or unladen, taken on board, or diſcharged there, coming from, or to be carried to any Part or Parts beyond the Seas, except *Ireland*, every ſuch Maſter ſhall pay by the Pound Freight at and after the Rate of One Shilling in the Pound, upon the Freight of all ſuch Goods, Wares, Merchandize, Baggage, and Parcels, and upon the Fare of all ſuch Paſſengers, which Duties are alſo reſpectively called Laſtage and Poundage; and every ſuch Maſter as laſt-mentioned, being an Alien or Merchant Stranger, ſhall pay Double the Rates of a Subject of the United Kingdom.

Goods ſhipped by a Britiſh Subject in Foreign Bottoms for Account of Foreigners, to pay the ſame Duties as if ſhipped by Foreigners.

IX. And be it further enacted, That every Merchant, or other Perſon who ſhall lade or unlade, or cauſe to be laden or unladen, within the ſaid Harbour or Bay of *Margate*, any Goods, Wares, or Merchandize, into or out of any Foreign Ship or Veſſel, that is to ſay, a Ship or Veſſel whereof the Owner or Owners ſhall be a Foreigner or Foreigners, the ſame Goods, Wares, and Merchandize, being for Account of and at the Riſk of a Foreigner or Foreigners; then, although ſuch Merchant or other Perſon ſhall be a Subject of the United Kingdom, yet the ſame Goods, Wares, and Merchandize, ſhall be liable to pay the Rates and Duties hereby impoſed on Goods, Wares, and Merchandize laden or unladen by an Alien or Merchant Stranger.

Duty on Veſſels carrying Paſſengers for Hire.

X. And be it further enacted, That from and after the paſſing of this Act every Paſſenger, whether Male or Female, who ſhall land from or embark in any Ship, Hoy, Packet, or other Veſſel, carrying Paſſengers for Hire, within the Harbour of *Margate*, or the Bay thereunto adjoining, or upon or from any Part of the main Shore within the Pariſh of *Saint John the Baptiſt* aforeſaid, whether ſuch Veſſel ſhall belong to the Town or Harbour of *Margate* or not, (Patients going to or returning from the General Sea-Bathing Infirmary at *Margate*, and alſo Pleaſure Boats without Decks excepted), ſhall pay for the Purpoſes of the ſaid former Acts and of this Act, in reſpect of every Paſſage to or from the Harbour or Town of *Margate*, or Bay adjoining, or Pariſh aforeſaid, the Sum of One Shilling, which Duty may and ſhall be and is hereby required to be collected and received by the Maſter of the Ship, Hoy, Packet, or other Veſſel carrying ſuch Paſſenger or Paſſengers, before the Departure of ſuch Paſſenger or Paſſengers from on Board ſuch Ship, Hoy, Packet, or other Veſſel, and ſhall be, by ſuch Maſter, within the Space of Seven Days then next following, paid over to the Treaſurer to the ſaid Commiſſioners for the Time being; and every ſuch Sum, ſo due in reſpect of every ſuch Paſſenger, ſhall be recoverable from every ſuch Maſter by the ſame Ways and Means as any other Duty or Duties impoſed by the ſaid former Acts or either of them, or by this Act is, or are, or may, or might be recoverable.

Masters to pay Lastage, Poundage, and Duty on Passengers, &c.

XI. And to prevent Frauds, be it further enacted, That from and after the passing of this Act all such Masters of Ships, Hoys, Packets, or other Vessels, shall be liable to the several Duties of Lastage and Poundage herein-before respectively mentioned, according to the usual Freight of each Article, and according to the usual Fare of Passengers, and also to the Duty by this Act imposed upon and in respect of every Passenger landed from or embarked in any such Ship, Hoy, Packet, or other Vessel as aforesaid, whether such Freight or Fare respectively, or such Duty in respect of Passengers, shall have been charged and demanded, or collected or received, or not, upon Proof only (in relation to such Duty) of such Passenger having been on board.

Masters to be allowed 2s. in the Pound, upon Duty on Passengers accounted for.

XII. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and directed to allow to all such Masters of such Ships, Hoys, Packets, and other Vessels, at and after the Rate of Two Shillings in the Pound upon the Amount of the aforesaid Duty on Passengers by such Masters respectively received and duly accounted for.

Rates on Fishing Boats.

XIII. And be it further enacted, That from and after the passing of this Act, every Boat belonging to the said Town or Harbour of *Margate*, or which shall harbour there for the greater Part of the Year, or for the greater Part of any particular Fishing Season, shall pay, for the Purposes of the said former Acts and of this Act, Sixpence in the Pound upon the net Profits of the Earnings of every such Boat, whether during any Fishing Season or at any other Time, or in any other Manner, except Salvage Services, for which a particular Duty is by Act imposed; which Payment shall be made by the Master of every such Boat before any Division shall be made of such Profits amongst the Persons concerned in every or any such Boat.

Rates on Vessels coming in, not to lade or unlade,

XIV. And be it further enacted, That from and after the passing of this Act, every Ship, Vessel, or Boat, not belonging to the said Harbour of *Margate*, which shall come into the said Harbour whether for Succour or Shelter, or for Pleasure only, and not to lade or unlade any Goods, Wares, or Merchandize (Provisions for the Use of the Vessel excepted) shall pay for the Purposes of the said former Acts and of this Act, for every Time such Ship, Vessel, or Boat shall so come into the said Harbour and shall continue therein for any Period not exceeding Twenty-one Days, at and after the Rate of Three-pence per Ton; and in case of continning therein longer than Twenty-one Days, after the Rate of One Penny per Ton for every further Period of such Continuance therein, not exceeding Seven Days, according to the Burthen of every such Ship, Vessel, or Boat, being the Property of a Subject of the United Kingdom, and at and after Double those Rates respectively for every such Ship, Vessel, or Boat, the Property of an Alien or Merchant Stranger.

Vessels belonging to Margate, trading abroad, to pay Rates for every Voyage.

XV. And be it further enacted, That from and after the passing of this Act, all Vessels belonging to the said Town or Harbour of *Margate*, which shall be trading abroad upon their own Adventure, or otherwise freighted, whether by a Subject of the United Kingdom or by an Alien or Merchant Stranger, shall pay, for the Purposes of the said former Acts, and

and of this Act, the several Rates following; that is to say, For every Voyage from Port to Port within the United Kingdom, every such Vessel, not exceeding the Burthen of Fifty Tons, shall pay the Sum of Seven Shillings; and if above Fifty, and not exceeding Sixty Tons, Nine Shillings; and so in Proportion for every additional Ten Tons Burthen beyond Sixty Tons, Two Shillings in Addition, according to the Burthen of every such Vessel; and for every Voyage to or from any Part or Parts beyond the Seas, except *Ireland*, every such Vessel (of whatsoever Burthen) shall pay Double the respective Rate which the same Vessel would pay for every Voyage from Port to Port within the United Kingdom.

Vessels taking in Ballast, to pay 6d. per Ton.

XVI. And be it further enacted, That from and after the passing of this Act, every Ship, Hoy, or other Vessel, which shall take on board any Ballast within the said Harbour of *Margate*, or the Bay thereunto adjoining, not having discharged the Cargo thereof within the said Harbour or Bay, shall, for every Ton of such Ballast, pay for the Purposes of the said former Acts and of this Act, Sixpence.

Salvage Duty in lieu of Half Shares formerly paid.

XVII. And be it further enacted, That from and after the passing of this Act, in lieu of the Duty heretofore payable under the Denomination of an Half Share in certain Cases of Salvage, all Persons belonging to the said Town or Harbour of *Margate*, who shall take up any Ship or Vessel cast away, or out of its Course, or otherwise in Distress at Sea, or (whether cast away, or out of its Course or not) which shall have been abandoned at Sea, or which shall have been boarded in consequence of a Signal or Hailing, whether under Sail, or driving, or any Goods wrecked at Sea or upon the Main, or any Anchor or Cable found at Sea, whether such Ship or Vessel, Goods, Anchor, or Cable, shall be brought into the Harbour of *Margate*, or the Bay thereunto adjoining, or not, or shall carry out any Anchor or Cable, Anchors or Cables, or render any other Service whatsoever to any Ship or Vessel at Sea or upon the Main (the piloting or assisting in the navigating of any Ship or Vessel not in Distress excepted); and all Persons not belonging to the said Town or Harbour of *Margate*, who shall take up any Ship or Vessel cast away, or out of its Course, or otherwise, in Distress at Sea, or any Goods wrecked at Sea or upon the Main, or any Anchor or Cable found at Sea, and shall bring the same either into the said Harbour of *Margate*, or the Bay thereunto adjoining, (but with the like Exemption as to the Salvage Duty hereby imposed, in Favour of Persons belonging to the Hamlet or Harbour of *Broadstairs* as is contained in the said Act of the Thirty-ninth Year of the Reign of His present Majesty, in respect of the Half Share then payable by Persons not belonging to *Margate*, in any of the Cases last enumerated, so long as Persons belonging to the said Town or Harbour of *Margate* shall continue exempt from or not liable to the Payment of any Rate or Duty to the Pier or Harbour of *Broadstairs* for the like Services rendered there) shall severally and respectively pay, for the Purposes of the said former Acts and of this Act, at and after the Rate of One Shilling in the Pound upon the net Profits of the Earnings upon every such Occasion; the same to be paid by the Master or Owner of every Boat or Vessel employed or concerned in any such Service, or by the Person or Persons receiving such Earnings, before any Division shall be made of such Earnings upon every or any such Occasion; and the Master and every Owner or Part Owner of every such Boat or Vessel, and every other Person receiving such Earnings upon any such

such Service, shall severally and individually be liable to the Payment of such Poundage upon the Profits of such Earnings, until the same shall be fully paid and discharged; and in case of Non-payment the same shall be recoverable, either by Distress and Sale of the Goods and Chattels of the Person or Persons so liable to pay, or any of them, or by Action at Law, to be brought in any Court or Courts of Record, by or in the Name of the Clerk or Treasurer to the said Commissioners for the Time being: And for preventing any Fraud or Imposition in respect of the real Profits of any such Earnings, the Master or Owner of every such Boat or Vessel, or other Person who shall pay the Poundage which shall accrue thereon, shall at the same Time deliver to the said Commissioners or to their Collector or Receiver for the Time being, an Account in Writing, signed by the Party delivering the same, of the whole Sum or Sums of Money received, or directly or indirectly to be received for every such Service, and of such necessary Charges and Expences only as the Parties concerned in such Service shall have been at upon every such Occasion; and the said Commissioners, or any Five of them, are hereby authorized and empowered, if they shall think fit, to summon the Party delivering such Account to appear before them, and to examine him upon Oath (which Oath they are hereby empowered to administer) as to the Truth thereof; and if it shall be made appear that there is any Fraud, Concealment, or wilful Error therein, the Party offending shall be liable to the Payment of double the Sum endeavoured to be concealed, (which Sum such Five Commissioners have hereby Power to ascertain); and the same shall be recoverable, together with double Costs of Suit, in case of an Action at Law, by the same Ways and Means as the original Poundage to accrue on the real Profits of such Earnings.

