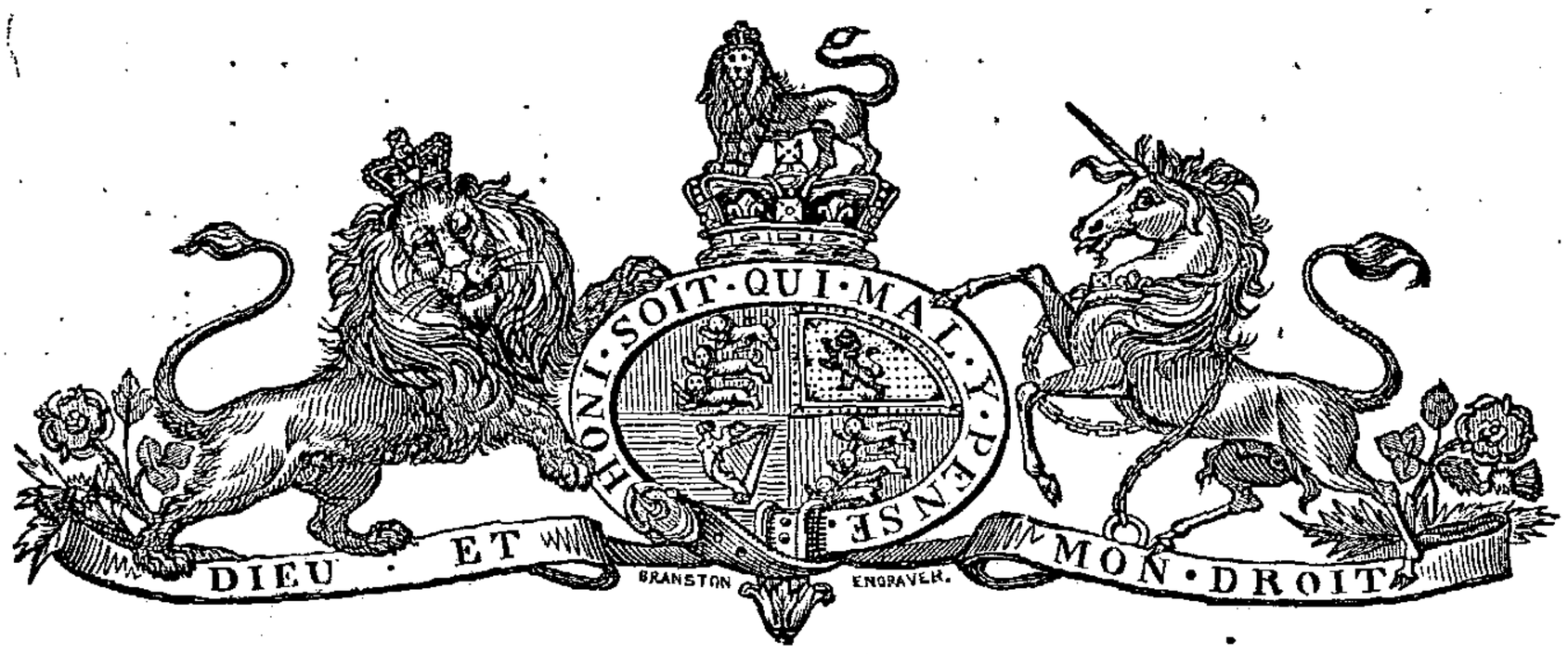


ANNO PRIMO & SECUNDO

VICTORIÆ REGINÆ.

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and making the same a distinct Parish, and for completing the new Church now building therein, and for other Purposes relating thereto; and for altering and amending an Act of His late Majesty for establishing a Chapel therein, it is enacted, that the said Vill of *Ramsgate* should for ever thereafter for all Ecclesiastical and Temporal Purposes whatsoever form and be a distinct Parish of itself, and be called by the Name of the Parish of *Ramsgate:* And whereas since the passing of the Two several first herein-before recited Acts the Number of Inhabitants and Number of Houses and Buildings in the Parish of *Ramsgate* aforesaid have greatly increased, and the said Parish has become a Place of great public Resort for Visitors and Strangers: And whereas the Powers and Provisions of the said Two several first herein-before recited Acts have been found in many respects insufficient for the Purposes intended, and it is expedient that the same should be repealed, and that other Powers and Provisions should be granted and made for better paving, lighting, cleansing, watching, and improving the said Parish of *Ramsgate,* and for regulating the Police thereof, and for removing and preventing Nuisances and Annoyances therein; but the same cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the said Two several recited Acts of the Twenty-fifth and Thirty-sixth Years of His said late Majesty shall be and the same are hereby declared to be repealed: Provided always nevertheless, that all Books of the Commissioners for executing the said recited Acts hereby repealed, or either of them, and all Entries therein made according to the Directions or Provisions of the same Acts or either of them, and made Evidence thereby, shall and may be given and admitted in Evidence in all Courts, and by all Judges, Justices, and others; and that all and every Persons and Person from or by whom any Rates or Duties, or any Arrears of Rates or Duties, laid or assessed by virtue of the said recited Acts hereby repealed, or either of them, shall be due or unpaid at the Time of passing this Act, shall remain and be liable to the Payment thereof in all respects as such Persons and Person were or was liable before the passing of this Act, or would have been liable if the said Acts had not been repealed and were still in force; and all such Rates or Duties and Arrears of Rates or Duties shall be paid to and received by the Commissioners for executing this Act, or their Collectors or Receivers to be appointed as herein-after mentioned, and shall and may be recoverable and recovered in the same Manner and by the same Ways and Means as if such Rates or Duties or Arrears of Rates or Duties had been laid or assessed or become due under or by virtue of this Act, and as the Rates or Duties by this Act granted may be recovered and levied by virtue of this Act; and that each and every Treasurer, Collector, or other Person in whose Hands, Custody, or Control any Money received or collected under or by virtue of the said recited Acts hereby repealed, or either of them, shall be at the Time of passing this Act, shall be and remain liable to pay, deliver up, and account for the same to the Commissioners

Repeal of recited Acts of the 25th and 36th of G. 3. but Arrears of former Rates shall remain payable.

missioners for executing this Act as if the said Acts had not been repealed, or as if such Money had come to their or any of their Hands by virtue of this Act; and that all Contracts, Stipulations, or Agreements entered into by the Commissioners acting by or under the said recited Acts hereby repealed, or either of them, with any Person or Persons whomsoever, shall, notwithstanding the Repeal of the said Acts, subsist and continue for such Term or Terms and in such Manner as according to the Tenor or Spirit thereof respectively the same would have subsisted and continued in case the said Acts had not been repealed; and this Act, and all the Rates, Tolls, Duties, or Assessments hereby granted or authorized to be made, shall be and are hereby made subject and liable to the Payment as well of all Monies which have been borrowed and are now due and owing on the Credit or on account of the said recited Acts hereby repealed, or either of them, together with all Interest due and to grow due thereon, and of all Annuities granted by virtue of the same Acts or either of them, as also of all Monies which may be borrowed by virtue of this Act as herein-after mentioned, as fully and effectually to all Intents and Purposes whatsoever as if such Monies had been wholly borrowed and become due and owing on the Credit or on account of this Act.

Officers under recited Acts to continue until Removal.

II. And be it further enacted, That the Clerk, Surveyor, Collector of the Rates, Watchmen, and other Servants and Officers, except the Treasurer, nominated or appointed by virtue of the said recited Acts hereby repealed, or either of them, shall hold and enjoy their several and respective Offices, and receive the respective Salaries, Gratuities, and Allowances thereunto annexed, until he or they shall be removed therefrom respectively by the Commissioners acting by virtue of this Act; and every such Officer shall be subject to the like Pains and Penalties, and Power of Removal, and to the like Rules and Regulations, as if he had been nominated or appointed by virtue of this Act.

Construction of Terms.

III. And be it further enacted, That whenever in this Act any Word is used importing the Singular Number only, such Word shall extend to and include several Persons or Things as well as one Person or Thing; and every Word importing the Plural Number shall be applied to and comprise one Person or Thing as well as several Persons or Things; and every Word importing the Masculine Gender only shall be applied and extend to Females as well as Males; and the Word "Corporation" shall be understood to mean any Body or Bodies Politic, Corporate, or Collegiate, Corporation or Corporations Civil or Ecclesiastical, Aggregate or Sole; and the Word "Lands" shall extend to Messuages and all other corporeal Hereditaments whatsoever, unless it be otherwise specially directed or provided for, or there be something in the Subject or Context repugnant to such Construction.

Appointment of Commissioners.

IV. And be it further enacted, That *Benjamin Austen*, *Nathaniel Austen*, *Author Austen*, *Isaac Bax*, *Thomas Bax*, *Miles Bland* Doctor in Divinity, *George William Bourn*, *Peter Burgess*, *Thomas Dyer Carter*, *Nicholas William Commerford*, *Robert Strong Cramp*, *Henry Cull*, Sir *William Curtis* Baronet, *James Stock Daniel*, *Lawrence Elgar*, *Thomas Ellis*,

Ellis, John Garrett, James Green, Thomas Grundy, Thomas Hodges, William Alexander Hunt, Daniel Bayly Jarman, John Joad, James Bourne Judge, Thomas Karn, John Kennett, Francis Curry Lawrence, Joseph Low, William Miller, Richard Wilson Page, Thomas Rammell, Samuel Sackett, George Smith, George Snowdon, Richard Tomson, Richard Tomson the younger, *William Tomson, Robert Townley, James Webster, Lewis Rogers Wells, Humphry Wightwick*, and their Successors, to be elected in manner herein-after mentioned, shall be and they are hereby appointed Commissioners for putting this Act into execution.

For Election of future Commissioners.

V. And be it further enacted, That on the First *Monday* in the Month of *February* in the Year One thousand eight hundred and forty, and on the First *Monday* in the Month of *February* in every subsequent Year, Ten of the Commissioners then acting in execution of this Act, to be determined by Rotation as herein-after mentioned, shall go out of Office and cease to be Commissioners; and on such First *Monday* in the Month of *February* in the Year One thousand eight hundred and forty, and on the First *Monday* in the Month of *February* in every subsequent Year, or within Seven Days afterwards, the Rate-payers of the said Parish shall meet in Vestry, (of which Vestry Meeting, as well as of all Vestry Meetings holden for the Purposes or in pursuance of this Act, besides all Notices now or hereafter to be required by Law, Notice in Writing setting forth the Purpose of every such Meeting shall be given by the Clerk to the said Commissioners by affixing the same at the Town Hall or at some other convenient Place within the said Parish of *Ramsgate* Fourteen Days at the least previous to such Meeting,) and elect so many Persons as shall be necessary to fill up the Vacancies occasioned by the Commissioners then going out of Office: Provided always, that all the Commissioners so going out of Office by Rotation as aforesaid shall be eligible to be re-elected immediately afterwards, or at any subsequent Election.

