ANNO SEPTIMO

# GEORGII IV. REGIS.

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## *Cap.* xxxi.

## An Act to amend an Act for separating the Management of the Harbour of *Margate*, in the County of *Kent*, from the Paving and Lighting of the Town of *Margate*, and for vesting the future Management of the said Harbour in a Joint Stock Company of Proprietors.

[11th *April* 1826.]

WHEREAS an Act was passed in the Fifty-second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for separating the Management of the* 52 G.3.c.186.
*Harbour of* Margate, *in the County of* Kent, *from the Paving and Lighting of the Town of* Margate, *and for vesting the future Management of the said Harbour in a Joint Stock Company of Proprietors;* and certain Persons therein named, and their Successors, were thereby incorporated, by the Style of "The Company of Proprietors of *Margate* Pier and Harbour:" And whereas the said Company of Proprietors have, since the passing of the said Act, and under the Authority thereof, proceeded with the finishing and completing of the Pier of *Margate*, and have also erected and constructed a certain Work, Landing Place, or Jetty, commonly called "*Jarvis's* Landing Place," for the more convenient embarking and disembarking of Passengers resorting to *Margate*, and also for the greater Accommodation of Shipping, by the taking off of Cables and Anchors to

Ships and Vessels in Distress at low Water: And whereas it is expedient that certain of the Clauses and Provisions of the said Act should be amended, and further Powers be given to the said Company of Proprietors: 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,

Powers of former Act, except herein altered, to extend to this.

and by the Authority of the same, That all the Powers, Authorities, Enactments, Clauses, Directions, and Provisions in the said recited Act (so far as the same are not varied, altered, or repealed by this Act,) shall extend and apply and be construed to extend and apply to this Act, as fully and effectually, to all Intents and Purposes, as if the same were re-enacted in this Act.

The Landing Place or Jetty to be deemed Part of the Pier.

II. And be it further enacted, That the said Work, Landing Place, or Jetty, called "*Jarvis's* Landing Place," together with all or any Addition made or to be made thereto, shall be deemed and taken to be a Part of the said Pier, and to be a Part of the said Harbour; and that all and every Provision and Power in the said recited Act relating to the said Pier shall be applicable to and shall be applied to the said Work or Jetty.

Justices may appoint Constables to protect Passengers when landing.

III. And be it further enacted, That in order to remove the Inconveniences which are sustained by Passengers in embarking and disembarking on the said Pier, Landing Place, or Jetty, it shall be lawful for any Two or more Justices of the Peace assembled in Petty Sessions from Time to Time, at the Request of the Court of Directors, to appoint, by Warrant under their Hands and Seals, any Number of Persons, at the Discretion of the said Justices, not exceeding Twenty, to be Special Constables, (who shall be subject to the same Pains, Penalties, and Forfeitures for Misconduct as other Constables,) and shall have and enjoy such and the like Powers, Privileges, and Authorities as other Constables have and enjoy, in order to protect Passengers landing or embarking or about to land or embark from the aforesaid Pier, Landing Place, or Jetty, and for preserving and protecting the Luggage and Property of such Passengers.

For clearing the Landing Place when Passengers are landing or embarking.

IV. And be it further enacted, That when such Flag as shall be directed by the said Court of Directors for that Purpose shall be hoisted at each End of the said Landing Place or Jetty, such Flags when hoisted shall be Signals that Passengers are about to land on or embark from the said Landing Place or Jetty, and when so hoisted the same shall be and shall be taken as a Notice or Warning for all Persons being on the said Landing Place or Jetty to depart from the same, and that no Person or Persons should go thereon; and in case any Person or Persons shall either remain on the said Landing Place or Jetty, or shall go thereon, after such Flag shall have been so hoisted as aforesaid, and having been desired by an Officer or Servant of the said Company, or by any of the said Constables, to quit the same or not to go thereon, every Person or Persons so offending shall forfeit and pay any Sum not exceeding Three Pounds; and it shall be lawful for any such Constable or Constables as aforesaid to take the Party or Parties so offending into Custody, and to convey

him, her, or them before any Justice or Justices of the Peace, in order to be dealt with according to the Powers of this or the said recited Act: Provided always nevertheless, that nothing herein contained shall extend, or be construed to extend, to authorize the said Court of Directors to cause the said Flags to be hoisted at any other Times than when Passengers are about to land on or embark from the said Landing Place or Jetty, or to prevent any Person or Persons on His Majesty's Service, or any Ticket Porter or Porters, or other Person or Persons duly authorized or permitted by the said Directors or by their Officer or Officers, from going upon the said Landing Place or Jetty, in exercise of his or their Employment or Business.