Other Rates.

XVIII. And be it further enacted, That from and after the passing of this Act, in lieu of the several Rates and Duties mentioned in the Table or Schedule of Rates annexed to the said Act passed in the Thirty-ninth Year of His present Majesty's Reign, and of the several Rates and Duties ascertained and fixed by the Commissioners for putting the said former Acts in Execution, in pursuance of the Power given to them by the said last-mentioned Act, there shall be paid by every Merchant or other Person whomsoever, not being an Alien or Merchant Stranger, who shall lade or unlade, import or export, any Goods, Wares, or Merchandize, Baggage, Parcels, or other Article whatsoever, within the said Harbour of *Margate*, or the Bay thereunto adjoining, over and above all other Rates and Duties, not hereby repealed, to which the same are, by virtue of the said former Acts or of this Act, or by any other Law liable, the several Rates and Duties mentioned in the Table or Schedule of Rates hereunto annexed, set down in the Figures against the same respectively; and that such Table or Schedule shall be deemed and taken to be Part of this Act.

Merchant Strangers to pay Double Rates.

XIX. And be it further enacted, That for all Goods, Wares, Merchandize, Articles, and Commodities, specified by Name in the said Table or Schedule to this Act annexed, every Alien or Merchant Stranger shall pay Double the Sum or respective Sums charged to be paid (by any other Person) for the same Goods, Wares, Merchandize, Articles, and Commodities.

XX. And

No British Subject to cover Alien Goods.

XX. And, to prevent Frauds, be it further enacted, That no Subject of the United Kingdom shall, upon any Account or Pretence whatsoever, take upon him to own or assume, or pretend to have assumed, the Risk of any Goods, Wares, or Merchandize, which shall in Fact be laden or unladen, imported or exported, for Account of and at the Risk of a Foreigner or Foreigners, with Intent to defraud the said Commissioners and their Successors of the Rates and Duties imposed, or to be imposed on Goods, Wares, and Merchandize laden or unladen, imported or exported by an Alien or Merchant Stranger, or for Account of and at the Risk of a Foreigner or Foreigners, as herein-before is mentioned, under the Penalty of Fifty Pounds, to be recovered, with Double Costs of Suit, by Action of Debt, Bill, Plaint, or Information, in any Court of Record, wherein no Essoign, Protection, Wager of Law, or more than one Imparlance, shall be allowed.

Repeal of Exemption of wrecked Goods from Payment of Duty upon being re-shipped.

XXI. And be it further enacted, That so much and such Part of the said Act of the Thirty-ninth Year of His present Majesty's Reign, as provides that in case any Goods wrecked at Sea, or upon the Main, should be brought into and delivered within the said Harbour or Bay of *Margate*, and all the Duties payable under the said Acts of the Twenty-seventh and Thirty-ninth Years of His present Majesty's Reign, for the importing or unlading of such Goods respectively, within the said Harbour or Bay, should have been duly paid and discharged, and the same Goods should afterwards be required to be re-shipped or re-laden upon the Account of the same Owner or Owners of such Goods, or upon the Account of the Insurer or Insurers thereof, the said Commissioners should permit the re-shipping or re-lading of the same Goods, without demanding any Duty for or in respect of such re-shipping or re-lading thereof, shall be and the same is hereby repealed.

Duty on Bathing Machines.

XXII. And be it further enacted, That the Owner of every Bathing Machine, using the Harbour of *Margate*, or the Bay thereunto adjoining, shall pay for the Purposes of the said former Acts and of this Act, for every such Bathing Machine (according to the greatest Number of Bathing Machines by every such Owner respectively used or employed at any One Time in each Year) the annual Sum of Seven Shillings on the Tenth Day of *October* in every Year.

Commissioners to examine Persons liable to pay the Duties.

XXIII. And be it further enacted, That from and after the passing of this Act, it shall be lawful for the said Commissioners, or any Five or more of them, from Time to Time, so often as they shall see Occasion, to summon and call before them, by Summons under their Hands, at any Time and Place within the said Town of *Margate* or Parish of *Saint John the Baptist*, all or any Persons being the Owners, Part Owners, or Masters, or having the Rule or Command of any Ship or Vessel, or other Person or Persons liable to pay any of the Rates, Duties, or Sums of Money by this Act imposed, then being within the said Harbour or Town of *Margate*, or Parish of *Saint John the Baptist*, and upon his, her, or their Oath or respective Oaths (or solemn Affirmation, in case of any of the People called *Quakers*), to be made before the said Commissioners (which Oath or Oaths, or Affirmation, such Commissioners are hereby empowered to administer) to examine and enquire of and concerning all and every or any Goods, Wares, and Merchandize, Freight, Fare, and Number of Passengers,

sengers, Duty on Passengers, net Profits of Earnings of Fishing Boats, Salvage Services, or other Matters or Things liable to the Payment of any of the Rates, Duties, and Sums of Money hereby imposed, and whether all or any, and what Part or Parts of such Rates, Duties, or Sums of Money, shall have been paid or not paid, and when, and by whom, and to whom; and in case any Person or Persons so summoned shall not appear at the Time and Place in the said Summons mentioned, without sufficient Excuse, or appearing shall refuse to be sworn or to affirm, or shall not answer and discover all which he, she, or they respectively shall know or believe, concerning the Matters herein-before allowed to be enquired of and examined into, he, she, or they, and every of them, shall forfeit for every such Non-appearance, Refusal, or not answering and discovering as aforesaid, the Sum of Twenty Pounds, to be recovered, together with Double Costs of Suit, by Action of Debt, Bill, Plaint, or Information, in any Court of Record, wherein no Essoign, Protection, or Wager of Law, or more than one Imparlance shall be allowed, or upon Conviction in a summary Way, in the same Manner as other Fines, Penalties, and Forfeitures, the Manner of levying and recovering whereof is not otherwise particularly directed, are in and by the said first recited Act directed to be recovered and levied.

Rates may be lowered and raised again at the Discretion of the Commissioners.

XXIV. And be it further enacted, That the said Commissioners, or any Fifteen or more of them may, and they are hereby authorized and empowered, at any General Meeting (of which Meeting and the Purpose thereof Twenty-one Days Notice at the least shall be given in some Newspaper circulated in the Eastern Part of the County of *Kent*) to lessen or reduce all or any of the Rates and Duties granted by this Act, and to raise the same again, so as not to exceed the Rates and Duties hereby granted; and such Rates or Duties so lessened or reduced shall be collected and recovered in the same Manner as the Rates and Duties hereby granted are directed to be collected and recovered: Provided always, that no Reduction of such Rates and Duties shall be made without the Consent of the Persons entitled to Five-sixth Parts of the Money then due on the Credit thereof, to be signified in Writing under their respective Hands.

Commissioners may borrow a further Sum, not exceeding £5000, &c.

XXV. And, for better enabling the said Commissioners to put the said former Acts and this Act into Execution, be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered to borrow (over and above the Monies now due and owing upon the Security of the said former Acts) any Sum or Sums of Money, not exceeding in the Whole the Sum of Twenty-five thousand Pounds; which Sum or Sums of Money so to be raised, shall be applied and disposed of, in the first Place, for defraying the Expence attending the obtaining and passing of this present Act; and in the next Place, in the repairing, heightening, and extending of the said Pier, and in the better protecting and improving of the said Harbour and Town of *Margate*, and in carrying into Effect the several other Purposes of the said former Acts and of this Act; of which Sum of Twenty-five thousand Pounds, the Sum of Twenty one thousand Pounds at the least shall be applied (together with the Sum of Five thousand Pounds, granted by Parliament during the last Session, for the Repairs of the said Pier) exclusively to the repairing, heightening, and extending of the said Pier, and otherwise protecting and improving of the said Harbour.

XXVI. Provided

Commissioners may borrow more Money when paid off.

XXVI. Provided always, and be it further enacted, That if at any Time after the said Commissioners shall have borrowed or raised the said Sum of Twenty-five thousand Pounds, the same or any Part thereof, shall be paid off and discharged, it shall be lawful for the said Commissioners again to borrow or take up the same or any other Sum or Sums of Money, so as that the Sum or Sums to be so borrowed shall not at any Time exceed in the Whole the said Sum of Twenty-five thousand Pounds.

Sinking Fund.