For establishing Rotation List.

VI. And be it further enacted, That within the Space of Four Calendar Months after the passing of this Act the Commissioners acting in the Execution of this Act shall and they are hereby required to meet at the Town Hall, or at some other convenient Place within the said Parish of *Ramsgate*, for the Purpose of forming a Rotation List of the said Commissioners; and at such Meeting the Clerk for the Time being to the said Commissioners, or some Person to be previously appointed by the said Commissioners for that Purpose, shall put the Names of all the then Commissioners written on separate Slips of Paper, being all as near as may be of equal Size, and folded up in the same Manner, into a Box, and shall draw out all such Names in succession, and such Names shall be inserted in a List to be made and kept by the said Clerk for the Purposes of this Act in the Order in which they may be so drawn out, and the said Commissioners upon such List shall be numbered One to Forty, both inclusive, and each Commissioner shall for the Purposes of this Act be placed in Rotation upon the said List in the Order in which his Name shall be so drawn out.

VII. And

Directing the Manner in which Commissioners shall go out of Office.

VII. And be it further enacted, That in the Years One thousand eight hundred and forty, One thousand eight hundred and forty-one, One thousand eight hundred and forty-two, and One thousand eight hundred and forty-three, such Ten Commissioners so going out of Office and ceasing to be Commissioners shall be taken in the numerical Order in which the Names of such Commissioners shall respectively stand upon the Rotation List herein-before directed to be formed and kept for the Purposes of this Act, commencing in the Year One thousand eight hundred and forty with the Ten Commissioners who shall be upon the said Rotation List respectively numbered One to Ten, both inclusive, proceeding in the Year One thousand eight hundred and forty-one to those numbered respectively Eleven to Twenty, both inclusive, in the Year One thousand eight hundred and forty-two to those numbered respectively Twenty-one to Thirty, both inclusive, and in the Year One thousand eight hundred and forty-three to those numbered respectively Thirty-one to Forty, both inclusive, according to the said Rotation List, and from and after that Time the Ten Persons who annually cease to be Commissioners shall be taken in Rotation in the Order in which they were elected.

Vacancies among the Commissioners to be filled up by the Parishioners at their Annual Meeting.

VIII. And be it further enacted, That all Vacancies which may from Time to Time happen among the said Commissioners by the Death, Resignation, Refusal to act, or Disqualification of any of the said Commissioners herein named or hereafter from Time to Time to be elected under this Act shall be filled up by the said Parishioners at the Time of their next Annual Meeting for Election of Commissioners as aforesaid; and every Person who shall be elected to fill any such Vacancy shall stand in the Order of Rotation in which the Person was whose Vacancy he shall be elected to supply; but in case any Vacancy shall happen among the Ten Persons who would cease to be Commissioners at their next Annual Meeting as aforesaid according to the Provisions herein-before mentioned, such Vacancy shall be reckoned among and form Part of the said Number of Ten in the same Manner as if no such Vacancy had taken place.

Qualification of Commissioners.

IX. And be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act unless he shall be at the Time of acting, and shall have been for One Year then last past, a resident Inhabitant within the said Parish of *Ramsgate*, and shall be at the Time of acting rated to the Rates made for the Relief of the Poor of the same Parish, and shall be, either in his own Right or in the Right of his Wife, in the actual Possession or Receipt of the Rents and Profits of an Estate of Freehold in Lands, Tenements, or Hereditaments situate within the same Parish, of the clear yearly Value of Thirty Pounds above Reprizes, or shall be an actual Occupier of an House, Hereditaments, or Land within the same Parish assessed to the Poor's Rate of the same Parish at the Sum of Thirty Pounds or upwards: Provided nevertheless, that notwithstanding any thing herein contained no Person shall be capable of acting as a Commissioner in the Execution of this Act by reason of his being in his own Right or in the Right of his Wife in the actual Possession or Receipt of the Rents and Profits of an Estate of Freehold in

Lands, Tenements, or Hereditaments situate within the said Parish of *Ramsgate*, in case the actual Occupier of such Lands, Tenements, or Hereditaments shall be a Commissioner in the Execution of this Act by virtue of such his Declaration.

Commissioners disqualified.

X. Provided always, and be it further enacted, That no Person shall be capable of acting as a Commissioner in any Case in the Execution of this Act who shall be or become bankrupt or insolvent, or during the Time he shall hold or enjoy any Office or Place of Profit under this Act, or be concerned in any Contract made by virtue or in pursuance of this Act, or in any Case wherein he shall be in anywise personally or beneficially interested in the Matter in question (except as a Creditor on the Rates or Duties or Assessments), nor (except in administering the Declaration herein-after mentioned) until he shall have made and signed before One of the said Commissioners, who is hereby empowered to take the same, the solemn Declaration following; (that is to say,)

Form of Declaration.

'I *A.B.* do solemnly declare, That I will truly and impartially, according to the best of my Skill and Judgment, execute and perform all and every the Powers and Authorities reposed in me as a Commissioner by virtue of an Act passed in the Year of the Reign of Queen *Victoria*, intituled [*here insert the Title of this Act*], and that I am, in my own Right *or* in the Right of my Wife, in the actual Possession or Receipt of the Rents and Profits of an Estate of Freehold in Lands, Tenements, or Hereditaments situate within the said Parish of *Ramsgate*, of the clear yearly Value of Thirty Pounds above Reprizes, *or* that I occupy a Messuage, Tenement, or Hereditaments with the Appurtenances in the Parish of *Ramsgate* assessed to the Poor's Rate thereof in the Sum of Thirty Pounds or upwards.'

Provided nevertheless, that nothing herein contained shall extend or be deemed to extend to prevent any Commissioner who is or may be a Member of any Gas or Waterworks Company or other Company established by Act of Parliament within the said Parish of *Ramsgate* from acting as a Commissioner by reason of any Contract entered into between the Commissioners for executing this Act and such Company, but no Commissioner being a Member of such Company shall vote on any Question relating to this Act in which the said Company may be interested.

Commissioners neglecting to act for One Year shall cease to be Commissioners.

XI. And be it further enacted, That if any Commissioner shall neglect to act in the Execution of this Act for the Space of One Year, then and in every such Case such Commissioner so neglecting to act shall be deemed to have refused to act, and shall thenceforth cease to be a Commissioner under and by virtue of this Act, and shall not be eligible to be re-elected for One Year from the Time of his so ceasing to be a Commissioner: Provided always, that nothing herein contained shall prevent or disqualify any Person so neglecting to act from being re-elected a Commissioner under this Act after the Expiration of One Year from the Time of his so ceasing to be a Commissioner.

XII. Pro-

Penalty for acting if not qualified.

XII. Provided always, and be it further enacted, That if any Person not being qualified as aforesaid, or not having taken and subscribed a solemn Declaration as aforesaid, or being disqualified by any of the Causes aforesaid, shall act as a Commissioner in the Execution of this Act, every Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person, being assessed to the Poor's Rate of the said Parish of *Ramsgate*, who shall sue for the same, to be recovered, with full Costs of Suit, in any of Her Majesty's Courts of Record at *Westminster* by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign or Protection 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 and Costs, without any other Proof or Evidence being given on the Part of the Plaintiff or Prosecutor than that such Person hath acted as a Commissioner in the Execution of this Act: Provided always, that all Acts and Proceedings of any Person acting as a Commissioner in the Execution of this Act, though not duly qualified, done previous to his being so convicted, shall be as valid and effectual as if such Person had been duly qualified as aforesaid.

Acts of Commissioners not qualified previous to Conviction to be valid.

Commissioners may act as Justices.

XIII. And be it further enacted, That it shall be lawful for any Commissioner who shall be a Justice of the Peace to act, and he is hereby authorized and empowered to act, as a Justice of the Peace for putting in execution the several Powers and Authorities granted by this Act, notwithstanding his being a Commissioner under this Act.

Seven or more Commissioners competent to act.

XIV. And be it further enacted, That all the Powers and Authorities by this Act given to, and all the Provisions, Matters, and Things by this Act directed or authorized to be done by, the Commissioners for executing the same, shall and may be executed and done by or before any Seven or more of the said Commissioners assembled at any Meeting to be holden in pursuance of this Act, and shall be of as full Force and Effect as if executed or done by or before all the Commissioners (except in such Cases where any such Power, Authority, Provision, Matter, or Thing is by this Act particularly directed or authorized to be executed or done by any other Number of Commissioners); and all Acts, Orders, Proceedings, and Determinations of the Commissioners acting in the Execution of this Act made at any such Meeting consisting of Seven or more Commissioners, wherein the major Part of the Commissioners present at such Meeting shall concur, shall be as valid and effectual as if all the Commissioners present at such Meeting had concurred therein; and at all such Meetings a Chairman shall be appointed by a Majority of the Commissioners present, and if by reason of the same Number of Votes having been given for any Two or more Commissioners there shall not be a Majority of Votes for any one Commissioner to be Chairman of such Meeting, then the Names of the Commissioners for whom an Equality of Votes shall be so given shall be written on separate Slips of Paper and put into a Box, and the Clerk to the said Commissioners shall draw out One of such Names, and the Commissioner whose Name shall be so drawn shall be the Chairman of such Meeting;

Meeting; and in all Cases where there shall be an Equality of Votes upon any Question (including the Vote of the Chairman), such Chairman shall have the decisive or casting Vote, and at all such Meetings the Commissioners present shall pay and defray their own Expences.

No Resolutions of a former Meeting to be rescinded unless at a Special Meeting.

XV. And be it further enacted, That no Order, Appointment, or Proceeding whatsoever made at any Meeting of the Commissioners holden in pursuance of this Act shall be revoked or altered at any subsequent Meeting, unless at a Meeting to be holden for that express Purpose, nor unless Notice specifying the Revocation or Alteration intended to be made, signed by One or more of the said Commissioners, or by the Clerk to the said Commissioners, shall be affixed on the Town Hall or in some other convenient Place within the said Parish of *Ramsgate* at least Twenty-one Days before such subsequent Meeting, nor unless a Majority of the Commissioners present at such subsequent Meeting shall decide in favour of such Revocation or Alteration, in case a greater Number of Commissioners shall be present at such subsequent Meeting than were present at the Meeting when such Order, Appointment, or Proceeding was had or made.