Repealing so much of Act as relates to Bye Laws.

V. And whereas it is by the said recited Act enacted, that it shall be lawful for the Court of Directors of the said Company of Proprietors to make Bye Laws, Rules, Orders, and Regulations for certain Purposes, and in manner therein mentioned, and it is expedient that so much of the said recited Act should be altered and amended; be it therefore further enacted, That so much of the said recited Act as relates to the making such Bye Laws, Rules, Orders, and Regulations shall be and the same is hereby repealed.

Power to make Bye Laws.

VI. And be it further enacted, That it shall be lawful for the said Court of Directors to make, and from Time to Time to alter and vary, such Bye Laws, Rules, Orders, and Regulations, for the Security, Safety, and Convenience of the Ships, Vessels, or Boats coming into or being or lying in the said Harbour of *Margate*, or Passage Vessels in the Bay thereunto adjoining; and for the greater Accommodation and Convenience of Persons landing from any Ship, Vessel, or Boat, or embarking on board any Ship, Vessel, or Boat from the said Pier or Jetty, or any Wharfs or Landing Places now made or hereafter to be made; or for the more convenient loading or unloading any Ship, Vessel, or Boat, or putting on board or discharging or landing any Cargo, Goods, or Merchandize, or any Passenger, or any Luggage or Property; or for the greater Accommodation, Security, or Convenience of any Passengers who may be landed from any Ship, Vessel, or Boat, or about to embark on board any Ship, Vessel, or Boat; and for the Rates or Fares which Boatmen may be entitled to charge such Persons and Passengers for taking on board or landing them or their Luggage or Property; and for the loading or unloading, mooring or unmooring Ships, Vessels, or Boats; or for the more effectually preserving the present or any future Works or Property vested in or belonging or hereafter to be vested in or to belong to the said Company of Proprietors; and for the good conducting of Ships or Vessels, or any Boat or Craft, 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 better governing and regulating Porters, Carters, Carmen, and others carrying Goods, or using or driving Horses, Waggons, Carts, Drays, Trucks, Sledges, or other Carriages, to or from the said Pier or Jetty, or any Part of the said Harbour, or the Quays, Wharfs, or Landing Places belonging or to belong thereto; and for protecting, preserving, and keeping clear and unincumbered the said Pier, Jetty, Marine Parade,

and

and other Works in and adjoining the said Harbour, and for removing and preventing Nuisances or Annoyances thereon or therein, or in or upon the Beach behind the same, or relating to any Wharf or Wharfs, Wall or Walls, Watch or Look-out House or Houses; such Bye Laws, Rules, Orders, or Regulations not being repugnant to the Laws of that Part of the United Kingdom called *England*, or to the Provisions of this Act or of the said recited Act, or of any Act or Acts of Parliament now in force relative to the Paving, Lighting, Watching, and Improving the Town of *Margate*; and it shall be lawful for the said Court of Directors to impose reasonable Fines and Penalties for the Breach or Non-observance of such Bye Laws, Rules, Orders, or Regulations (so as no Penalty shall exceed the Sum of Five Pounds nor less than Ten Shillings for any one Offence): Provided always, that all such Bye Laws, Rules, and Regulations shall, before the same shall be in force, be hung up in some conspicuous Place upon or near the Pier of *Margate*, so as to be open to the Inspection of all Persons interested therein, for the Space of Fourteen Days before the same shall be submitted to the Justices assembled at any General Quarter Sessions of the Peace for the Eastern Division of the County of *Kent*, and Notice shall be given at the Foot of the said Rules and Bye Laws, and in some public Newspaper usually circulated in the said Town of *Margate*, for the Period of Fourteen Days before the Time of such Sessions to which such Bye Laws, Rules, and Regulations are to be submitted for the Approval or Alteration; and the Justices assembled at such Sessions, not being Members of the said Company, shall examine such Bye Laws, Rules, and Regulations and the Fines and Penalties thereto annexed, and either confirm or make such Alteration in the same as may appear to them to be necessary and proper; and such Bye Laws, Rules, and Regulations shall, when so confirmed, allowed, or approved of by such Justices so assembled at such Sessions, be in full Force and Effect; and all future Bye Laws, Rules, and Regulations shall in like Manner be submitted to Inspection, and referred to some such Quarter Sessions of the Peace, upon such Notice and in such Manner as aforesaid; 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, shall be painted on Boards, and hung 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 shall be appointed by the Directors, there to remain for public Inspection: Provided always, that nothing herein contained shall be deemed or taken to extend to any Vessel or Boat in the Service of His Majesty or of the Ordnance, or to any Officer of His Majesty's Customs or Excise.