XXVII. And be it further enacted, That it shall be lawful for the said Commissioners, or any Fifteen or more of them, to order and direct that One-third Part of the surplus Revenue arising from the Rates and Duties granted by this Act, shall be annually set apart as a Sinking Fund for the Purpose of defraying the Expences of any such future Repairs or Improvements of the said Pier and other Works belonging to the said Harbour as the said Commissioners, or any Fifteen or more of them, shall from Time to Time think proper; and in the mean Time such Surplus shall be invested in the Public Funds, or in the Purchase of any Government Securities, and the Interest, or other Produce arising therefrom, shall accumulate and make Part of such Fund for the Purpose aforesaid: Provided always, that when such Sinking Fund and Accumulation shall amount to the Sum of Ten thousand Pounds, no further Part of such surplus Revenue shall be added thereto until the Application of some Part thereof to the Purposes intended shall have reduced the same below the said Sum of Ten thousand Pounds, and then only from Time to Time for the raising of the said Sinking Fund again to that Amount.

Commissioners may accept the Transfer of principal Monies from any Creditors as the Consideration for the Purchase of Life Annuities, &c.

XXVIII. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered, at any Time after the passing of this Act, to accept and receive from any Person or Persons, who for the Time being shall be a Creditor or Creditors upon the Funds vested in the said Commissioners, the Transfer of any Principal Sum or Sums of Money, which shall be to such Creditor or Creditors respectively owing upon the Credit of the said Funds, as the Consideration for the Purchase of Life Annuities, to be charged upon and payable out of the said Funds for the Time being, in the like Manner and under the like Limitations, Restrictions, and Regulations, and upon the like Terms, as are expressed and contained in an Act of Parliament passed in the Forty-eighth Year of His present Majesty's Reign, intituled, *An Act for enabling the Commissioners for the Reduction of the National Debt to grant Life Annuities.*

Vessels damaging Pier or Works, to make good the same.

XXIX. And be it further enacted, That in case any Vessel shall be wilfully or negligently run or driven, either against the said Pier of *Margate*, or against the Stone Wall or Jetty lately erected on the South and East Sides of the said Harbour, or any of the Works erected, or to be erected or made for the protecting and improving of the said Harbour, so as to break, damage, or injure the same, the Person having the Government or Rule of such Ship or Vessel, or acting as such, shall be liable to answer and make good the Damage or Injury done to the same, to be settled and ascertained in a summary Way, by any Two or more of the Justices of the Peace of and for the Town and Port of *Dover* and the Liberties thereof; and in case such Person shall refuse to pay the Sum or Sums to be awarded by the said Justices for or in respect of such Damage or Injury, it shall be lawful for the said Justices, by Warrant under their

Hands and Seals, to cauſe ſuch Veſſel to be ſeized and diſtrained, together with the Tackle, Furniture, or Apparel thereof, until due Payment thereof, together with the reaſonable Charges of ſuch Seizure and Diſtreſs; and if ſuch Ship or Veſſel ſhall not be redeemed within Six Days after the ſame ſhall have been ſo ſeized or diſtrained, it ſhall be lawful for the Perſon or Perſons ſo ſeizing or diſtraining the ſame, to ſell ſo much of the Tackle, Furniture, or Apparel, of or belonging to ſuch Ship or Veſſel, as ſhall be ſufficient to make good the ſaid Damage or Injury, and all the Coſts and Charges in conſequence thereof, rendering the Overplus (if any) to the Owner or Maſter of ſuch Ship or Veſſel.

Maſters or Owners of Veſſels to be anſwerable for Damages.

XXX. And be it further enacted, That the Maſter or Owner of every Ship, Boat, or Veſſel, ſhall be, and is hereby made anſwerable for any Damage, Spoil, or Miſchief, which ſhall be done by his Ship, Boat, or other Veſſel, or any of the Sailors, Boatmen, or others belonging to or employed in or about the ſame, to the ſaid Pier, or any of the Works in or about and belonging to the ſaid Pier or Harbour, the Amount of ſuch Damage, Spoil, or Miſchief, to be recovered in like Manner as any Penalty is in and by the ſaid firſt recited Act directed to be recovered; and in caſe the Owner of any ſuch Ship, Veſſel, or Boat as aforeſaid ſhall be compelled to pay any Penalty, or to make Satisfaction for any Damage, by reaſon of any wilful Act or Default done or committed by his Servant or Servants every ſuch Servant ſhall be liable to re-pay ſuch Penalty, or the Money paid for ſuch Damage to ſuch Owner; and in caſe of Non-payment thereof, upon Demand, the ſame ſhall be recoverable by ſuch Owner, in like Manner as any Penalty is in and by the ſaid firſt recited Act directed to be recovered.

Maſters to recover back from their Servants Sums paid for their Defaults.

Ballaſt or any thing elſe not to be left upon the Pier.

XXXI. And be it further enacted, That if at any Time or Times hereafter, any Perſon or Perſons ſhall have Occaſion to throw or caſt any Ballaſt out of any Ship or Veſſel, or ſhall place any Anchor, Cable, or other Thing whatſoever upon the ſaid Pier, or any of the Works erected or to be erected, or made in or about or belonging to the ſaid Harbour, the ſame ſhall not be ſuffered to be or remain there for a longer Space of Time than Twenty-four Hours after Notice given for the Removal thereof under the Penalty of Five Pounds for every Offence; but the ſame ſhall, at the Expence of the Perſon or Perſons caſting or placing the ſame there, be removed and carried away to ſuch Place or Places as the ſaid Commiſſioners, or any Perſon or Perſons by them appointed, ſhall order and direct.

Commiſſioners may farm out the Pier Duties.

XXXII. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners, or any Ten or more of them, from Time to Time, by Writing under their Hands and Seals, to let or demiſe all and every or any of the Rates and Duties hereby impoſed in reſpect of the ſaid Pier or Harbour of *Margate*, to any Perſon or Perſons who ſhall be willing to take or farm the ſame from Year to Year, or for any Term not exceeding Three Years at any one Time, for the higheſt Rent which can be had or gotten for the ſame, by public Auction, provided that One Calendar Month's previous Notice of every Meeting for demiſing ſuch Rates and Duties, or any Part thereof, ſhall be given by the Clerk to the ſaid Commiſſioners for the Time being, in ſome or one of the public Newſpapers circulated in the Eaſtern Part of the ſaid County of *Kent*; and that the

Perſon

Perſon or Perſons agreeing to rent the ſame ſhall give ſatisfactory Security to the ſaid Commiſſioners, by Articles in Writing, for the due Payment of ſuch Rents to the Treaſurer to the ſaid Commiſſioners for the Time being; and the Perſon or Perſons ſo renting the ſame Rates and Duties ſhall have full Power and Authority to aſk, demand, collect, and receive the ſame, and ſhall in every reſpect be deemed and taken to be the Collector or Collectors appointed by the ſaid Commiſſioners for the Time being; and every Certificate ſigned by ſuch Perſon or Perſons for the Payment of ſuch Rates and Duties by any Maſter or other Perſon having the Rule or Command of any Ship or Veſſel, ſhall be deemed and taken to be a good and ſufficient Diſcharge for the ſame; and in caſe of Non-payment of any of ſuch Rates and Duties, the ſame ſhall be recoverable by the Perſon or Perſons renting the ſame for the Time being, in his or their own Name or Names, by the ſame Ways and Means, and with ſuch and the ſame Penalties, as the ſame would otherwiſe be recoverable by the ſaid Commiſſioners, in the Name of their Treaſurer or Clerk for the Time being.

Commiſſioners may make Bye Laws.

XXXIII. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners, or any Fifteen or more of them, preſent at any of their Meetings, to make ſuch Bye Laws, Rules, Orders, and Regulations, for the Security, Safety, and Convenience of the Ships and Veſſels coming into, or being or lying in the ſaid Harbour of *Margate*, and for the loading, unmooring, and mooring of ſuch Ships and Veſſels, and for the effecting and preſerving of the Works to be made or done in purſuance or by virtue of this Act, and for the good conducting of Ships or Veſſels into or out of, or whilſt within the ſaid Harbour, and the Uſe of Fires, and the melting of combuſtible Matters on board any Ship or Veſſel within the ſaid Harbour, and for keeping clear and unincumbered the Pier and other Works in and about the ſame Harbour, and for removing and preventing Nuiſances thereon, as ſhall from Time to Time appear neceſſary and proper; ſuch Bye Laws, Rules, Orders, or Regulations, not being repugnant to the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, or to the Proviſions of the ſaid former Acts or this Act, and to impoſe reaſonable Fines and Penalties for the Breach or Non-obſervance of ſuch Bye Laws, Rules, Orders, and Regulations, (ſo as no Penalty ſhall exceed the Sum of Five Pounds), which Fines and Penalties ſhall be recovered and levied in the ſame Manner as other Fines, Penalties and Forfeitures are in and by the ſaid firſt recited Act directed to be recovered and levied; and that all ſuch Bye Laws, Rules, Orders, and Regulations, and the Fines and Penalties for the Breach or Non-obſervance thereof ſhall from Time to Time, as often as they ſhall be made, altered, or varied, be printed and put up in the Town Hall of *Margate* aforeſaid, and alſo in the Cuſtom Houſe or Watch Houſe of the Cuſtoms in the ſaid Town, and in ſuch other Place or Places as the ſaid Commiſſioners ſhall for that Purpoſe appoint, there to be and remain for public Inſpection: Provided always, that ſuch Bye Laws, Rules, Orders, and Regulations, ſhall be ſubject to Appeal in Manner herein-after mentioned.

No Bye Law to be altered, unleſs Fifteen Commiſſioners be preſent.

XXXIV. Provided always, and be it further enacted, That no Rule, Bye Law, Order, or Regulation made by the ſaid Commiſſioners ſhall be altered or repealed, unleſs Twenty-one Days previous Notice of ſuch intended Alteration and Repeal ſhall be given in Writing, under the Hand of

of the Clerk to the ſaid Commiſſioners for the Time being, upon the Door of the ſaid Town Hall, and alſo upon the Door of the Cuſtom Houſe or Watch Houſe of the Cuſtoms in the ſaid Town, nor unleſs Fifteen Commiſſioners ſhall be preſent and conſenting thereto.