First and other Meetings of Commissioners.

XVI. And be it further enacted, That the said Commissioners shall hold their First Meeting for the Execution of this Act at the Town Hall or some other convenient Place in the said Parish of *Ramsgate* on the Second *Monday* next after the passing of this Act between the Hours of Ten in the Forenoon and Four in the Afternoon; and it shall be lawful for the Commissioners present at such First Meeting, or at any subsequent Meeting for the Execution of this Act, from Time to Time to adjourn to and from Time to Time appoint their next Meeting to be holden at any future Day and Time not exceeding Thirty-five Days from the last Day of Meeting, and at the same or any other convenient Place within the same Parish; and if at the Time and Place appointed for any Meeting there shall not be a sufficient Number of Commissioners to act, or in case the Commissioners at any Meeting assembled shall omit to adjourn, then and in every such Case any Commissioner present, or the Clerk of the said Commissioners, shall adjourn the Meeting to some future Day, not exceeding Thirty-five Days then next ensuing, of which Adjournment such Clerk shall give at least Seven Days previous Notice in Writing to be affixed on the said Town Hall or on some other convenient Place within the same Parish; and in case no Adjournment or Notice shall be made or given as aforesaid, then it shall be lawful for any Three or more of the said Commissioners, although not assembled at a Meeting, or their Clerk, to call a Meeting of the Commissioners by Notice in Writing, to be affixed as aforesaid, appointing a Meeting to be held on some future Day, not sooner than Seven Days nor exceeding Thirty-five Days from the Day of affixing such Notice.

XVII. Pro-

Provision for Special Meetings.

XVII. Provided always, and be it further enacted, That if it shall at any Time be thought necessary to hold a Meeting before the Time at which a Meeting is herein-before directed or required to be held or shall be appointed to be held as aforesaid, then and in such Case it shall be lawful for the said Commissioners, or any Five or more of them, or their Clerk, by the Direction in Writing of any Five or more of the said Commissioners, and such Clerk is hereby required, to call an earlier Meeting, of which at least Three Days previous Notice specifying the Purpose of such Meeting shall be affixed as last aforesaid: Provided always, that no other Business whatever shall be transacted at any such Meeting than what shall have been specified in such Notice as being the Purpose for which such Meeting shall have been called.

For appointing Officers.

XVIII. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby authorized and required from Time to Time to nominate and appoint a Clerk or Clerks, a Treasurer or Treasurers, a Surveyor or Surveyors, an Assessor or Assessors, a Collector or Collectors of the Rates or Duties herein-after mentioned, and such other Officers as the said Commissioners shall think necessary and proper for the due Execution of this Act; and it shall be lawful for the said Commissioners from Time to Time to remove and displace any of such Officers, and to nominate and appoint another or others in the Room or Place of any of them who shall be so removed or displaced, or who shall die, or resign such Offices, or become incapable of acting therein, and out of the Monies to be raised as herein-after mentioned to make and pay such Salaries or other Allowances to such Officers respectively, and also to such other Persons as shall be aiding and assisting the said Commissioners in the Execution of this Act, as to the said Commissioners shall from Time to Time seem reasonable.

Power for Commissioners to make Rules and Regulations for their own Government.

XIX. And be it further enacted, That it shall be lawful for the said Commissioners, or any Seven or more of them present at any of their General Meetings, or at any Special General Meeting for that Purpose convened, to make such Rules, Orders, and Regulations for the Management, Direction, and Government of the Proceedings of the said Commissioners, and of any Officer of the said Commissioners, and of any Committee or Committees to be appointed as herein-after is mentioned, as shall from Time to Time appear necessary and proper, such Rules, Orders, and Regulations respectively not being repugnant to the Laws of *England* or to any of the Provisions of this Act, and to alter, vary, or repeal the same as Occasion shall be or require.

Committees may be appointed.

XX. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time, and so often as they shall think proper, to nominate and appoint One or more Committee or Committees (every such Committee to consist of Three or more Persons) out of the said Commissioners to investigate, transact, and manage such particular Matters or Departments of Business as shall be referred to them; and such Committee or Committees shall have full Power and Authority to do, execute, and perform all Matters and Things whatsoever which the said Commissioners shall from Time to Time intrust

to the Management of such Committee or Committees; and such Committee or Committees shall meet at such Times and in such Places within the said Parish of *Ramsgate* as they shall think proper; and all Powers which shall be vested in the said Committee or Committees shall be exercised by the major Part present at their respective Meetings, and such Committees shall from Time to Time make Reports of their Proceedings to the said Commissioners: Provided always, that the Acts of such Committee or Committees shall not be valid unless ratified and confirmed by the said Commissioners at some or one of their Meetings to be held under this Act.

Orders and Proceedings to be entered in Books, which may be Evidence.

XXI. And be it further enacted, That the said Commissioners shall cause to be provided and kept a proper Book, and fair and regular Entries to be made therein of the Orders and Proceedings of the said Commissioners relative to the Execution of this Act, together with the Names of the Commissioners who shall attend every Meeting, and the Clerk for the Time being to the said Commissioners shall sign the same; and such Book shall be open at all seasonable Times to the Inspection of the said Commissioners, or any Creditor on the Rates to be levied, collected, received, or taken in pursuance of this Act, without Fee or Reward, and such Orders and Proceedings, so entered and signed as aforesaid, shall be deemed and taken to be original Orders and Proceedings; and such Book, as well as the Book in which the Declaration directed to be taken or made by the said Commissioners shall be entered, and also the Books to be kept for registering Mortgages and Assignments, and all Entries in such Books respectively, shall and may be read in Evidence in all Courts and Places whatsoever in all Cases of Appeal, and in all Prosecutions, Examinations, Suits, and Actions whatsoever before all Judges, Justices, and others.

Accounts to be kept, and to be open to the Inspection of Commissioners, Creditors, and Rate-payers.

XXII. And be it further enacted, That the said Commissioners shall and they are hereby required from Time to Time and at all Times to order and direct a Book to be provided and kept by their Clerk for the Time being, in which Book such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended for the Purposes of this Act, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed, laid out, and paid; and such Book shall at all seasonable Times be open to the Inspection of the said Commissioners, and every Creditor on the Rates or Assessments by this Act authorized to be made, and of every Person paying such Rate or Assessment, without Fee or Reward; and the said Commissioners, Creditors, and other Persons aforesaid, or any of them, shall and may take Copies of or Extracts from the said Book or any Part or Parts thereof without paying any thing for the same; and in case the said Clerk shall refuse to permit or shall not permit the said Commissioners, Creditors, or Persons aforesaid to inspect the same, or to take Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum of Money not exceeding Five Pounds for each Refusal or Default.

XXIII. And

Security to be given by Treasurer and Receivers.

XXIII. And be it further enacted, That the said Commissioners shall take sufficient Security from their Treasurer for the faithful Execution of his Office, and also from such of the Collectors of the Rates and Assessments to be made by them, or other Officers in their Employ intrusted with the Receipt or Disbursement of Money, as they shall think necessary, for the due Execution of his or their respective Offices, and for answering and paying all Sums of Money which shall be by them respectively received, in such Manner as the said Commissioners shall from Time to Time order, direct, and appoint, and also for their giving and making respectively true Accounts in Writing from Time to Time, when and so often as they respectively shall be ordered and required by the said Commissioners so to do, of all Monies by them respectively received or collected for the Purposes of this Act, and when, of whom, and for what.

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

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

Commissioners not to be personally liable as to Contracts.

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

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

Same Person not to be Clerk and Treasurer.

XXVI. And be it further enacted, That it shall not be lawful for the said Commissioners to continue or appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, to be the Treasurer for the Purposes of this Act, or to continue or appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or other Person in the Service or Employ of the Partner of any such Treasurer, to be the Clerk for the Purposes of this Act; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, shall accept the Office of Treasurer, or shall act as Deputy of such Treasurer, or in any Manner officiate for such Treasurer, or being the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Commissioners other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, in any of Her Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign or Protection shall be allowed.

Officers to account.

XXVII. And be it further enacted, That every Clerk, Treasurer, Surveyor, Collector, and other Officer and Person appointed by virtue of this Act shall, under his respective Hand, and at such Times and in such Manner as the said Commissioners shall direct, deliver to the said Commissioners, or such Person as they shall appoint to receive the same, true and perfect Accounts in Writing of all Matters and

Things committed to his Charge by virtue of this Act, and also of all Monies which shall have been by such Officer or Person received by virtue or for the Purposes of this Act, specifying how much thereof shall have been expended and disbursed, and for what Purposes, together with proper Vouchers for such Payments, and also a List of the Names of all such Persons as shall have neglected or refused to pay their respective Rates and Assessments, and of the Monies due from them respectively; and every such Officer or Person shall pay all such Monies as shall remain due from him to the Treasurer for the Time being of the said Commissioners, or to such Person as the said Commissioners shall appoint to receive the same; and if any such Officer or Person shall, for the Space of Fourteen Days next after Notice or Requisition in Writing from any Seven or more of the said Commissioners, refuse or wilfully neglect to make and render such Account, or to produce and deliver up the Vouchers relating to the same in his Possession or Power, or to make Payment as aforesaid, or shall refuse or wilfully neglect to deliver to the said Commissioners, or to such Person as they shall appoint to receive the same, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, or to give Satisfaction to the said Commissioners or such other Person as aforesaid respecting the same, then and in every such Case, upon Complaint made by the said Commissioners, or by such Person as they shall appoint for that Purpose, of any such Refusal or wilful Neglect as aforesaid, to any Justice of the Peace for the County, City, Borough, Liberty, or Place wherein such Officer or Person so refusing or neglecting shall be or reside, such Justice may and he is hereby authorized and required to issue a Summons or Warrant, at his Discretion, under his Hand and Seal, for the Officer or Person so refusing or neglecting to appear before such Justice; and upon such Officer or Person appearing, or having been so summoned and not appearing without some sufficient or reasonable Excuse, or not being to be found, it shall be lawful for the said Justice to hear and determine the Matter in a summary Way; and if upon Confession of the Party, or Testimony of any credible Witness upon Oath, it shall appear to such Justice that any Monies remain due from such Officer or Person, such Justice may and he is hereby required, upon Nonpayment thereof, by Warrant under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person; and if no Goods and Chattels of such Officer or Person shall be found sufficient to answer and satisfy the said Money, and the Charges of distraining and selling the said Goods and Chattels, or if it shall appear to such Justice that such Officer or Person had refused or wilfully neglected to render and give such Accounts, or to produce the Vouchers relating thereto in his Possession or Power, or that any Books, Papers, or Writings relating to the Execution of this Act remained in the Hands or in the Custody or Power of such Officer or Person, and he refused or wilfully neglected to deliver or give Satisfaction respecting the same as aforesaid, then and in every such Case such Justice may commit such Offender to any Common Gaol or House of Correction, there to remain without Bail or Mainprize until he shall have given a true and perfect Account as aforesaid, or until he shall have paid such Monies