No Report outwards to be made of any Ships without Payment of Duty.

VII. And for the more effectual securing the Payment of the Duties in the said recited Act mentioned, be it further enacted, That the Collector, Customer, Comptroller, Receiver of Entries of Ships, Surveyor, Searcher, Waiter, and every other Officer whatsoever of or concerning His Majesty's Customs, shall hereafter be authorized to refuse to give or make out any Cocquet or other Discharge, or take any Report, outwards or inwards, for any Ship or Vessel as aforesaid, or in the said Port of *Sandwich* or the Limits thereof, until the Duties by

by the said recited Act or by this Act made payable by the Master or other Person, according to the Tenor and true Intent and Meaning of this Act or of the said recited Act, shall be paid unto the Treasurer, Collector, or other Person appointed by the said Company of Proprietors to receive the same as aforesaid; and that the Master or Masters, or other Person taking Charge of such Ship or Vessel, do produce and shew an Acquittance under the Hand of such Treasurer, Collector, or other Person appointed by the said Company of Proprietors, testifying the Receipt thereof, which Receipt such Treasurer, Collector, or other Person is hereby required and obliged to sign and give accordingly, without Fee or Reward; and every Person so appointed to receive such Rates or Duties as aforesaid, who shall on Payment of such Rates or Duties refuse to give or sign any Certificate shall, for every such Offence, forfeit to the Use of the Person aggrieved any Sum not exceeding Ten Pounds, together with the Costs of Suit, to be recovered in any of His Majesty's Courts of Record, by Action of Debt, Bill, Plaint, or Information, wherein no Essoign, Wager of Law, Privilege, or Protection, nor more than One Imparlance, shall be allowed.

Treasurer and Clerk not to be the same Person.

VIII. Provided always, and be it further enacted, That it shall not be lawful for the said Company to continue or appoint the Person or Persons who has or have been or may be appointed their Clerk in the Execution of the said Acts or this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk, or the Partner of any such Person, to be the Treasurer or Treasurers for the Purposes of the said Acts and this Act, or to continue or appoint any Person or Persons who has or have been or may be appointed Treasurer, or the Partner of any such Treasurer, or any Person in the Service or Employ of any such Treasurer, or the Partner of any such Person, to be the Clerk to the said Company; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of the said Acts and this Act, or if any Person being the Partner of any such Clerk, or the Clerk or other Person in the Service or employ of any such Clerk, or the Partner of any such Clerk, shall accept the Office of Treasurer, or being the Partner of any such Treasurer, or any Person in the Service or Employ of any such Treasurer, or the Partner of any such Person, shall accept the Office of Clerk in the Execution of the said Acts and this Act, or if any such Treasurer shall hold or accept any Place or Office of Profit or Trust under the said Company other than that of Treasurer, every such Person so offending shall, for every such Offence, forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Power to reduce Dues on Foreign Ships and Goods.