A new Street to be opened from Church Field into King Street; the lower End of High Street widened; Part of the Harbour and Bay embanked; and a new Stone Head carried out from Horn Corner.

XXXV. And be it further enacted, That the ſaid Commiſſioners ſhall be and they are hereby authorized and empowered to lay out, open, and make a new Street from *Garden Row* in *Church Field*, at the Eaſt End of *Lombard Street*, in the Town of *Margate*, between a Meſſuage or Tenement there belonging to *John Swinford* Gentleman, late in the Occupation of *Mary Squire* Widow, and now of *Mary Horton* Widow, or of her Under-tenants, and a Meſſuage or Tenement near the ſame, late belonging to and in the Occupation of *John Garrett* Gentleman, deceaſed, and to be continued of the Breadth of Twenty-two Feet at the leaſt, behind the ſaid Meſſuage or Tenement of the ſaid *John Garrett*, along and next to the Weſt Side of certain Livery Stables, and other Buildings there, belonging to and in the Occupation of *John Bloxham*, to the Eaſt End of *Love Lane*, and thence into *King Street*, oppoſite the South End of *Trapham's Lane* there, and to widen as well the Weſt as the Eaſt Side of *Trapham's Lane*; and alſo to widen the *High Street* of the ſaid Town of *Margate*, on the Weſt Side of the ſame Street, at the lower End thereof, from the Eſtate there of *Stephen Hughes*, to *Horn Corner*; and to embank Part of the Harbour and Bay of *Margate*, immediately adjoining thereunto; and to carry out a Stone Head from *Horn Corner*, to render the ſaid Harbour more quiet; and for thoſe Purpoſes the ſaid Commiſſioners are hereby authorized and empowered to contract for and purchaſe all and every, or any of the Meſſuages, Buildings, Lands, and Hereditaments mentioned in the Schedule No. 2. hereunto annexed, or ſo many of them, or ſo much and ſuch Part or Parts of them, or of any of them, as they the ſaid Commiſſioners ſhall think neceſſary to be purchaſed for all or any of ſuch reſpective Purpoſes, and to take a Conveyance or Conveyances (as the Caſe ſhall require) to them in Fee, upon Truſt, and to the Intent that the ſaid Meſſuages and Buildings, or ſuch of them as may be deemed proper by the ſaid Commiſſioners, and the Scite or Scites thereof, together with the other Lands or Grounds ſo to be purchaſed, ſhall and may be uſed as public Ways and Paſſages, or for the ſeveral Purpoſes of the ſaid former Acts and this Act.

Commiſſioners empowered to purchaſe Ground and to make Embankments for better protecting the Weſt Side of the Town,

XXXVI. And, for better protecting the Weſt Side of the ſaid Town of *Margate* from future Depredations of the Sea, and thereby preſerving the Communication of the upper Part of the ſaid Town with the lower Part of the ſaid Town and the Harbour there, be it further enacted, That from and after the paſſing of this Act, in caſe the Stone Wall lately erected on the Weſt Side of the *High Street*, as a Defence againſt the Sea, by ſeveral of the Owners of Eſtates there, ſhall by the Violence of the Sea, or otherwiſe, be deſtroyed or become dilapidated, and the Owner or reſpective Owners of the Ground adjoining to the Part or reſpective Parts, ſo to be demoliſhed or to become dilapidated, ſhall refuſe, or for the Space of Twenty-one Days then next following, neglect to repair and make good the Damage ſuſtained, and if the ſeveral Proprietors of the Buildings and Ground reſpectively called the *King's Head* and *Hazardous Row* Eſtates, ſhall not effectually prevent the Damage to be apprehended from future Encroachments of the Sea upon thoſe Eſtates, it ſhall be lawful for the ſaid

Commiſſioners, and they are hereby authorized and empowered, to contract for and purchaſe ſo much and ſuch Part or Parts of the Ground belonging to the ſeveral Eſtates in *High Street*, from *Horn Corner* to the *King's Head* Eſtate, as doth or do lie on the Weſt Side of that Street, and the Owner or Owners of which ſhall refuſe or neglect as aforeſaid to maintain the before-mentioned Stone Wall, lately erected to defend the ſame, together with all ſuch Buildings, if any, as ſhall be ſtanding on the Grounds ſo to be purchaſed, at the Time or reſpective Times of ſuch Purchaſe, and alſo the ſeveral Eſtates reſpectively called the *King's Head* and *Hazardous Row* Eſtates, and to take Conveyances of the reſpective Premiſes ſo to be purchaſed, to them the ſaid Commiſſioners in Fee, upon Truſt and to the Intent that the ſaid Commiſſioners ſhall and may cauſe ſuch Walls, Erections, and Embankments, to be made upon or againſt the ſame reſpectively, as they ſhall deem neceſſary for the Protection of the Weſt Side of the ſaid Town; and that the Rents of the reſpective Premiſes ſo to be purchaſed, and of all Buildings to be erected upon the ſame, or on any Part or Parts thereof reſpectively, or upon any Embankment or Embankments to be made for better ſecuring the ſame reſpectively, ſhall be applied and diſpoſed of for the Uſes and Purpoſes of the ſaid former Acts and of this Act.

Buildings not to be erected above certain Heights on Ground purchaſed.

XXXVII. Provided always, and be it further enacted, That no Buildings or Building ſhall be erected by the ſaid Commiſſioners, or by any Perſon or Perſons claiming under them, upon any of the Ground to be purchaſed on the Weſt Side of the *High Street*, as herein-before is mentioned, or upon any Embankment againſt the ſame, higher than the Buildings, if any, which ſhall be ſtanding on the Ground ſo to be purchaſed at the Time or reſpective Times of ſuch Purchaſe; or, in caſe of there not being then any Buildings or Building on the Ground ſo to be purchaſed, higher than Eight Feet Two Inches above the Level of the Foot Pavement adjoining thereunto, on that Side of the ſame Street; and that in the ſeveral Conveyances to be made of the reſpective Premiſes, ſo to be purchaſed as laſt-mentioned, proper Covenants ſhall be contained, on the Part of the ſaid Commiſſioners, for preventing the Erection of any Buildings or Building thereon, or on any Part or Parts thereof reſpectively, above the reſpective Heights herein in that Behalf ſtipulated.

Miſnomer or wrong Deſcription of Premiſes not to prevent the Execution of Act.

XXXVIII. Provided always, and be it further enacted, That if any of the Meſſuages, Buildings, Lands, or Hereditaments herein-before or in the ſaid Schedule No. 2, hereunto annexed, mentioned and deſcribed, or any of the Perſons in whoſe Poſſeſſion or Occupation the ſame, or any Part thereof are or is ſtated or deſcribed to be, ſhall happen to be miſnamed or inaccurately deſcribed, ſuch Miſnomer or inaccurate Deſcription ſhall not prevent or retard the Execution of this Act, but the ſame Premiſes, and every Part thereof, ſhall and may be purchaſed and ſold, or aſſeſſed and valued by a Jury, in Manner directed by the laſt recited Act, and conveyed, diſpoſed of, and applied for and to the Purpoſes of the ſaid former Acts and this Act, as fully and effectually as if the ſame was or were properly named or deſcribed in the ſame Schedule, in caſe it ſhall appear to the Mayor, Deputy Mayor, or to any Two of the Juſtices of the Peace of the Town and Port of *Dover*, to be certified in Writing under their Hands, that ſuch Miſnomer or inaccurate Deſcription ſhall have proceeded from Miſtake.

XXXIX. And

Commissioners may raise or lower the Ground of the intended new Ways.

XXXIX. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered to cause the Ground of all or any of the intended new Ways and Passages to be raise or lowered, as they or their Surveyors or Surveyor for the Time being shall judge necessary.

Application of Compensation when amounting to 200*l.*

XL. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used, by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, such Money shall, in case the same shall amount to 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 *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 Incumbrance, 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, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, and Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the mean Time, and until such Purchase shall be made, the said Money shall, by Order of the Court of Chancery, upon Application thereto, be invested by the said Accountant General, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time, and until the said Bank Annuities shall be ordered by the said Court to be sold, for the Purposes aforesaid, the Dividends and Annual Produce of the said Consolidated or Reduced Bank Annuities shall, from Time to Time be paid, by order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

When less than 200*l.*

XLI. 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 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

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, 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.

When less than 20*l*.

XLII. Provided also, and be it further enacted, That when such Money so agreed or awarded to be paid as next before mentioned, shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would, for the Time being, have been entitled to the Rents and Profits of the Lands, Tenements, and 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.

XLIII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be so ordered to be paid as aforesaid, shall not be able to make a good Title to the Premises, to the Satisfaction of the said Commissioners, or shall refuse to execute such Conveyance or Conveyances; or in case the Person or Persons to whom such Sum or Sums of Money shall be so ordered to be paid 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 of Money, so awarded to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the said 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, or 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 of Money, 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.

Persons in Possession shall be deemed well entitled, unless the contrary be shewn.

XLIV. 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 Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of 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 or Interest of the Bank Annuities, to be purchased with such Money, and also the Capital of such Bank Annuities shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other 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 Expences to be paid by the Commissioners.

XLV. 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.

Penalty on Driver not attending his Carriage, or wilfully misbehaving, &c.