as aforesaid, or compounded with the said Commissioners for such Money, and shall have paid such Composition in such Manner as they may appoint (which Composition the said Commissioners are hereby empowered to make and receive), and until he shall deliver up such Books, Papers, and Writings, or give Satisfaction respecting the same, to the said Commissioners, or to such other Person as aforesaid; but no such Offender shall be kept or detained in Prison for Want only of sufficient Distress by virtue of this Act for any longer Term than Three Calendar Months: Provided also, that if any Money shall be due from such Officer or Person his Commitment to Prison as aforesaid shall not (without the Consent of the said Commissioners) be deemed a Discharge for the same, nor exonerate the Sureties for such Officer or Person, but such Officer or Person and his Sureties shall remain liable to the Payment thereof in the same Manner as if such Officer or Person had not been committed to Prison.

Officers not to take Fees or Rewards.

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

Accounts to be made out and examined and settled yearly.

XXIX. And be it further enacted, That in the Month of *January* next after the passing of this Act a true Account shall be made in Writing of all Monies received and paid by virtue of the said recited Acts hereby repealed, and this Act, during the preceding Year, and that in the Month of *January* in every succeeding Year a true Account shall be made in Writing of all Monies received and paid by virtue of this Act during the preceding Year ending upon the Thirty-first Day of *December* in every Year; and that at a Meeting which shall be held for that Purpose on the Third *Monday* in *January* in every Year, or some Adjournment thereof, the said Account shall be produced, examined, and settled, and the said Commissioners shall, at the Settlement of such Account, cause a full and true Statement to be made and drawn out of all Rates or Assessments made, and of all Contracts entered into, and of all Monies received and paid, under and by virtue of this Act, during the preceding Year, and of all Debts then due and owing on account thereof; and every Creditor on the Rates and Assessments by this Act authorized to be made, and every Person paying any such Rate or Assessment, shall, upon Application to the Clerk, be entitled to a printed Copy of such Statement without Fee or Reward: Provided always,

that Ten Days Notice of such Meeting for the Purpose of passing such Accounts shall be given by affixing the same on the Town Hall or in some other convenient Place within the said Parish.

Commissioners Accounts to be audited.

XXX. And be it further enacted, That on the Second *Friday* in the Month of *September* in the Year of our Lord One thousand eight hundred and thirty-eight, and on the Second *Friday* in the Month of *September* in each and every ensuing Year, it shall be lawful for the Inhabitants of the said Parish of *Ramsgate* having a Right to assemble and who shall be assembled in Vestry to nominate Three fit and proper Persons to be Auditors of the Accounts of the said Commissioners, who shall make and sign a solemn Declaration of the like Purport and Effect to that hereby required to be taken by the Commissioners before One of Her Majesty's Justices of the Peace for the Town, Port, and Borough of *Sandwich*, or for the Liberties of the Cinque Ports (which Declaration any such Justice is hereby authorized to administer), but no Person so to be nominated shall be a Commissioner in the Execution of this Act, neither shall any Person so to be nominated be interested either directly or indirectly in any Contract, Office, Business, or Employ, or in providing or supplying any Articles or Materials, under the Provisions of this Act; and the Auditors so to be nominated shall meet on the First *Wednesday* in the Month of *March* in the Year One thousand eight hundred and thirty-nine at the Town Hall of the said Parish of *Ramsgate*, or at some other convenient Place in the same Parish to be appointed by the said Commissioners, and proceed to audit the Accounts of the said Commissioners (in the Presence of their Clerk, in case he should desire to be present) from the Time they shall have begun to act as Commissioners up to the Thirty-first Day of *December* next preceding the Meeting of the Auditors; and on the First *Wednesday* in the Month of *March* in every subsequent Year the Auditors to be nominated on the Second *Friday* in the Month of *September* then next preceding shall meet at the Place aforesaid, and proceed in the like Manner and in the like Presence to audit the Accounts of the said Commissioners for the Year ending respectively on the Thirty-first Day of *December* then last past; and the said Commissioners are hereby required, by their Clerk, to produce and lay before the said Auditors at every such Meeting all Books, Papers, and Writings in their Custody or Power relating to the Execution of this Act, and a true and just Statement or Account in Writing, accompanied with proper Vouchers, of all Sums of Money which shall have come to the Hands of the said Commissioners or of their Treasurer by virtue of this Act, and also of all Monies paid, laid out, or expended by them during the said Period, and in and about the obtaining and carrying the same into execution, and other Expences incident thereto; and in case the said Auditors shall think there is just Cause to disapprove of any Parts of the Accounts so to be presented, it shall be lawful for the said Auditors, or the major Part of them, if they shall think fit, to appeal against any such Parts of the said Accounts as shall be so disapproved to such Person or Persons within the Time and subject to the Regulations and Provisions herein-after mentioned in respects of Appeals against Rates to be made in pursuance of this Act.

XXXI. And

Pavements, &c. vested in the Commissioners.

XXXI. And be it further enacted, That the Management of all the present and future public Squares, Crescents, Terraces, Roads, Streets, Lanes, Ways, and other public Passages and Places, as well Carriageways as Footways, within the said Parish of *Ramsgate*, and the Pavements, Stones, Gravel, and all the other Materials of, in, or belonging to the same, and all the present and future public Drains, Sewers, Gutters, Grates, and Sinks in the said Parish, and all the Lamps, Lamp Irons and Posts, and all other Articles, Materials, and Things already made, erected, set up, or provided by virtue of the said recited Acts hereby repealed or either of them, or to be made, erected, set up, fixed, or provided by virtue of this Act, and all Lands, Grounds, Tenements, and Hereditaments heretofore purchased or taken by the said Commissioners for executing the said recited Acts hereby repealed or either of them, or at the Time of the Commencement of this Act vested in or belonging to them, and all Buildings and Works, Articles, Materials, and Things already erected, set up, done, made, or provided by virtue of the said recited Acts hereby repealed or either of them, or to be erected, set up, made, or provided by virtue of this Act, shall belong to and be the Property of and the same are hereby absolutely vested in the Commissioners for executing this Act (subject nevertheless to any Conditions or Regulations contained in any Contracts with the said Commissioners); and the said Commissioners shall and may cause to be brought any Action, or direct the preferring of any Bill of Indictment, Information, or Complaint, (as the Case may require,) against any Person who shall steal, take, or carry away, or detain, spoil, injure, divert, disturb, annoy, damage, or destroy, the said several Articles, Matters, Property, and Things hereby vested in them the said Commissioners as aforesaid, or any of them, or any Part thereof; and in any such Action or Bill of Indictment, Information, or Complaint respectively it shall be sufficient to state generally that the Article, Matter, Property, or Thing for or on account or in respect of which such Action shall be brought, or Bill of Indictment, Information, or Complaint preferred, is the Property of "The Commissioners for paving, lighting, watching, and improving the Parish of *Ramsgate*," without particularly mentioning or specifying the Names of all or any of the said Commissioners; and the said Commissioners shall have full Power and Authority from Time to Time to sell and dispose of all or any of the said Articles, Matters, and Things, or any Part of the same respectively as shall not be wanted for the Purposes of this Act, to such Person, at such Time, and in such Manner as they shall think proper.

New Streets when paved may be declared public Highways, and repaired as such.

XXXII. And be it further enacted, That in case any Street, Crescent, or Place, not being a public Highway, already erected and made, or any such new Street or Place as aforesaid, is or shall be laid out and made in the said Parish of *Ramsgate*, and shall be well and effectually paved, stoned, or put in good Order and Repair to the Satisfaction of the said Commissioners, or when any new Crescent, Terrace, or Parade shall be laid out and made and put in the like good Order and Repair, then, on Application of a Majority of not less than Two Thirds in Value according to the Poor's Rate in the same Parish of the Owner or Owners of the Soil, it shall

shall be lawful for the said Commissioners and they are hereby empowered from Time to Time, by any Writing under their Hands, to declare the same to be public Highways and Passages and Places; and from and after such Declaration made such Streets, Crescents, Lanes, Ways, and Passages, as well those already made as those hereafter to be made as aforesaid, and every of them, shall be deemed and taken to be public Highways and Passages and Places to all Intents and Purposes, and be repaired and kept in repair by the said Commissioners as the other Parts of the Streets, Lanes, public Places and Passages within the same Parish are by this Act directed to be managed and governed.

Existing Projections to be removed by the Commissioners.

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

Future Projections to be removed by Occupiers.

XXXIV. And be it further enacted, That the several Owners and Occupiers of Houses, Buildings, and Premises situate in the several Squares, Crescents, Terraces, Roads, Streets, Lanes, Ways, Passages, or other public Places within the said Parish of *Ramsgate*, and every of them, are hereby authorized and required, at their Expence respectively, within Thirty Days next after their respectively receiving Notice in Writing from the said Commissioners, to cause all and every the Rails, Posts, Fences, Steps, Cellar Windows, Cellar Doors, Hatchways, Signs, Sign Posts, Showboards, and other Obstructions

and Projections whatsoever which shall hereafter be erected, affixed, set up, or laid down, or stand or be against or in front of or belonging to their respective Houses, Buildings, or Premises, and which in the Judgment of the said Commissioners shall be considered public Annoyances or Nuisances by reason of their projecting over or into or encroaching upon or otherwise obstructing, annoying, or endangering the public Passage along any of the said Streets or other public Places, to be taken down, filled up, removed, and carried away or otherwise altered or reformed within such Time and in such Manner as shall be directed by the said Commissioners; and in case the Owner or Occupier of any such House, Building, or Premises as aforesaid shall neglect or refuse to cause any such Matter or Thing so adjudged to be a public Annoyance or Nuisance as aforesaid to be taken down, filled up, removed, and carried away, or otherwise altered or reformed, within the Time and in manner aforesaid, then and in every such Case the said Commissioners may cause the same to be forth with done, and the Costs and Charges attending the same shall be paid by such Owner or Occupier, and shall and may be recovered from such Owner or Occupier in manner herein-after directed: Provided always, that the Occupier of any such House or Building, being a Tenant at Rack Rent, and having either paid such Costs and Charges in the first instance, or having repaid the same to the said Commissioners, and not being the Person who originally made or occasioned such Annoyance or Nuisance, shall and may deduct and retain the Amount thereof out of his Rent, and the Proprietor or Person entitled to the said Rent is hereby required to allow the same accordingly.