IX. Provided always, and be it further enacted, That it shall and may be lawful to and for His Majesty, in and by an Order in Council, or to and for the Lords Commissioners of His Majesty's Treasury, or any Three or more of them, from Time to Time and at all Times, when and so often as He or they shall deem fit so to do, in or by his or their

their Order in Writing, to reduce the Duties hereby made payable on all or on such or so many of the Foreign Ships or Vessels, and on all or on such or so many of the Goods and Merchandize imported or exported in Foreign Bottoms, as he or they in their Judgment shall deem expedient, to the same and like Duties as are hereby and hereafter shall, in pursuance of the Powers herein contained, be made payable in respect of the *British* Ships or Vessels, or the Goods and Merchandize imported or exported in or by them.

Authorizing the Company to give Money towards building a Church at Margate.

X. And whereas the new Church now proposed to be built at *Margate* is likely, when completed, to become a useful Object as a Sea Mark, by reason whereof the said Company of Proprietors may derive Benefit and Advantage; be it therefore further enacted, That if a sufficient Guarantee to the Satisfaction of the Court of Directors shall be given, that the Tower of the said Church shall, when built, be of the Height of One hundred and twenty Feet at the least from the common Surface of the Ground whereon the same shall be built; and if the Tower of the Church shall be upon a Plan of Construction approved by the Trinity House of *Deptford Strond*, it shall and may be lawful to and for the said Company of Proprietors, at any Special Meeting to be held within the Space of Six Calendar Months from the passing of this Act (of which Meeting Fourteen Days previous Notice at the least shall be given in any One or more of the *London* Newspapers, and in One or more Newspaper or Newspapers published at *Canterbury*, specifying the Object of such Meeting), by a Majority of Votes of the said Proprietors at such Meeting (they voting in the Way and Manner directed by the said recited Act at Special Meetings), to authorize the Application, out of the Funds of the said Company, of any Sum or Sums of Money, not exceeding in the whole the Sum of Two thousand Pounds, in and towards the erecting and building of the said intended new Church.

What Justices may act.

XI. And be it further enacted, That it shall be lawful for the Justices of the Peace for the Town and Port of *Dovor* for the Time being, and also for any Justice or Justices of the Peace for the Liberties of the Cinque Ports, or for the County of *Kent*, not being a Member or Members of the said Company, to act as Justices under the said recited Act or this Act.

Damages and Charges in Cases of Dispute to be settled by Justices.

XII. And be it further enacted, That where by this Act or the said recited Acts any Damages or Charges are directed or authorized to be paid or recovered, in addition to any Penalty or Penalties for any Offence or Offences, the Amount of such Damages or Charges, in case of Dispute respecting the same, shall be settled, ascertained, and determined by the Justice or Justices of the Peace by or before whom any Offender shall be convicted of any such Offence or Offences, who is hereby authorized and required, on Nonpayment thereof, to levy such Damages or Charges by Distress and Sale of the Offender's Goods and Chattels, in Manner directed by this Act for the levying of any Penalties or Forfeitures.

In case of Nonpayment of

XIII. Provided always, and be it further enacted, That when and as often as any Sum or Sums of Money shall be directed or ordered

to be paid by any Justice or Justices of the Peace, in pursuance of the Directions of this Act, as or by way of Compensation or Satisfaction for any Materials, Costs, Damages, Spoil, or Injury of any Nature or Kind whatsoever, done or committed by the said Company, or any Person or Persons acting under or by their Authority, and such Sum or Sums of Money shall not be paid by the said Company to the Party or Parties entitled to receive the same within Ten Days after Demand in Writing shall have been made, stating the Order of such Justice or Justices, from the Clerk to the said Company or their Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Company by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices of the Peace, which Warrant such Justice or Justices is and are hereby authorized and required to grant under his Hand and Seal or their Hands and Seals, on Application to him or them made for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned, on Demand, to the said Company or to their Treasurer for the Time being, as the Case may be.

Compensation for Materials, &c. the same to be levied by Distress.

XIV. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable by Information before a Justice of the Peace, it shall and may be lawful for any Justice of the Peace, not being a Member of the said Company, to whom Complaint shall be made of any Offence against this Act, to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof on Oath of the Offence to the Satisfaction of such Justice or Justices, to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same in the same Way and Manner as is provided for in the said recited Act in reference to other Fines and Penalties,

Justices may proceed by Summons in the Recovery of Penalties.