XLVI. And whereas many Accidents happen, and great Mischiefs are frequently done in the Streets, Lanes, Highways, and public Passages, within the said Town of *Margate* and Parish of *Saint John the Baptist*, by the Negligence or wilful Misbehaviour of Persons driving Carriages therein; be it therefore enacted, That from and after the passing of this Act, if the Driver of any Cart, Car, Dray, or Waggon, shall ride upon such Carriage, in any Street, Lane, Highway, or public Passage, within the said Town or Parish, not having some other Person on Foot or on Horseback to guide the same (such Carriages as shall be conducted by some Person holding the Reins of the Horse or Horses drawing the same excepted); or if the Driver of any Carriage whatsoever, in any Part of any such Street, Lane, Highway, or public Passage, shall by Negligence

ligence or wilful Misbehaviour, cause any Hurt or Damage to any Person or Carriage passing or being in such Street, Lane, Highway, or public Passage, or shall quit any such Highway and go on the other Side of the Hedge or Fence enclosing the same, or shall wilfully be at such Distance from such Carriage, or in such a Situation, whilst it shall be passing in or upon any such Street, Lane, Highway, or Public Passage, that he cannot have the Direction and Government of the Horse or Horses or Cattle drawing the same, or shall by Negligence or wilful Misbehaviour, prevent, hinder, or interrupt the free Passage of any other Carriage, or of any of His Majesty's Subjects in any such Street, Lane, Highway, or public Passage; or if the Driver of any empty or unloaded Waggon, Cart, or other Carriage, shall refuse or neglect to turn aside and make Way for any Coach, Chariot, Chaise, loaded Waggon, Cart, or other loaded Carriage, or if any Person shall drive or act as the Driver of any Coach, Post Chaise, or other Carriage let for Hire, or Waggon, Wain or Cart, not having the Owner's Name painted thereon, shall refuse to discover the true Christian and Surname of the Owner of such respective Carriage, every such Driver so offending in any of the Cases aforesaid, and being convicted of any such Offence, either by his own Confession, the View of any Two or more of the said Commissioners, or by the Oath of One or more credible Witness or Witnesses, before any Two or more of the said Commissioners (who are hereby authorized and empowered to hear and determine every Complaint to be made of every or any such Offence), shall for every such Offence, forfeit any Sum not exceeding Ten Shillings, in case such Driver shall not be the Owner of such Carriage; and in case the Offender shall be the Owner of such Carriage, then any Sum not exceeding Twenty Shillings; and in either of the said Cases, such Driver shall, in default of Payment, be committed to the Common Gaol of the Town and Port of *Dover*, for any Time not exceeding One Calendar Month, unless such Forfeiture shall be sooner paid; and every such Driver offending, in either of the said Cases, shall and may, by Authority of this Act, with or without any Warrant, be apprehended by any Person or Persons who shall see such Offence committed, and shall be immediately conveyed or delivered to a Constable or other Peace Officer, in order to be conveyed before some Two or more of the said Commissioners, or their Successors, to be dealt with according to this Act; and if any such Driver, in any of the Cases aforesaid, shall refuse to discover his Name, it shall be lawful for such Two or more of the said Commissioners, before whom he shall be taken, or to whom any such Complaint shall be made, to commit him to the Common Gaol of the said Town and Port of *Dover*, for any Time not exceeding Three Calendar Months; or to proceed against him for the Penalty aforesaid, by a Description of his Person and the Offence, and expressing in their Proceedings, that he refused to discover his Name.

Commissioners to make Bye Laws, for licensing and regulating Sedan Chairs and Porters.

XLVII. And whereas it would be of great Convenience and Benefit to Persons residing in or resorting to the said Town of *Margate* and Parish of *Saint John the Baptist*, if more effectual Powers were given for licensing and regulating the Chairmen and Porters, within the said Town and Parish, be it therefore further enacted, That from and after the passing of this Act it shall be lawful for the said Commissioners, at any General Meeting of such Commissioners for the Time being, to make, constitute, ordain, and provide from Time to Time, such Bye Laws, Rules, and Orders, as they the said Commissioners shall think fit, for licensing and authorising a

ſufficient Number of Sedan Chairs and Porters to ply for Hire, and for regulating and ordering ſuch Sedan Chairs and Porters, and in what Manner the Owners and Carriers of ſuch Chairs reſpectively ſhall conduct and demean themſelves in their Employments; and alſo in what Manner and Order, and how ſuch Sedan Chairs ſhall be furniſhed, provided, kept, and numbered; and concerning the Parcels and Things to be carried by ſuch Porters, or any of them, and the reſpective Numbers which each of them ſhall have and keep; and for aſcertaining, fixing, altering, and removing the Stands of ſuch Chairs from Time to Time, and for puniſhing the Miſconduct of ſuch Chairmen and Porters within the ſaid Town and Pariſh, and the Diſtances hereby provided within which they are reſpectively to go; and for aſcertaining and defining what Fares, Rates, and Prices, as well for Time as Diſtance ſhall be allowed to be taken by ſuch Chairmen and Porters plying for Hire, and to what Diſtances ſuch Chairmen and Porters ſhall be obliged to go, in, over, and about the ſaid Town and Pariſh, not exceeding One Mile, to be meaſured from the Front Door of the Royal Hotel Aſſembly Room there, as a Center, and the Rates and Fares to be taken for the ſame; ſuch Bye Laws, Rules, or Orders, not being repugnant to the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, or to the Proviſions of the ſaid former Acts or this Act; and the ſaid Commiſſioners at any ſuch General Meeting may, from Time to Time, as they ſhall think fit, repeal, alter, or amend, and new-make ſuch Bye Laws, Rules, and Orders, or any of them; and ſhall aſcertain and ſet down what pecuniary Penalties or Forfeitures ſhall be incurred by Perſons breaking or avoiding the ſame, or any of them, provided that no ſuch Penalty or Forfeiture ſhall exceed the Sum of Forty Shilling for one Offence: Provided always, that the ſaid Bye Laws, Rules, and Orders, ſhall be painted on a Board, and affixed on the Outſide of the Town Hall, and alſo on the Outſide of the Royal Hotel Aſſembly Rooms in the ſaid Town, and ſhall be printed and circulated, and ſhall be ſubject to Appeal in Manner herein-after mentioned.

No Bye Law to be valid until One Month after public Notice.

XLVIII. Provided alſo, and be it further enacted, That no Bye Law, Rule, or Order ſhall be made, unleſs the ſame ſhall have been propoſed at a General Meeting of the ſaid Commiſſioners, holden at ſome Time, not leſs than One Calendar Month before the making of ſuch Bye Law, Rule, or Order, and ſhall have been publicly affixed on the Outer Door of the Town Hall of *Margate* aforeſaid, and alſo on the Outer Door of the Royal Hotel Aſſembly Rooms there, Three Weeks before the holding of ſuch General Meeting of the ſaid Commiſſioners, at which ſuch Bye Law, Rule, or Order ſhall be finally made and agreed upon.

Peralty on Perſons aplying without Licence.

XLIX. And be it further enacted, That if the Carrier or Carriers of any Sedan Chair, or any Porter, ſhall be found ſtanding or plying for Hire, or uſing ſuch Sedan Chair, or carrying any Matter or Thing for Hire, directed to be carried by a licenſed Porter, in any Part of the Limits before mentioned, without ſuch Licence as aforeſaid; or having ſuch Licence, ſhall be found plying for Hire contrary to or againſt ſuch Rules or Regulations as ſhall be made by the ſaid Commiſſioners for licenſing and regulating the Perſons aforeſaid, the Owner or Owners, Carrier or Carriers of ſuch Sedan Chair, and every ſuch Porter ſo offending, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Twenty Shilling.

L. And

Charging certain Sums on the Licences to be granted.

L. And be it further enacted, That every Licence to be granted to any of the Perſons aforeſaid for the Purpoſes aforeſaid, under this Act, ſhall be ſigned by Five of the ſaid Commiſſioners for the Time being; and every Licence not ſo ſigned, ſhall be void; and every Licence ſo granted and ſigned for the Purpoſes aforeſaid, ſhall expreſs the Number with which ſuch Perſon is licenſed; and every ſuch Licence ſhall continue and be for One whole Year, from the Day of the Date of ſuch Licence, or until the next General Annual Licenſing of ſuch Perſons, for the Purpoſes aforeſaid; and no one Licence ſhall include more than one Chair, or one Porter; and every ſuch Licence ſhall be made out by the Clerk to the ſaid Commiſſioners for the Time being, and be duly entered in a Book to be provided and kept for that Purpoſe in his Office, with the Name of the Perſon to whom licenſed, and his Number and Place of Reſidence; and in ſuch Book ſhall be contained Columns or Places of Entries to be made of every Offence committed by any Chairman, or any Porter; and for each of which Licences there ſhall be paid to the Clerk to the ſaid Commiſſioners for the Time being, for his Trouble and Charges, the following Sums;

For each Licence for a Sedan Chair, the Sum of Three Shillings:
For each Licence to be a Porter, the Sum of One Shilling.

And the Carrier of any Chair ſhall affix and keep ſuch Figure or Number as ſhall be reſpectively appointed by the ſaid Commiſſioners on ſome conſpicuous Part of ſuch Chair; and every ſuch Porter ſhall affix and keep on his outward Garment ſuch Ticket or Number thereon as he ſhall be reſpectively licenſed to by the ſaid Commiſſioners; and the Carrier of any Chair, and every Porter, changing his Place of Reſidence after the granting of the Licence to them reſpectively for the Purpoſes aforeſaid, ſhall, within the Space of Seven Days next after, or as often as any ſuch Change ſhall be made, during the Continuance of ſuch Licence, deliver in Writing his Name, and to what Street or Place he is removed, to the Clerk to the ſaid Commiſſioners for the Time being; to the End the ſame may be duly entered in ſuch Book, to be kept by the ſaid Clerk for the Purpoſes aforeſaid, and the Perſon or Perſons more eaſily diſcovered, if any Complaint ſhall be made againſt him or them; and the Carrier or Carriers of every ſuch Chair, and every Porter, ſhall for every Refuſal or Neglect, forfeit any Sum not exceeding Twenty Shillings: Provided always, that this Act, or any Thing herein contained, or any Bye Law, Rule, or Order, to be made by the ſaid Commiſſioners for the Time being, for any of the Purpoſes aforeſaid, ſhall not extend or be conſtrued to extend, to prohibit or hinder any Perſon or Perſons from having or uſing his, her, or their own Chair within the ſaid Town or Pariſh, ſo as the ſame be not uſed for Hire, or plying for Hire.