Streets to be paved.

XXXV. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby authorized and required, from Time to Time, when and so often and in such Manner as they shall think necessary, to cause the present and future public Squares, Crescents, Terraces, Roads, Streets, Lanes, Ways, or other public Passages and Places, as well Carriageways as Footways, within the said Parish of *Ramsgate*, to be paved, flagged, made, formed, repaired, and amended, and the same, and the Pavements, Flagging, and other Materials thereof, to be taken up and relaid, and the Ground and Soil thereof to be raised, lowered, or altered, from Time to Time, in such Manner and with such Materials, and with such Drains, Gutters, Sinks, Watercourses, or Gratings therein, as the said Commissioners shall think proper, and to erect or set up, or cause to be erected or set up, any Posts, Rails, Pales, or Fences in or near any of the said public Squares, Crescents, Terraces, Roads, Streets, or other public Passages or Places which they the said Commissioners may think proper for the better Security of Passengers, Cattle, or Carriages, or otherwise as to them the said Commissioners shall seem expedient.

Power to protect and inclose dangerous Places.

XXXVI. And be it further enacted, That if at any Time hereafter the Area to any House or Building or intended House or Building, or any Excavation, or any unoccupied Premises, or any Land or vacant Ground contiguous to or abutting upon any Street, Lane, Square or Way, or to or upon any Footpath near the Edge of any

any Cliff, within the said Parish, (whether such Street, Lane, Square, or Footpath shall be paved, repaired, or lighted by the said Commissioners, or shall not be paved, repaired, or lighted by them,) shall not be properly or securely maintained, repaired, protected, upheld, fenced, and inclosed, and by reason of such Want of Maintenance, Repair, Protection, or Inclosure shall in the Judgment of the said Commissioners be dangerous to the Inhabitants of the Neighbourhood or to the Public, it shall be lawful for the said Commissioners, if after Five Days Notice signed by the Clerk or Surveyor of the said Commissioners to the Owner or Party interested in such House, Building, Area, Excavation, Land, Ground, or Premises the same shall not be forthwith securely maintained, repaired, protected, upheld, fenced, and inclosed to the Satisfaction of the said Commissioners, to cause the same to be properly and securely maintained, repaired, protected, upheld, fenced, and inclosed, and to charge all the Costs and Charges of such Maintenance, Repair, Protection, upholding, Fence, and Inclosure in each Case to the Owner or Party interested in such House, Building, Area, Excavation, Land, Ground, or Premises respectively; the said Costs and Charges to be recoverable in the same Way in which Rates and Assessments made under the Authority of this Act are by the Provisions of this Act directed to be recovered: Provided always, that nothing herein contained shall prevent or affect any Proceeding by Action or Indictment against any such Owner or Party interested, or against any other Person whatever, for or in respect of the said Areas or Excavations, or of any Injury or Nuisance arising therefrom.

Power to Commissioners to fence Footways and Carriageways near the Sea Cliff.

XXXVII. And be it further enacted, That it shall and may be lawful for the said Commissioners (if they think fit, and by and out of the Monies to arise by virtue of this Act) to fence in and inclose any Carriageways or Footways in the said Parish near or along the Edge of the Sea Cliff (whether such Carriageways or Footpaths shall or shall not be paved, repaired, or lighted by them the said Commissioners,) which in the Judgment of the said Commissioners shall by reason of not being properly protected or inclosed be dangerous to the Inhabitants of the said Parish.

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

XXXVIII. And be it further enacted, That no Person shall at any Time take up, remove, or alter, or cause to be taken up, removed, or altered, any Part of the Pavements, Flags, Stones, Gravel, or other Materials or the Surface of the public Carriageways or Footways, or the Gutters, Sinks, Drains, or Watercourses, within the said Parish, or the Ground or Soil under the same, so as to prejudice any such Carriageway, Footway, Gutter, Sink, Drain, or Watercourse, without the previous Consent of the said Commissioners, upon pain of forfeiting for every such Offence any Sum not exceeding Five Pounds, and also the further Sum of Twenty Shillings for each Day such Offence shall continue after the Expiration of Three Days from the Time Notice in Writing to remove such Offence or the Cause thereof shall have been given by the said Commissioners or their Clerk or Surveyor; and where such Alteration shall be made with such Consent or Direction as aforesaid the same shall be made at the Expence of the Person requiring the same, or to whom such Consent

Consent or Direction shall be so given as aforesaid; and in case any Person shall cause any such Alteration to be made without such Consent, or contrary to such Direction, and shall refuse or neglect to remove and restore the same to its former State or Condition, the said Commissioners may and they are hereby authorized to remove such Alteration, and to restore or make good the Pavement or Surface, Gutter, Sink, Drain, or Watercourse, Ground or Soil, to the State in which it was before such Alteration was so made, or as near thereto as Circumstances will admit; and the Charges and Expences attending the Restoration thereof shall be paid by the Person who so caused such Alteration to be made, and shall be recovered in the Manner herein-after directed for the Recovery of Penalties.

For cleansing the Streets, &c.

XXXIX. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby empowered to purchase or hire any Carts or other Carriages, and also any Horses for drawing the same, for carrying away Dirt, Dust, Ashes, and Rubbish from and for the watering of the said public Squares, Crescents, Terraces, Roads, Streets, Lanes, Ways, or other public Passages and Places, and for other Purposes in the Execution of this Act; and also to purchase, hire, or otherwise provide Land and Buildings fit and convenient for depositing the Dirt, Dung, Ashes, or other Filth to be swept and collected under the Authority of this Act, and for the Accommodation and Deposit of all Horses, Carts, Tools, and Implements, and other Articles, Matters, and Things to be used and employed by or by the Direction of the said Commissioners under the Authority of this Act; and also to cause any Wells, Pumps, Pipes, Tanks, Reservoirs, and other Apparatus to be sunk, made, or laid down in any Part of the said Parish of *Ramsgate*, and to cause the same to be removed, altered, and repaired when necessary and as they shall think fit; and also to nominate, appoint, and employ any Persons to cleanse and water the said Squares, Crescents, Terraces, Roads, Streets, Lanes, Passages, and other public Places, and to carry away the Dust, Dirt, Cinders, or Ashes from any Houses or other Premises within the said Parish, at such Seasons and Times as the said Commissioners shall think proper.

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

XL. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby authorized and empowered from Time to Time to enter into any Contract with any Person or Company whatsoever for widening, altering, amending, improving, paving, or repairing the said Squares, Crescents, Terraces, Roads, Streets, Lanes, Ways, Passages, and Places in the said Parish of *Ramsgate* or any of them, or for taking away and collecting the Dirt, Dust, Cinders, and Ashes within the said Parish, or for lighting the same Squares, Roads, Streets, and Places, or any of them, or any Part thereof, with Gas or Oil, or in any other Manner whatsoever, or for cleansing or watering the same, or for furnishing Lamps, Lamp Irons, Watchboxes, Posts, Chains, Pales, Rails, and other Things necessary for the Purposes aforesaid, or for furnishing Materials, and doing and performing all or any of the other Works by this Act authorized or directed to be done and performed; which Contracts shall specify the several Works to be done and the Prices to be paid for the same, and the Time when

the same Works shall be completed, and the Penalties to be suffered in case of Nonperformance thereof, and shall be signed by Seven or more of the said Commissioners, and also by the Person contracting to perform such Works respectively, which Contract, or a Copy thereof, shall be entered in a Book to be kept for that Purpose by the Clerk to the said Commissioners; and the said Commissioners shall and they are hereby required to take Security from every such Contractor for the due Performance of his Contract: Provided always, that if the said Commissioners shall be of opinion that it will not be advantageous to contract with the Person offering the lowest Price, or with any other Person tendering or making such Proposal, it shall be lawful for the said Commissioners to contract or agree with any other Person whom they shall think proper.

Surveyor to inspect the Works.

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

Compensation may be made to the Owners of Buildings pulled down or burnt down, on their being rebuilt in such Manner as shall be an Improvement to the Parish.

XLII. And be it further enacted, That for the Purpose of improving the said Parish of *Ramsgate*, and widening the said Streets, Lanes, Roads, Passages, and other public Places, it shall be lawful for the said Commissioners, in pursuance of an Order at any Meeting of the said Commissioners, and they are hereby authorized and empowered, in all Cases where any House or Building fronting or adjoining or near any of the present or future Streets, Lanes, Roads, Passages, and other public Places in the said Parish of *Ramsgate* shall be pulled down, wholly or in part, for the Purpose of rebuilding or new fronting the same, or shall be burnt down, to enter into any Agreement with the Owners relative to the Line or Direction or Mode of erecting, altering, or new building any such Houses or Buildings, or to any Alterations or Change of the Line or Direction in which any such House or Building stand, or relative to the Removal of any Angles or Projections, or to any other Changes thereof, whereby such Owners would be required to give up some Portion of Land or Ground for the Purpose of such Improvement, and for the said Commissioners to make or give such Sums by way of Compensation or Satisfaction for any Injury, Loss, or Damage which any such Owners may sustain by acceding to any such Plan of Improvement, occasioned by the Loss of such Land or Ground or otherwise, as the said Commissioners

shall think reasonable for the Object or Purposes of Improvement to be thereby obtained, and to pay such Compensation or Satisfaction out of any Monies to be raised by virtue of this Act; and if such Owners shall refuse to enter into such Agreement, or shall refuse to accept such Compensation or Satisfaction on Tender thereof, then if the Amount of such Compensation or Damage be alleged by the Parties claiming the same to amount to any Sum under Twenty Pounds the Amount of the Compensation for such Loss or Damage shall or may be ascertained and settled by any Two Justices of the Peace having Jurisdiction within the said Parish of *Ramsgate*, and shall and may be levied and recovered by Warrant under the Hands and Seals of such Justices, together with such reasonable Costs and Charges as shall be awarded and allowed by such Justices, by Distress and Sale of the Goods of the said Commissioners or of their Treasurer, unless such Treasurer shall pay and discharge the same, which he is hereby authorized to do, out of any Monies received or to be received by him as such Treasurer as aforesaid; and in case the Amount of such Compensation shall be alleged to amount to the Sum of Twenty Pounds or upwards, then the Amount of the Compensation for such Loss or Damage shall be assessed and ascertained by a Jury in manner herein-after provided for ascertaining the Value of Lands and Hereditaments taken for the Purposes of this Act.