XV. And be it further enacted, That in all Cases wherein it may be requisite or necessary for any Person or Persons, or Party or Parties, to serve upon the said Company any Notice or Notices, Writ or Writs, or other legal Proceeding or Proceedings in Equity, the Service upon One of the Committee of Management to be appointed by virtue of this Act, left at his last or usual Place of Abode, or upon the Clerk or Clerks of the said Company, or left at the Office or usual Place of Abode of such Clerk or Clerks, or upon any Agent or Officer of the said Company, or left at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively upon the said Company.

For Service of Notices, &c. on the Company.

XVI. And

For Recovery of Penalties.

XVI. And be it further enacted, That all Complaints and Informations of and for Offences against the said recited Act or this Act, or any Rule, Order, or Bye Law to be made in pursuance thereof respectively, (except in Cases where the Manner of hearing and determining thereof is herein-before otherwise directed) shall be made before One or more Justice or Justices of the Peace for the County or Place wherein the Offence shall be committed, and such Justice or Justices is and are hereby authorized and empowered to take cognizance thereof, and to summon the Person or Persons complained of to appear before him or them, or upon Complaint upon Oath to issue his or their Warrant or Warrants for the Apprehension of any such Person or Persons; and upon the Appearance or Nonappearance of such Person or Persons pursuant to such Summons, or upon any Person or Persons being apprehended with or without such Warrant as aforesaid, to hear the Matter of every such Complaint and Information by Examination of any Witness or Witnesses upon Oath, and to make such Determination thereon as such Justice or Justices shall think proper; and upon Conviction of any Person such Justice or Justices shall and may issue a Warrant under his or their Hand and Seal or Hands or Seals, for levying the Penalty or Forfeiture by virtue of the said Act or this Act, or of any Bye Law made in pursuance thereof, imposed for such Offence, together with the Costs of Conviction, to be ascertained by such Justice or Justices, by Distress and Sale of the Goods and Chattels of the Person so convicted; and in case such Penalty or Forfeiture shall not be forthwith paid, it shall and may be lawful for any such Justice or Justices to order any Person so convicted to be detained and kept in safe Custody until Return can be made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice, for his or their Appearance before such Justice, or before some other Justice or Justices of the Peace for the said County or Place in which such Offence shall be committed on such Day or Days as shall be appointed for the Return of such Warrant of Distress, (such Day or Days not being more than Seven Days from the taking any such Security) and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Forfeiture and Costs as aforesaid, and such Penalty or Forfeiture and Costs shall not be forthwith paid, or in case it shall appear to the Satisfaction of such Justice, either by the Confession of the Offender or Offenders or otherwise, that the Offender or Offenders hath or have not sufficient Goods and Chattels whereon such Penalties, Forfeitures, Fines, Costs, and Charges may be levied were a Warrant of Distress issued, such Justice shall not be required to issue such Warrant of Distress, and thereupon it shall be lawful for such Justice or Justices, and he and they is and are hereby authorized and required, by Warrant under his or their Hand and Seal or Hands and Seals, to commit such Offender to the Common Gaol or House of Correction, for any Term not exceeding Three Calendar Months, unless such Penalty or Forfeiture, and all reasonable Charges attending the Recovery thereof, shall be sooner paid and satisfied.

XVII. And

Application of Penalties.

XVII. And be it further enacted, That all Fines, Penalties, and Forfeitures by the herein-before recited Act or by this Act imposed or authorized, shall go and be paid to the Treasurer for the Time being of the *Kent* and *Canterbury* Hospital, and shall be applied to and for the Purposes, Use, and Benefit of the said Hospital; any thing in the herein-before recited Act contained to the contrary thereof in anywise notwithstanding.

Appeal.