Penalty on Perſons not paying Chairmen or Porters, or injuring any Chair.

LI. And be it further enacted, That if any Perſon or Perſons ſhall refuſe or neglect to pay, on Demand, any licenſed Chairman or Porter the Money juſtly due to him for the Fare, Hire, or Service done, under, or in purſuance of any Licence or Bye Law made in purſuance of this Act, or ſhall wilfully cut, deface, break, or injure any ſuch licenſed Chair, it ſhall be lawful for the ſaid Commiſſioners for the Time being, or any Five of them, upon any Complaint thereof made to them, to grant their Summons againſt the Perſon or Perſons complained of, to appear before them at ſome Time and Place to be mentioned in ſuch Summons, to anſwer the

Matter of the ſaid Complaint; and upon Proof on Oath of the Service thereof, to proceed in and hear the Matter of the ſaid Complaint on Oath, whether the Perſon ſummoned ſhall appear or not, and to make ſuch Order therein as to the ſaid Commiſſioners, or any Five of them, ſhall appear to be juſt; and if the Perſon or Perſons againſt whom ſuch Order ſhall be made do not immediately pay down, or cauſe to be paid down, the Money (if any) which ſhall be ordered as a Satisfaction to the Perſon or Perſons for the Service or Injury done, it ſhall be lawful for the ſaid Commiſſioners, or any Five of them, and they are hereby required and directed, to grant their Warrant of Diſtreſs againſt the Goods and Chattels of the Perſon or Perſons ſo refuſing or declining to pay, to be taken in any Place wherever found, within the ſaid Town of *Margate*, or Pariſh of *Saint John the Baptiſt*, and the ſame to ſell and diſpoſe of, and out of the Monies ariſing by or from ſuch Sale, to pay the Monies ſo awarded to the Perſon or Perſons to whom awarded, together with ſuch Coſts as the ſaid Commiſſioners, or any Five of them, ſhall think reaſonable, returning the Overplus (if any) to the Owner of the Goods and Chattels ſo diſtrained; and if no Diſtreſs can be found, then to commit the Perſon or Perſons againſt whom ſuch Order ſhall be made, to the Common Gaol of the ſaid Town and Port of *Dover*, for any Time not exceeding One Calendar Month, nor leſs than One Day, there to remain, without Bail or Mainprize, unleſs the Money be ſooner paid.

Preſcribing the Modes of puniſhing Offenders.

LII. And be it further enacted, That all Offences, Miſbehaviours, Puniſhments, Penalties, and Forfeitures, which may ariſe, happen, or be incurred, committed or done, by any Carrier or Carriers of any Sedan Chair, or any Porter, whether licenſed or not, againſt any of the Proviſions of this Act, for licenſing or regulating all or any of the Perſons, Matters, and Things aforeſaid, or againſt any Bye Law, to be made by the ſaid Commiſſioners for the Purpoſes of licenſing and regulating the ſeveral Perſons aforeſaid, ſhall be tried, heard, and determined by any Five or more of the ſaid Commiſſioners for the Time being, who, on Complaint thereof made to them are hereby authorized and required to grant or iſſue their Summons in Writing againſt the Perſon or Perſons ſo complained of, ſpecifying therein the Complaint ſo made, to appear perſonally before them on ſome Day and Time to be mentioned in ſuch Summons, to anſwer the ſaid Complaint; and if ſuch Perſon or Perſons, being ſerved with ſuch Summons, or upon ſuch Summons being left at his or their Houſe, or laſt Place of Abode, ſhall not appear at the Time and Place appointed by ſuch Summons, and no reaſonable Excuſe appearing to the Satisfaction of the ſaid Commiſſioners, why the Perſon or Perſons ſummoned ſhall not appear, to be allowed of by ſuch Commiſſioners; and upon Oath being made of the due Service of ſuch Summons, in Manner aforeſaid, it ſhall be lawful for ſuch Commiſſioners to grant their Warrant for apprehending ſuch Perſon or Perſons, and to bring him or them before the ſaid Commiſſioners, to anſwer the ſaid Complaint; and upon the Complainant, and the Perſon and Perſons ſo complained of, appearing before the ſaid Commiſſioners, or in caſe the ſaid Perſon or Perſons ſo complained of cannot be found or apprehended, then, and in either of the ſaid Caſes, it ſhall be lawful for the ſaid Commiſſioners to proceed in, hear, and determine the Matter of the ſaid Complaint on Oath, and to make ſuch Order therein as to them the ſaid Commiſſioners ſhall appear to be juſt, together

together with the Coſts attending the Application, hearing, and determining of the ſame; and the Perſon or Perſons ſo complained of, is and are hereby required to obey the Order ſo made; and in caſe of any Diſobedience to ſuch Order, or in caſe any ſuch Perſon or Perſons ſhall be convicted before ſuch Commiſſioners of any of the Penalties or Forfeitures under this Act, or any Bye Law to be made as aforeſaid, and ſhall not immediately pay down ſuch Money or Penalty, of which he or they ſhall have been convicted before ſuch Commiſſioners on Demand, to be applied to the Uſes herein-after mentioned, then, and in caſe of Non-payment thereof, it ſhall be lawful for the ſaid Commiſſioners, before whom any ſuch Complaint ſhall have been heard and determined, to grant their Warrant of Diſtreſs againſt the Goods and Chattels of ſuch Perſon or Perſons, and to ſeize and diſtrain the ſame in whatſoever Place the ſame may be found within the ſaid Town of *Margate* or Pariſh of *Saint John the Baptiſt*, and the ſame to ſell and diſpoſe of, for raiſing ſuch Monies, and all Coſts attending the ſame, and the ſame Monies to pay and apply to and for the Uſes and Purpoſes herein-after directed; and after Payment and full Satisfaction thereof, together with the Coſt attending the ſame, to return the Overplus Money or Goods, if any, to the Owner or Owners of ſuch Goods and Chattels; and in caſe ſuch Perſon or Perſons, againſt whom any ſuch Order ſhall be made for the Payment of ſuch Monies, ſhall not have any Goods or Chattels to diſtrain upon, or not ſufficient to anſwer and pay the ſame; or in caſe of any Diſobedience to ſuch Order, it ſhall in either Caſe be lawful for the ſaid Commiſſioners to commit ſuch Perſon or Perſons ſo convicted to the Common Gaol of the Town and Port of *Dover*, for any Time not exceeding One Calendar Month, nor leſs than One Day, there to remain without Bail or Mainprize, unleſs, in caſe of ſuch Order, being for the Payment of any Money, the Money ſhall be ſooner paid, or to ſuſpend ſuch Perſon or Perſons from uſing or exerciſing his or their Licence or Licences for the Purpoſes aforeſaid, for all or any Part of the Remainder of the Time for which ſuch Licence or Licences ſhall have been granted, or wholly to take away ſuch Licence or Licences at the Option of the ſaid Commiſſioners.

Application of the Penalties.

LIII. And it is hereby further enacted and declared, That all Monies, pecuniary Fines, and Forfeitures, which any Chairman or Porter ſhall be convicted of as aforeſaid (after deducting thereout the neceſſary Coſts of proſecuting for and recovering the ſame), ſhall go and be applied to or for the Uſe of, or for the Benefit, Maintenance, and Support of the *General Sea Bathing Infirmary* lately eſtabliſhed at *Margate*, and be paid to the Treaſurer of the ſame Infirmary for the Time being.

Penalties may be mitigated.

LIV. Provided always, and be it further enacted, That the ſaid Commiſſioners, before whom ſhall be recovered any of the pecuniary Penalties or Forfeitures impoſed by this Act, on the Carrier or Carriers of any Chair, or on any Porter, or on any other Perſon relating thereto, or which ſhall be impoſed on him or them, by any Bye Law, Rule, or Order, to be made by the ſaid Commiſſioners, under and by virtue of this Act, for all or any of the Purpoſes aforeſaid, may mitigate, leſſen, or compound for any of ſuch Penalties or Forfeitures, as they the ſaid Commiſſioners for the Time being, in their Diſcretion ſhall think fit, ſo as the ſame be not mitigated or reduced to leſs than One Moiety or Half Part thereof.

LV. And

Reduction of Duties on Coals ſuſpended.

LV. And be it further enacted, That the Reduction of the Duty upon Coals, Culm, Splint, Coke, or Cinder, in and by the ſaid Act of the Twenty-ſeventh Year of His preſent Majeſty's Reign directed or authorized to take place, when and ſo ſoon as the Sum of Fourteen thouſand Pounds, borrowed upon the Credit of that Act, and the Intereſt thereof, ſhould be reduced to the Sum of Five thouſand Pounds; and the Annuities granted in reſpect thereof ſhould be determined or reduced, ſo that, together with the Intereſt of what ſhould remain due on Mortgage, and the Money held on Annuities, there ſhould not be more than Two hundred and fifty Pounds payable annually, both for Intereſt Money and Annuities; and alſo the Reduction of the additional Duty upon Coals, Culm, Splint, Coke, or Cinder, in and by the ſaid Act of the Thirty-ninth Year of His preſent Majeſty's Reign, directed or authorized to take place, when and ſo ſoon as the Sum of One thouſand three hundred and forty-five Pounds One Shilling and Three-pence Principal Money, in the firſt Act mentioned to be then due upon the Credit of the original Droits and Duties belonging to the Pier of *Margate*, and the Intereſt of the ſame, and the Principal Sum of Fourteen thouſand Pounds, borrowed in purſuance of the ſaid firſt mentioned Act, and the Intereſt thereof; and alſo the further Sum of Three thouſand Pounds, borrowed in purſuance of the ſaid Act of the Thirty-ninth Year of His preſent Majeſty's Reign, and the Intereſt thereof, ſhould be reduced to the Sum of Six thouſand Pounds, and the Annuities to be granted in purſuance of both the ſaid Acts ſhould be determined or reduced, ſo that the Intereſt of what ſhould remain due on Mortgage, and the Money holden on ſuch Annuities, ſhould not together amount to more than Three hundred Pounds annually, ſhall ſeverally and reſpectively be ſuſpended, until as well the Principal Monies now remaining due upon the Credit of the ſaid former Acts as the Monies to be advanced upon the Credit of this Act ſhall be reduced to the Sum of Six thouſand Pounds, and the Annuities to be granted in purſuance of the ſaid formers Acts or of this Act, ſhall be determined or reduced, ſo that the Intereſt of what ſhall remain due on Mortgage, and the Money holden on ſuch Annuities, ſhall not together amount to more than Three hundred Pounds annually, and ſhall and may then take place in Manner and upon the Contingencies in the ſaid former Acts reſpectively preſcribed.