In case of Dispute as to Compensation when less than 20*l.* Two Justices may assess the same.

When amounting to 20*l.* or upwards a Jury to assess.

XLIII. And whereas Houses, Walls, and Buildings within the said Parish of *Ramsgate* are or may be, either from litigated Titles thereto, or the Obstinacy, Neglect, or Poverty of the Owners thereof, or of the Parties interested therein, or from some other Cause, in so ruinous a Condition that the Inhabitants thereof and Passengers thereby are in danger of their Lives or Limbs from the falling thereof, or of the Bricks, Stones, or Timber therefrom; be it further enacted, That on any Information signed by Four or more Householders living near to any House, Wall, or Building within the said Parish, that such House, Wall, or Building is in a ruinous and dangerous Condition, it shall be lawful for any Two Justices of the Peace having Jurisdiction within the said Parish of *Ramsgate* to cause a Survey to be made by Two Surveyors, and if upon such Survey it shall be certified that the said House, Wall, or Building is dangerous or ruinous, it shall be lawful for the said Commissioners and they are hereby required, on Notice of any such Presentment being made, and a Copy thereof being laid before them, to cause with all convenient Speed a proper and sufficient Hoard to be put up for the Safety of all Passengers passing thereby, and to cause Notice in Writing to be given to the Owner or other Person interested therein, if he can be found, and if not to cause such Notice in Writing to be affixed to or upon the Door or other notorious Part of such House, Wall, or Building so presented to be in such ruinous Condition, to repair or to pull down the same, as the Case may require, within Twenty Days then next ensuing; and if such Owner or other Person interested in any such House, Wall, or Building do not begin to repair or take down the same within the said Twenty Days after such Notice so given or affixed as aforesaid, and complete such Repairs or take down the same as soon as the Nature of the Case will admit, then, a Declaration being made before any Justice of the Peace having Jurisdiction

Where any Building is presented as ruinous a Hoard to be put up for Safety of Passengers.

Jurisdiction within the said Parish of *Ramsgate* of such Notice having been so given or affixed as aforesaid, the said Commissioners are hereby authorized and required with all convenient Speed to order and cause such House, Wall, or Building so presented to be in a ruinous Condition, or so much thereof as the said Commissioners find necessary for the Safety of Passengers, to be taken down and secured in such Manner as shall from Time to Time be requisite, and to sell and dispose of such of the Materials as the said Commissioners shall judge necessary and expedient, and out of the Monies arising from the Sale thereof to reimburse, repay, and satisfy themselves and every Person employed for the Purposes aforesaid all the Costs and Charges of such Survey and Presentment and putting up of every such Hoard, and of such taking down and securing all or any Part of every such House, Wall, or Building so taken down or secured as aforesaid, and of selling the said Materials as aforesaid, or so much thereof as the Monies arising by such Sale will extend to pay, and shall account for and pay the Surplus of the Monies arising by such Sale (if any) to the Owner of every such House, Wall, or Building, upon personal Demand thereof made by such Owner to the said Commissioners or their Treasurer: Provided nevertheless, that any such Owner, his Executors or Administrators, shall be entitled to have and receive such Overplus from the said Commissioners or their Treasurer for the Time being within Ten Days after Demand thereof personally made by such Owner, his Executors or Administrators; and if it shall happen that the Money arising by such Sale shall fall short and is deficient to repay and satisfy all such Costs and Charges, then such Deficiency shall from Time to Time be paid by the Owner of every such House, Wall, or Building, if known and to be met with; and if such Owner, on Demand thereof, shall neglect or refuse to pay the same, then such Deficiency may be levied, by Warrant under the Hand and Seal of any Justice of the Peace having Jurisdiction within the said Parish of *Ramsgate*, by Distress and Sale of the Goods and Chattels of such Owner, if any such can be found; and if no such Owner can be met with, or being met with shall not, on Demand, pay the said Deficiency, and no sufficient Distress of his Goods and Chattels can be met with whereupon such Deficiency of such Costs and Charges may be levied and recovered, then the Person who shall at any Time thereafter occupy any such House or Building, or the Ground where the same or the Wall stood, is hereby required and authorized to pay and deduct the same out of the Rent thereof, and if he neglect or refuse to pay such Deficiency of Charges, then the same shall, by Warrant under the Hand and Seal of any such Justice, be levied by Distress and Sale of the Goods and Chattels of any such Occupier of the Premises, together with the Costs of every such Distress and Sale; and the Owner of the Premises is hereby required to allow to every such Occupier all such Deficiencies and Charges which he shall so pay, or which shall be recovered or levied by Distress and Sale from him as aforesaid, out of any Rent which shall become due for the said Premises, or any Part thereof, and every Occupier paying any such Deficiency and Charges shall be acquitted and discharged for so much Money as he shall so pay in the same Manner as if the same had been actually paid to such Person to whom his Rent was due and should have been paid: Provided always, that no such

such Occupier shall be required to pay nor shall his Goods or Chattels be seized or distrained for any greater Sum than the Amount of Rent actually due from him for or in respect of such Premises at the Time of such Requisition to pay or of such Seizure or Distress respectively, and which Amount such Occupier is hereby required to disclose on Application made to him, and in default of such Disclosure it shall be lawful for the said Commissioners to levy the whole Amount of Rate then due by such Distress and Sale as aforesaid.

Shoots, &c. to be put up.

XLIV. And be it further enacted, That the Owner or Occupier of every House or Building in or adjoining any Street, Lane, or other Passage or Place within the said Parish of *Ramsgate* shall, within Twenty Days next after Service of any Order or Direction for that Purpose signed by the said Commissioners on him personally, or left at his last or usual Place of Abode, put up and place and for ever afterwards keep in good Repair and Condition a Shoot, Spout, or Trough of the whole Length of such House or Building, with a Pipe or Trunk to be fixed to the Front or Side of such House or Building, from the Roof to the Ground, to carry off or conduct the Water from the Roof of such House or Building in such Manner that such Water shall not fall upon or incommode the Persons passing near such House or Building; and every Tenant or Occupier at Rack Rent of any such House or Building who shall put up or place any such Shoot, Spout, or Trough, Pipe or Trunk, or keep the same in repair, shall be entitled to deduct out of the Rent payable to the Owner of such House or Building so much Money as such Tenant or Occupier shall have expended in putting up or placing or in keeping in repair any such Shoot, Spout, Trough, Pipe, or Trunk, and the Payment of such Expences by any such Tenant or Occupier shall be a sufficient Discharge to him for so much of his Rent as the Amount of such Expences shall be equal to, and shall be abated or allowed to him by the Owner of such House or Building out of such Rent; and if any such Owner or Occupier shall, for the Space of Twenty Days next after Service as aforesaid of any such Order or Direction, neglect to put up or place or neglect to repair any Shoot, Spout, Trough, Pipe, or Trunk as aforesaid, then and in every such Case it shall be lawful for the said Commissioners to cause any such Shoot, Spout, Trough, Pipe, or Trunk to be put up or placed against any such House or Building at the Expence of the Owner or Occupier thereof; and in case any such Owner or Occupier shall refuse to pay such Expences, the same shall and may be levied and recovered by the said Commissioners by the same Ways and Means as the Rates or Assessments by this Act granted may be levied or recovered.

Water from Houses, &c. to be conveyed by underground Drains.

XLV. And be it further enacted, That the Water from all Houses and Buildings in any Street, Lane, or other Passage or Place within the said Parish of *Ramsgate* shall be conveyed from such Houses and Buildings either by means of underground Drains or Tunnels below the Surface of the Pavement or Flagging of the Footpath, or by means of Iron Drain Gutters to be fixed and placed in the Flagging or Pavement; and that for the Purpose of laying or forming such Drains or Tunnels, or fixing or placing such Iron Drain Gutters as aforesaid,

said, it shall be lawful for the Owner of any such House or Building to take up so much of the Pavement or Flagging of any Footpath or Carriageway as may be requisite, and to lay down and form the said Drains or Tunnels, or fix or place the said Iron Drain Gutters, under the Direction of the said Commissioners, or such Person as they shall appoint; and all Damage which may be thereby occasioned to the Pavement or Flagging of the Footpath or Carriageway shall be made good at the Expence of such Owner: Provided always, that in case Default shall be made in the Formation of such Drains or Tunnels, or in the fixing or placing of such Iron Drain Gutters in manner aforesaid, it shall be lawful for the said Commissioners, or any Person acting by or under their Authority, and at the Expence in all Things of the said Commissioners, to lay down and form the said underground Drains and Tunnels, or to fix and place the said Iron Drain Gutters.

Houses, &c. not to be covered with Thatch.

XLVI. And be it further enacted, That no House, Outhouse, or other Building which shall hereafter be built or erected abutting to or adjoining any Street, Lane, or other Passage or Place within the said Parish of *Ramsgate* shall be covered with Thatch or Straw wholly or in part; and in case any such House, Outhouse, or other Building shall be so erected, the Owner thereof shall forfeit and pay the Sum of Forty Shillings for every Calendar Month the same shall continue with such Covering.

Commissioners empowered to cause Houses to be numbered and the Names of Streets to be put up.

XLVII. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby empowered from Time to Time to cause the several Houses and other Buildings in the several public Streets, Squares, Crescents, Terraces, Lanes, Passages, and Places within the said Parish of *Ramsgate* to be numbered, such Numbers or Figures to be not less than Two Inches long, and also to cause to be affixed or painted on a conspicuous Part of some House or Building or Place, at or near each End, Corner, or Entrance thereof respectively, the Names by which such Streets, Squares, Crescents, Terraces, Lanes, Passages, or Places are respectively to be called or known; and if any Person shall wilfully or maliciously destroy, pull down, or deface any such Number or Name, or any Part thereof, or shall fix or put up any Number or Name different to the Number or Name fixed or put up by Order of the said Commissioners, he shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence.