XVIII. And be it further enacted, That in case any Person or Persons shall think himself or herself aggrieved by any Order or Judgment made or given in pursuance of any Bye Law, Rule, Order, or Regulation of the said Court of Directors, or by any Order, Judgment, or Determination of any Justice of the Peace, relating to any Matter or Thing in this or the said recited Act contained, or any thing done in pursuance thereof, it shall and may be lawful for such Person or Persons to appeal to the General Quarter Sessions of the Peace for the Eastern Division of the County of *Kent*, within the Space of Three Calendar Months from the Time when the Cause of such Appeal shall have arisen, such Appellant or Appellants first giving or causing to be given Ten Days Notice at the least in Writing of his, her, or their Intention to bring such Appeal, and of the Matter thereof, to the Clerk of the said Company, and forthwith entering into a Recognizance before any such Justice of the Peace as aforesaid, with Two sufficient Sureties, conditioned to try such Appeal, and to abide the Order and pay such Costs as shall be awarded by the Justices assembled at the General Quarter Sessions of the Peace for the Eastern Division of the County of *Kent*; and upon due Proof of such Notice having been given as aforesaid, and the entering into such Recognizance, the said Justices at such Sessions before whom such Appeal shall be brought, shall hear and finally determine the Matter of such Appeal in a summary Way, and award such Costs to the Parties appealing or appealed against as the said Justices shall think proper; and the said Justices may, if they see Cause, mitigate any Fine, Penalty, or Forfeiture, and may order any Money to be returned which shall have been levied in pursuance of any such Bye Law, Rule, Order, or Regulation, and may also award such further Satisfaction to be made to the Party injured as to them the said Justices shall seem reasonable, and the Determination of such Justices thereupon shall be final, binding, and conclusive upon all Parties.

Limitation of Actions.

XIX. And be it further enacted, That if any Action, Suit, or Information shall be brought or commenced by any Person or Persons, for any thing done or to be done in pursuance of the said Act or this Act, or in execution of the Powers and Authorities thereby given or granted, every such Suit or Information shall be brought or commenced within Four Calendar Months next after the Fact shall have been committed; or in case there shall be a Continuance of Damages, then within Four Calendar Months next after the doing or committing of such Damage shall have ceased, and not afterwards, and shall be laid or brought in the County where the Matter in dispute shall arise, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may, at his, her, or their Election

plead specially, or plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by Authority of this Act; and if it shall appear to have been so done, or if any Action, Suit, or Information shall be brought after the Time so limited for bringing the same, or shall be brought in any other County than as aforesaid, then and in such Case the Jury shall find for the Defendant or Defendants; and in such Case also, or if the Plaintiff or Plaintiffs, shall become nonsuit, or suffer a Discontinuance of his, her, or their Action or Actions, Suits or Informations, after the Defendant or Defendants shall have appeared thereto, or if any Verdict shall pass against the Plaintiff or Plaintiffs, or if, upon Demurrer or otherwise, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Treble Costs, and shall have such Remedy for the Recovery of the same as any Defendant or Defendants hath or have in any other Cases at Law.

The annual Payment from the Proprietors of St. Nicholas Harbour granted by 51 G. 3. c. 144. to Margate Harbour, repealed.

XX. And whereas it was by the said recited Act enacted, that the Company of Proprietors established by an Act made in the Fifty-first Year of the Reign of His late Majesty, intituled *An Act for making a Harbour and Wet Dock at or near* Saint Nicholas Bay, *in the Parish of* Saint Nicholas *and* All Saints, *in the* Isle of Thanet, *in the County of* Kent, *and for making a navigable Canal from the said Harbour to the City of* Canterbury, should pay to the Company of Proprietors established by the said first-recited Act the annual Sum of Three hundred and twenty Pounds, to be applied towards the Repair and Support of the Pier of *Margate:* And whereas it is expedient that the said annual Payment should in future be discontinued; be it therefore enacted, That from and after the passing of this Act the said recited Provision in the said first-mentioned Act shall be and the same is hereby repealed.

Expences of the Act.

XXI. And be it further enacted, That all the Costs, Charges, and Expences incident to or attending the obtaining and passing of this Act, shall be borne, paid, and defrayed by the said Company out of any Monies to be raised, levied, and collected by them under and by virtue of this Act or of the said recited Act.

Public Act.

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

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