Summons or Warrant to be executed by a Conſtable.

LVI. And be it further enacted, That every Summons or Warrant for bringing any Offender or Offenders againſt the ſaid former Acts, or this Act, before the ſaid Commiſſioners for the Time being, and alſo every Warrant for Diſtreſs and Sale of the Goods and Chatrels of the Party or Parties offending, and alſo every Warrant for the Committal of ſuch Offender or Offenders to Gaol, ſhall be ſeverally directed to and executed by the Deputy and Conſtable, or the Sub-Deputy, or the aſſiſting Conſtables of the Pariſh of *Saint John the Baptiſt*, in the Iſle of *Thanet*, in the ſaid County of *Kent*, and within the Liberty of the Town and Port of *Dover*, for the Time being, or ſome or one of them; and every ſuch Warrant of Committal ſigned by the ſaid Commiſſioners (which Committal ſhall in every ſuch Caſe be to the Common Goal of the Town and Port of *Dover* for the Time being) ſhall, before the Offender or Offenders to be named in any ſuch Warrant or Warrants, ſhall be received into the ſaid Gaol of the ſaid Town and Port of *Dover*, be indorſed by the Mayor or ſome other Juſtice of the Peace for the ſaid Town and Port for the Time being, upon Proof on Oath, or other ſatisfactory

Evidence given before such Mayor or other Justice, of the Signature of such Commissioners to the Warrant required to be indorsed; in order to which such Commissioners shall, whenever any such Warrant of Committal shall be necessary, certify to the Mayor or some other Justice of the Peace for the said Town and Port for the Time being, a Copy of the Record of the Conviction upon every such Occasion; and upon Receipt of such Certificate of Conviction, and upon such Proof or other satisfactory Evidence as aforesaid, of the Signature of such Commissioners, such Mayor or other Justice shall, and he is hereby authorized and required, to indorse every such Warrant of Committal accordingly (unless some manifest Error or Irregularity shall appear in any such Conviction by the certified Copy thereof); and the Town Clerk of the said Town and Port for the Time being shall, in every such Case, retain a Copy or other sufficient Memorandum of every such Warrant of Committal and of the Indorsement thereupon, amongst the Records of the said Town and Port.

To compel Payment of Subscriptions.

LVII. And be it further enacted, That all and every the Persons who have subscribed any Money for or towards defraying the Expences of executing this Act, shall, and they are hereby required to pay such Money within such Time and to such Persons as the said Commissioners shall order and direct, and in Default of such Payment, such Money shall and may be recovered, together with full Costs of Suit, by Action of Debt, or on the Case, to be brought in the Name of the Clerk or Treasurer to the said Commissioners, in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, or Wager of Law, or more than one Imparlance shall be allowed.

Powers of former Acts to extend to this Act.

LVIII. And be it further enacted, That all Clauses, Powers, and Provisions, in the said formers Acts or in either of them contained, (except such as are hereby varied, altered, or repealed), shall extend and be construed to extend to this Act, as well in respect of the Duties hereby imposed as in all other Points, as fully and effectually, to all Intents and Purposes, as if the same had been repeated and re-enacted in this Act.

Ships of War exempted from Duties.

LIX. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to charge any of the Ships or Vessels of War or other Ships or Vessels belonging to or employed in the Service of His Majesty, His Heirs or Successors, or of the Customs or Excise, or any Goods put on board of or landed from such Ships or Vessels respectively, with any of the Rates or Duties granted in and by this Act; any Thing herein contained to the contrary thereof in any wise notwithstanding.

Appeal to the Quarter Sessions.

LX. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Bye Law, Rule, Order, or Regulation, of the said Commissioners, or by any Matter or Thing done in pursuance of this Act, for which no particular Relief hath been herein-before provided, such Person or Persons may, within One Calendar Month after the Cause of Complaint shall arise, appeal to the General or Quarter Sessions to be holden in and for the said Town and Port of *Dover* and Liberties thereof, such Appellant or Appellants first giving, or causing to be given, Ten Days Notice in Writing of his, her, or their Intention to bring such Appeal, and of the Cause or Matter thereof, to the

Clerk to the ſaid Commiſſioners, and within Five Days after ſuch Notice, entering into a Recognizance to the ſaid Commiſſioners, before ſome Juſtice of the Peace for the ſaid Town and Port, with Two ſufficient Sureties, conditioned to try ſuch Appeal, and abide the Order of the Juſtices at ſuch General or Quarter Seſſions, and to pay ſuch Coſts as ſhall be awarded againſt him, her, or them, by ſuch Juſtices; and the Mayor, Deputy Mayor, and Recorder, of the ſaid Town and Port of *Dover*, or ſuch of them as ſhall be preſent at the ſaid General or Quarter Seſſions, with the other Juſtices of the ſaid Town and Port aſſembled at ſuch Seſſions, are hereby required and empowered (notwithſtanding ſuch Mayor, Deputy Mayor, or Recorder ſhall have been a Party, or conſenting to the making of any ſuch Bye Law, Rule, Order, or Regulation, or to the doing any other Matter or Thing in purſuance of this Act) upon due Proof of ſuch Notice having been given as aforeſaid, and of the entering into ſuch Recognizance, ſhall proceed in, hear, and finally determine the Cauſes and Matters of ſuch Appeal in a ſummary Way, and award ſuch Coſts to the Party appealing or appealed againſt, as they ſhall think proper; and their Determination therein ſhall be binding, final, and concluſive, to all Intents and Purpoſes.

Juriſdiction of Dover preſerved.

LXI. Provided alſo, and be it further enacted, That nothing in this Act contained ſhall exend, or be conſtrued to extend, to take away, leſſen, or abate any Power, Juriſdiction, or Authority, which the Corporation of the Town and Port of *Dover* hath or may have, or legally claim to have, in and over the ſaid Town of *Margate* and Pariſh of *Saint John the Baptiſt*.

Accounts to be laid before Parliament.

LXII. And be it further enacted, That a true Account of all Receipts and Payments made by the ſaid Commiſſioners for the Time being, under and by virtue of the ſaid former Acts and this Act, be laid annually before both Houſes of Parliament.

Publick Act.

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

The

The TABLE or SCHEDULE of RATES, referred to in and by this Act.

	£.	s.	d.
FOR every Quarter of Wheat, Rye, Barley, Malt, Beans, Peaſe, Tares, Muſtard Seed, Canary Seed, and Seeds of every Denomination, whether the Property of a Portſman or a Shireman	0	0	6
For every Quarter of Oats	0	0	4
For every Sack of Five Buſhels of Flour	0	0	5
For every Quarter of Meal or Middlings	0	0	6
For every Eight Buſhels of Pollard or Bran	0	0	3
For every Sack of Three Buſhels of Potatoes	0	0	2
For every Load of Hay of Thirty-ſix Truſſes	0	3	0
For every Load of Straw	0	1	6
For Oil Cakes per Thouſand	0	4	0
For every Bag of Hops	0	2	0
For every Pocket of Hops	0	1	0
For every Gallon of Wine, Sweet Oil, or Spirits, contained in any Butt, Pipe, Puncheon or Piece, or any Caſk whatever	0	0	0½
For every Dozen of Wine, Sweet Oil, or Spirits in Bottles	0	0	4
For every Five Gallons of Ale, Porter, Cyder, or Perry	0	0	1
For every Nine Gallons of Table Beer	0	0	1
For every Dozen of Ale, Porter, Cyder, or Perry in Bottles	0	0	2
For every Hundred Weight of Raiſins or Currants	0	0	6
For every Cheſt of Oranges or Lemons	0	0	8
For every Half Cheſt of ditto	0	0	4
For every Hundred Weight of Loaf or Lump Sugar	0	0	6
For every Hundred Weight of Raw Sugar	0	0	4
For every Hundred Weight of Cheeſe or Butter	0	0	6
For every Hundred Weight of Tallow, Soap, or Candles	0	0	6
For every Hundred Weight of Salt	0	0	2
For every Hundred Weight of Hams, Bacon or Tongues	0	0	6
For every Barrel of Train or Fiſh Oil	0	1	0
And ſo in Proportion for every greater or leſs Quantity than a Barrel			
For every Barrel of Red Herrings	0	0	4
For every large Crate of Glaſs Ware	0	1	6
For every ſmall ditto	0	1	0
For every large Crate of Earthen Ware	0	1	6
For every ſmall ditto	0	1	0
For every Hundred Weight of Pork or Beef, contained in any Caſk	0	0	3