Houses building or repairing to be fenced in.

XLVIII. And be it further enacted, That when at any Time hereafter by reason of the erecting, building, altering, repairing, or enlarging of any House, Wall, or Building within the said Parish of *Ramsgate* any or either of the said public Streets or Places shall or may be in any Manner obstructed or rendered dangerous or unsafe, every such House, Wall, or Building shall be well and sufficiently fenced in and inclosed, by and at the Expence of the Owner or Occupier thereof, before such House, Wall, or Building shall be begun to be erected, built, altered, repaired, enlarged, or taken down, and shall so continue during such Time as the said Commissioners or their Surveyor shall order and direct; and if the Owner or Occupier of such

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

Restriction as to Vaults, Drains, &c.

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

Scavengers Duty.

L. And be it further enacted, That the Person employed by or contracting with the said Commissioners for cleansing and watering the said public Squares, Crescents, Terraces, Roads, Streets, Lanes, Ways, Passages, and other public Places, or the Person employed by or acting under the Direction of such Person so contracting with the said Commissioners, shall, on such Days and at or between such Hours as the said Commissioners shall from Time to Time appoint, well and sufficiently water the said public Squares, Crescents, Terraces, Roads, Streets, Lanes, Ways, and other public Places, and

sweep

sweep and collect together all Dust, Dirt, Filth, or Rubbish in such public Squares, Crescents, Terraces, Roads, Streets, Lanes, Ways, Passages, and other public Places, and shall also bring or cause to be brought a Cart or other proper Carriage in such public Squares, Crescents, Terraces, Roads, Streets, Lanes, Ways, Passages, and other public Places where such Cart or other Carriage can pass, and such Person so employed by or contracting with the said Commissioners shall immediately take the Dust, Dirt, Rubbish, Cinders, Ashes, and Filth (except Filth from any Privy or Necessary House) from the respective Premises in such several public Squares, Crescents, Terraces, Roads, Streets, Lanes, public Passages, and Places, and put the same in such Cart or Carriage; all which Dust, Dirt, Rubbish, Cinders, Ashes, and Filth (except as aforesaid), as well as all such Dust, Dirt, Dung, Ashes, and other Filth as shall be swept up and collected together as aforesaid, such Person shall then immediately, or as soon as may be, carry away or cause to be carried away to the Place or Places appointed by the said Commissioners for depositing the same, upon pain of forfeiting any Sum not exceeding Five Pounds for every Offence or Neglect therein.

Penalty on Persons other than Scavengers collecting Dust, Dirt, &c.

LI. And be it further enacted, That if any Person other than the Persons employed by or contracting with the said Commissioners for cleansing the public Squares, Crescents, Terraces, Roads, Streets, Lanes, Ways, Passages, and other public Places within the said Parish of *Ramsgate*, or those employed under the Persons so employed or contracting as aforesaid, shall on any Pretence whatsoever collect or gather, or ask for, receive, or carry away, any Dust, Dirt, Dung, Cinders, or Ashes from any Street or other public Way, Passage, or Place within the same Parish, he shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

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

LII. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby empowered from Time to Time to cause such Lamp Irons or Lamp Posts, or other Posts, Chains, or Rails, to be set up or affixed upon or against the Walls, Palisadoes, or Iron Railings or any other Part of any Houses, Tenements, Buildings, or Inclosures, doing no Damage or Injury thereto, or in such other Manner, within all or any of the present or future Streets or Places within the said Parish of *Ramsgate*, as they shall think proper; and also to cause such Number of Lamps of such Sizes and Sorts to be provided and affixed and put upon such Lamp Irons or Lamp Posts as they shall think necessary for lighting all or any of such Streets and Places, and to cause the same to be lighted with Gas, Oil, or otherwise at such Times or Seasons as they shall think necessary: Provided always, that it shall not be lawful for the said Commissioners or any Persons whomsoever to carry, lay, place, or fix any Lamp Iron or Lamp, or any Pipe or other Matter or Thing for lighting all or any such Streets or Places with Gas, Oil, or otherwise, in or under any private Road or Place, or against or on any Dwelling House or private Building, or to continue the same, without the Consent of the Owner or Occupier thereof in Writing: Provided nevertheless, that nothing in this Act shall be understood to empower the said Commissioners to manufacture or sell Gas.

LIII. And

Penalty for wilfully injuring Lamps, &c.

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

Penalty on accidental Damage to Lamps, &c.

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

Gas Pipes to be laid at a Distance from Water Pipes, and in a particular Manner.

LV. And be it further enacted, That every Pipe or other Conduit to be used or laid for the Conveyance of Gas in, under, through, along, across, or round any Street, Lane, or other Passage or Place in the said Parish of *Ramsgate* shall be laid at the greatest practicable Distance, and whenever the Width of the Carriageway in such Street, Lane, or other Passage or Place will allow thereof, at the Distance of Two Feet at least, from the nearest Part of any Water Pipe already laid down or hereafter to be laid down for the Conveyance of Water in, under, through, along, across, or round any of the said Streets, Lanes, or other Passages or Places, excepting in Cases where it shall be unavoidably necessary to lay the Gas Pipes across any of the said Water Pipes, in which Cases the said Gas Pipes shall be laid over and above the said Water Pipes at the greatest practicable Distance therefrom, and shall form therewith a Right Angle; and in such Case the said Gas Pipes so crossing the said Water Pipes shall be at least Nine Feet in Length, so that no Joint of any of the said Gas Pipes shall be nearer to any Part of the said Water Pipes than Four Feet at least; and in laying down the said Gas Pipes the said Commissioners, Company, or other Person supplying Gas shall in no Case join Three or more Gas Pipes together previous to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall in such Trench form the Jointing with the other Pipes to be added thereto with proper and sufficient Materials, and shall also make and keep every such Pipe and all Pipes con-

nected or communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively air-tight, and in every respect prevent the said Gas from escaping therefrom, upon pain of forfeiting for every Offence or Neglect the Sum of Five Pounds, which shall be paid either to any Person annoyed or damaged by any such last-mentioned Act who shall be the Informer, or to any other Person who (in the Judgment of the Justice of the Peace before whom the Conviction shall take place) shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed, as the said Justice shall direct, and which shall be levied and recovered as any other Penalty is by this Act directed to be levied and recovered.

Penalty for conveying Washings into any River, Stream, Well, &c.

LVI. And be it further enacted, That if the said Commissioners or any Company or other Person whosoever shall at any Time drain or convey, or cause or suffer to be drained or conveyed, or to run or flow, any Washings or other waste Liquids, Substances, or Things whatsoever which shall arise or be produced in the Prosecution of any such Gas Work, or in the Manufacture or Process of making or procuring any such Gas, into any River, Brook, or running Stream, Reservoir, Canal, Aqueduct, Feeder, Moat, Pond, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any such River, Brook, or running Stream, Reservoir, Canal, Aqueduct, Waterway, Feeder, Moat, Pond, Springhead, or Well; Drain, Sewer, or Ditch, whereby the said Water or any Part thereof shall or may be spoiled, fouled, or corrupted, then and in each such Case the said Commissioners, Company, or Person shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty and Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of Her Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case; and one Moiety thereof shall be paid to the Person who shall sue for the same, and the other Moiety to the Person against whom any such Annoyance, Act, or Thing shall have been done or committed, or who shall have been injured thereby: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Six Calendar Months from the Time when such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased and determined: Provided also, that over and above and in addition to the said Penalty of Two hundred Pounds, and whether such Penalty shall have been sued for or recovered or not, in case any of the said Washings or other Liquids, or noisome or offensive Liquids, Substances, or Things, shall be drained, conducted, or conveyed, or caused or suffered to run or flow, in manner aforesaid, into any River, Brook, or running Stream, or Reservoir, Canal, Aqueduct, Waterway, Feeder, Moat, Pond, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or any such Annoyance, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Person to whom the same shall belong, or by any other Person whomsoever, to the said Commissioners, Company, or other Person, and the said Commissioners, Company, or other Person as aforesaid shall not, within Twenty-four Hours after such Notice shall have been given

to them or him as aforesaid, stop, hinder, and prevent all and every such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things from being drained, conducted, or conveyed, or from running or flowing in manner aforesaid, and every such Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case the said Commissioners, Company, or Person as aforesaid shall forfeit and pay the Sum of Twenty Pounds for each Day such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things shall be so drained, conducted, or conveyed or caused or suffered to run or flow in manner aforesaid, or such other Annoyance, Act, or Thing shall be so done or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered, levied, and applied in such and the like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered, levied, and applied.

For preventing the Escape of Gas.

LVII. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which have already or shall hereafter be laid down or set up by the said Commissioners, or by any Company or any other Person whomsoever making, furnishing, or supplying any Gas used, burnt, or consumed within the said Parish, the said Commissioners, Company, or other Person as aforesaid shall, immediately after Notice in Writing of any such Escape of Gas by any Person whomsoever, to be left at the usual Office or Place of transacting Business of the said Commissioners, Company, or other Person making, furnishing, or supplying such Gas as aforesaid (as the Case may be), cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the said Commissioners, Company, or other Person as aforesaid shall not, within Twenty-four Hours next after such Notice given, effectually stop and prevent any further Escape, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the said Commissioners, Company, or other Person as aforesaid shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds for each Day after the Expiration of Twenty-four Hours after the Time of giving such Notice during which the Gas shall be suffered to escape as aforesaid; which Penalty shall be from Time to Time recoverable in a summary Way, on the Oath or Affirmation of a credible Witness before a Justice of the Peace having Jurisdiction within the said Parish of *Ramsgate*, and shall and may be recovered, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the said Commissioners, or of their Treasurer, or of such Company or other Person, by the Warrant of such Justice, to be granted in like Manner and subject to the like Provisions as are herein directed touching other Penalties to be recovered, and shall be paid to the Informer, or to the Person who in the Judgment of the said Justice shall have sustained any Annoyance, Injury, or Damage thereby.

For preventing the Contamination of Water by Gas.