For

	£.	s.	d.
For every Quarter Cheſt of Tea - -	0	1	0
And ſo in Proportion for every greater or leſs Quantity than a Quarter Cheſt			
For every Hundred Weight of Coffee - -	0	1	0
For every Hundred Weight of Treacle - - -	0	0	3
For every Vat, packed with Goods not enumerated in this Schedule - - - -	0	5	0
For every Sugar Hogſhead, packed with Goods, not enumerated in this Schedule - -	0	2	6
For every ſmaller Caſk, packed with Goods not enumerated in this Schedule - - - - -	0	1	8
For every Anchor Stock per Foot run - -	0	0	1½
For every Load of Timber containing Fifty Cubic Feet -	0	2	0
For every Load of Deals containing Fifty Cubic Feet -	0	2	0
For every Load of Oak or Elm Plank containing Fifty Cubic Feet - - -	0	2	0
For Mahogany, in Logs or Planks, per Foot Cube -	0	0	3
For every One Thouſand of Barrel Boards or Staves -	0	3	0
For every One Hundred of Butt Staves - - -	0	4	0
For all other Staves in Proportion.			
For every One Hundred of Peterſburg Battens - -	0	4	0
For every One Hundred of Clove Boards or Battens -	0	3	0
For every Maſt of Ten Inches Diameter or upwards -	0	5	0
For every Maſt under Ten Inches Diameter - -	0	2	6
For every Spar of Ten Inches Diameter or upwards -	0	1	0
For every Spar of leſs than Ten Inches, and not leſs than Four Inches Diameter - - -	0	0	6
For every Score of ſmaller Spars - -	0	1	0
For every One Thouſand of Cleft Pale - -	0	4	0
For every Load of Poſts and Rails containing Fifty Cubic Feet - - - -	0	2	0
For every Bundle of Hoops - -	0	0	3
For every Twenty Bundles of Laths - -	0	1	0
For every Fathom of Six Feet Lath Wood - -	0	2	0
For every Fathom of Five Feet Lath Wood - -	0	1	6
For every Cord of Fire Wood - -	0	1	0
For every One Hundred of Faggots - -	0	1	0
For every One Hundred of Hurdles - -	0	4	0
For every Piece of Ordnance, Braſs or Iron, per Hundred Weight - - - -	0	0	6
For every Anchor, per Hundred Weight - -	0	0	6
For every Hundred Weight of Iron, Wrought -	0	0	6
And Unwrought - - - -	0	0	3
For every Hundred Weight of Copper or Braſs Wrought	0	1	0
And Unwrought - - -	0	0	6
For every Hundred Weight of Lead - -	0	0	3
For every Hundred Weight of wrought Pewter - -	0	1	0
And old - - - -	0	0	6
For every Hundred Weight of Solder - - -	0	0	6
For every Crate of Window Glaſs - - -	0	1	0

For

	£.	s.	d.
For every Chaldron or Ton of Coals, Culm, Splint, Coke, or Cinder	0	0	6
For every Cheſt of Drawers, double	0	2	0
Ditto, ſingle	0	1	0
For every Mahogany Chair	0	0	4
For every other Chair	0	0	2
For every Billiard Table	0	7	6
For every Set of Dining Tables	0	3	0
For every Dining Table	0	1	0
For every Card or Pembroke Table	0	0	8
For every other Table	0	0	8
For every Mahogany Bedſtead	0	0	9
For every other Bedſtead	0	0	6
For every Sopha	0	3	0
For every Harpſichord	0	4	0
For every Piano Forte	0	4	0
For every Spinet	0	1	6
For every Harp	0	4	0
For every Violin or Baſs Viol	0	0	6
For every Load of Lime of Twenty-eight Buſhels	0	0	4
For every Mill Stone, large	0	2	6
For every ditto, ſmall	0	1	6
For every Tomb Stone	0	10	0
For every Marble ditto	1	1	0
For every One Thouſand Bricks	0	1	6
For every One Thouſand Plain Tiles	0	1	0
For every One Thouſand of Hip or Gutter Tiles	0	2	0
Ditto Ridge or Pan Tiles	0	4	0
For every One Thouſand of Mathematical Tiles	0	2	0
For every One Hundred of Paving Tiles	0	1	0
For every Chimney Pot	0	0	3
For every Ton of Portland, Purbeck, or other Stone	0	1	6
For every Ton of Marble	0	4	0
For every Grind Stone	0	0	6
For every common Cart Load of Flint Stones	0	0	6
For every common Cart Load of Chalk Stones, rough or hewn	0	0	6
For every Ton of Slate, containing Twenty-four Feet Cube	0	2	6
For every Ton of Paving Stone	0	2	0
For every Ton of Barilla	0	8	0
For every Ton of Kelp	0	3	0
For every Corpſe	1	1	0
For every One hundred Weight of Feathers	0	2	0
For every One hundred Weight of Wool, Yarn, or Cotton	0	0	9
For every Regiſter Stove	0	2	0
For every other Stove	0	0	9
For every large Range or Grate	0	2	6
For every ſmall ditto	0	1	0
For every Oven	0	0	6

	£.	s.	d.
For every Barrel of Pitch or Tar	0	0	6
For every Hundred Weight of Hemp	0	0	5
For every Hundred Weight of Cordage	0	0	6
For every Bolt of Canvas, No. 1, 2, 3	0	0	4
For every other Bolt	0	0	3
For every Four-wheeled Carriage	0	15	0
For every Two-wheeled ditto	0	10	0
For every Sedan Chair	0	2	6
For every Sack of Three Bushels of Apples or Pears	0	0	4
For every One Hundred of Cabbages	0	0	3
For every Bushel of Onions	0	0	2
For every Bushel of Oysters	0	0	3
For every Firkin or smaller Barrel of ditto	0	0	2
For every One hundred Weight of Cod Fish	0	0	2
For every Kit of Salmon	0	0	6
For every Turtle	0	2	6
For every Horse	0	5	0
For every Calf	0	2	6
For every Dog	0	1	6
For every Fox	0	2	6
For every Hare, Pheasant, and all other Game, per Head	0	0	6
For every Canary, or other live Bird	0	0	6
For every Hide, raw or tanned	0	0	4
For every Dozen of Goat, Dog, Calf, Sheep or Lamb Skins	0	1	0
For every empty Butt, Pipe, or Puncheon, whether entire or in Staves	0	0	6
For every Bale, Truss, Box, Trunk, Case, Chest, Bundle, or Parcel, not exceeding Six Cubic Feet, containing Goods not enumerated in this Schedule, per Cubic Foot	0	0	2
And for every additional Cubic Foot	0	0	1
And no Parcel to be charged less than	0	0	2
For every large Maund or Basket, containing Goods not enumerated in this Schedule	0	0	8
For every smaller ditto	0	0	6
For Lumber, and every other Article, not specified before in this Table, at the Rate of Four-pence for every One Shilling Freight, and in that Proportion			

The

The SCHEDULE, No. 2, referred to in and by this Act.

TWO Meſſuages or Tenements adjoining together, and the Garden and Ground to the ſame reſpectively belonging, in Garden Row, Church Field, late the Eſtate of Suſanna Underdown, Widow, deceaſed, now in the ſeveral Occupations of Elizabeth Wellard, Spinſter, and Mary Barber, Spinſter, or of their reſpective Under-tenants.

Part of a Kitchen or Building behind, and belonging to a Meſſuage or Tenement in Garden Row, Church Field, late belonging to and in the Occupation of John Garrett Gentleman, deceaſed, now in the Occupation of Elizabeth Garrett, his Widow, or of her Under-tenants.

A Meſſuage or Tenement in Two Dwellings, and the Garden and Ground thereunto belonging, on the Eaſt Side of Speller's Court, in the ſeveral Occupations of Robert Pound and Joſeph Ayres, or of their reſpective Under-tenants; and all the Ground in the Occupation of the ſaid Robert Pound and Joſeph Ayres, and others, lying between the laſt-mentioned Premiſes and the Garden behind, and belonging to the Two firſt-mentioned Meſſuages.

The Gardens and Ground behind, and belonging to Four Meſſuages or Tenements, on the Eaſt Side of Speller's Court, in the ſeveral Occupations of George Burfield, Stephen Sandwell, William Kemp, and George Maxted, or of their reſpective Under-tenants.

A Shop or Building at the Eaſt End of Love-Lane, in the Occupation of John Foat, Plumber.

Part of a Meſſuage or Tenement, and Part of the Yard thereunto belonging, at the Eaſt End of the North Side of Love Lane, in the Occupation of Thomas Coleman, or of his Under-tenants.

Part of the Yard or Garden adjoining, belonging to and in the Occupation of Daniel Bing; and the Yard and Ground, with the Buildings thereon, belonging to a Meſſuage or Tenement there, in the Occupation of Richard Penny, or of his Under-tenants.

Part of the Yard and Ground, with the Buildings thereon, belonging to and on the Eaſt Side of certain Meſſuages or Tenements, with Part of a Paſſage adjoining thereunto, on the Weſt Side of Trapham's Lane, now in the ſeveral Occupations of Abraham Chapman, Mary Scoats, Widow, James Meek, and Iſaac Rowe, or of their reſpective Under-tenants.

A Blackſmith's Shop and Forge, on the Eaſt Side of Trapham's Lane, in the Occupation of Lavinia Mummery, Widow, or of her Under-tenants, lately erected on the Site of Three Meſſuages or Tenements there, heretofore in the ſeveral Occupations of Thomas Fagg, Henry Minter, and William Eaſtman, or of their reſpective Under-tenants.

The Meſſuage or Tenement on the Eaſt Side of Trapham's Lane, in the Occupation of Watſon Wilds, or of his Under-tenants, and Part of the Ground adjoining thereunto, towards the North, in Front of certain Meſſuages or Tenements, Coach Houſes and Stables there, in the ſeveral Occupations of Robert Hutchinſon, Thomas Hubbard, Elizabeth Buſhell, Widow, and Stephen Bartlett.

Three Bathing Rooms or Buildings, on the Weſt Side of the High Street, next to Horn Corner, the Eſtate of Martha Silver, Spinſter, John Silver, Surgeon, and James Hall, in the ſeveral Occupations of Stephen Hughes, Thomas Hughes, and Thomas Hubbard, or of their reſpective Under-tenants.

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