LVIII. And be it further enacted, That whenever the Water of any Company of Proprietors of Waterworks, or any Water in any Well, Pond, or Reservoir, belonging to or used by any Person within the said Parish of *Ramsgate*, shall be contaminated by any Gas used, burnt,

burnt, or consumed within the said Parish, the said Commissioners, Company, or Person making, furnishing, or supplying such Gas shall forfeit and pay the Sum of Twenty Pounds, to be levied and recovered as any Penalty is hereby directed to be levied and recovered, and to be applied to and for the Benefit of the Person aggrieved thereby; and in case any such Water shall be contaminated or affected by Gas in any way whatsoever, then and in every such Case the said Commissioners, Company, or Person making, furnishing, or supplying such Gas shall, within Twenty-four Hours next after Notice thereof in Writing signed by any Person interested in or making use of such Water, to be left at the usual Office or Place of transacting Business of the said Commissioners, Company, or other Person making, furnishing, or supplying such Gas, cause the most proper and effectual Measures to be taken to stop and prevent Gas from escaping from their Mains, Works, or Pipes, or contaminating or affecting the Water as aforesaid; and in case the said Commissioners, Company, or Person making, furnishing, or supplying such Gas shall not, within Twenty-four Hours next after each and every such Notice so left as aforesaid, effectually stop and prevent Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent every such Contamination whereof Notice shall be given as aforesaid, then the said Commissioners, Company, or Person making, furnishing, or supplying such Gas as aforesaid shall on each Complaint forfeit and pay to the Person or Company aggrieved, for the Use and Benefit of the same Person or Company, over and above the before-mentioned Penalty of Twenty Pounds, the Sum of Ten Pounds for each and every Day during which such Water shall be and remain contaminated or affected by such Gas; and in default of Payment thereof as aforesaid such Penalty shall and may be recovered as any other Penalty is hereby directed to be recovered, and shall be applied to and for the Benefit of the Person or Company aggrieved.

For ascertaining if Water be contaminated.

LIX. And whereas it may become a Question upon any such Complaint as aforesaid whether the said Water be contaminated or affected by the Gas of the said Commissioners or Company or Person as aforesaid; be it therefore further enacted, That in every such Case it shall be lawful for the said Company of Proprietors of Waterworks, or for any Person interested in such Well, Pond, or Reservoir, which may be deemed affected as aforesaid, to dig to and about and search and examine the Mains, Pipes, Conduits, and Apparatus of the said Commissioners, Company, or Person as aforesaid, for the Purpose of ascertaining whether such Contamination proceed from or be occasioned by the Gas of the said Commissioners, Company, or Person as aforesaid; and if it shall appear that the said Water has been contaminated by any Escape of Gas of the said Commissioners, Company, or Person as aforesaid, and such Company of Proprietors of Waterworks, or Person interested as aforesaid, shall have given Twenty-four Hours Notice in Writing to the said Commissioners or Company or Person as aforesaid, or to their or his Clerk or Surveyor, of their or his Intention to dig and make such Search and Examination, to the Intent that they or he may attend such Search and Examination, then and in such Case the Costs and Expences of the digging, Search, and Examination and Repair of any Pavement which shall be taken

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up or disturbed in any such Examination or Search shall be borne and paid by the said Commissioners or Company or Person as aforesaid, which Costs and Expences shall be ascertained and determined (if necessary) by any One Justice of the Peace having Jurisdiction within the said Parish of *Ramsgate*, and be recovered in like Manner as Penalties or Damages may be recovered by virtue of this Act: Provided always, that if upon such Examination it shall appear that such Contamination has not arisen from any Escape of Gas from any of the Mains, Pipes, or Conduits of the said Commissioners or Company or Person as aforesaid, then and in such Case the said Company of Proprietors of Waterworks or other Person interested as aforesaid shall bear and pay all the Costs and Expences of such Examination, Repair, and Search, and shall also make good to the said Commissioners, Company, or Person as aforesaid any Loss, Injury, or Damage which may be occasioned to the Mains, Pipes, Conduits, or Apparatus of the said Commissioners, Company, or Person in and by such Search and Examination, and also to any Pavement, Gutter, and Watercourse broken up or disturbed in such Search or Examination, the Amount of such Injury, Loss, or Damage to be ascertained and determined, in case of any Dispute respecting the same, by such Justice of the Peace, and to be levied and recovered, in case of Non-payment thereof, as any other Penalties are herein-after directed to be levied and recovered.

Not to protect Persons supplying Gas from being indicted for a Nuisance.

LX. Provided always, and be it further enacted, That nothing in this Act contained shall extend to protect the said Commissioners, or any Company or any Person making, furnishing, or supplying any Gas used, burnt, or consumed within the said Parish of *Ramsgate*, or any of the Servants, Officers, or Workmen of the said Commissioners, Company, or other Person as aforesaid, from any Indictment or Prosecution for a public or private Nuisance in respect of any Gas Works, or the Means which shall be employed by them in making the said Gas and using the same, and furnising any Gas Light, nor from any Action for any Injury or Damage sustained by reason of any such Works, or the Use of the said Gas, or the Method of lighting therewith, whether such Injury or Damage shall proceed from the Preparation or the Use of the same Gas, or the Method of lighting, or the Carelessness or Want of Skill of any of the Persons employed therein, or from any other Cause whatsoever.

For preventing Annoyances and Nuisances of all Kinds.

LXI. And be it further enacted, That if any Person shall in any of the present or future public or private Streets, Squares, Crescents, Terraces, Lawns, Lanes, Footways, Roads, or Passages in the said Parish of *Ramsgate* lighted or repaired by the said Commissioners, or other Places in the said Parish lighted or paved as aforesaid, fodder any Cattle, or shoe, bleed, or farry any Horse or Beast (except in Cases of Accident), or clean or dress any Horse or Beast, or turn loose or suffer to be at large any Poultry, or any Horse or Beast, or any Bull Dog, Mastiff, or other ferocious Dog of any other Species (not being closely muzzled); or, being or acting as the Driver of any Waggon, Dray, Cart, Sledge, or other such like Carriage shall ride upon any such Carriage in any of the said Streets, Lanes, Squares, Crescents, Terraces, Lawns, Roads, Passages, or other Places within the same Parish,

Parish, not having some other Person on Foot or on Horseback to guide the same, (such light Carts or other Carriages as are usually driven with Reins, and are then conducted by some Person holding the Reins of the Horse or Horses, not being more than Two drawing the same, excepted,) or shall be at such Distance from such Carriage, or in such a Situation when it shall be passing in any of the said Streets, Lanes, Squares, Crescents, Terraces, Lawns, Roads, Passages, or other Places, so that he cannot have the Direction and Government of the Horses or Cattle drawing the same; or, being or acting as the Driver of any empty or unloaded Waggon, Dray, Cart, Sledge, or other such like Carriage, shall refuse or neglect to turn the same aside, or make way for any Coach, Chaise, or loaded Carriage of any Description, or being on Horseback, or driving any Coach, Wain, Waggon, Dray, Cart, Sledge, or other Carriage, and meeting another Horse, Coach, Waggon, Wain, Dray, Cart, Sledge, or other Carriage, shall not keep on the Left or near Side of the said Streets, Lanes, Squares, Crescents, Terraces, Lawns, Roads, Passages, or other Places, so as to leave proper and sufficient Quarter or Space for such Horses and Carriages, or shall in any Manner wilfully prevent any other Person from passing him or any Carriage under his Care; or when riding any Horse or Beast, or driving any Carriage of any Sort or Kind, shall ride or drive the same furiously, or so as to endanger the Life or Limb of any Person, or drive the same against, injure, or damage any Curb-stone or Foot Pavement or Causeway, or suffer any Waggon, Wain, Dray, Cart, Sledge, or other Carriage, with or without Horses, to stand or remain longer than may be necessary for loading or unloading thereof, or suffer the same during such Time of loading or unloading to be placed or remain so as to interrupt the public Passage more than necessary; or suffer to stand or remain any Waggon, Cart, or other Carriage with Hay, Straw, Vegetables, or other Matter or Thing therein for Sale, or any Waggon, Cart, Coach, Post Chaise, or other Carriage intended to be let out or worked for Hire (except in such Places as shall be appointed by the said Commissioners for that Purpose), or suffer any Stage Coach, Diligence, Chaise, or other Carriage to remain longer than may be necessary for the taking up or setting down of any Passengers or for loading or unloading their Baggage; or shall wash, cleanse, or clean any Coach, Chaise, Gig, Waggon, Wain, Cart, or any other Carriage whatsoever in any of the Streets, Lanes, Squares, Crescents, Terraces, Lawns, Roads, Passages, or other Places within the said Parish of *Ramsgate*; or draw or haul any Tree or Piece of Timber, Block or Blocks of Wood or Stone, Metal, or other heavy Materials, or the Wheel of any Cart or Carriage separated therefrom (except in, on, or suspended under some Carriage), or suffer any Part of any Tree or other Piece of Timber to drag upon any Part of the said Streets, Lanes, Squares, Crescents, Terraces, Lawns, Roads, Passages, or other Places, so as to injure or obstruct the same; or wantonly let off or fire any Musket, Gun, or Pistol or other Firearms, or wantonly or vexatiously blow any Horn so as to collect an Assemblage of Persons or to be a public Nuisance, Annoyance, or Obstruction, or make or assist in making any Bonfire, or set fire to or let off or throw any Crackers, Squibs, Rockets, or other Fireworks, or be aiding or assisting therein; or shall trundle any Hoop, or fly any Kite, or play at Foot

Ball, or any other Game in the said Streets, Lanes, Squares, Crescents, Terraces, Roads, Passages, or other Places; or shall wilfully disturb the Comfort of any Inhabitant of the same Parish by pulling or ringing any Door Bell, or by knocking at any Door; or, having a Smith's Shop with a Window or Windows fronting any of the said Streets, Lanes, Squares, Crescents, Terraces, Lawns, Roads, Passages, or other Places, shall not by good and close Shutters, and by keeping closed the Doors of such Shops opening into the said Streets and Places every Evening after it becomes Twilight, and every Morning until after Twilight, bar and prevent the Light from shining into or upon the said Streets, Lanes, Squares, Crescents, Terraces, Lawns, Roads, Passages, or other Places; or wilfully break, or aid or abet or assist in wilfully breaking, any Glass or Window Panes or Windows; or burn, dress, or cleanse any Cask, or hoop, fire, cleanse, wash, or scald any Cask or Tub, or hew, saw, bore, or cut any Timber or Stone, or beat or shake any Carpet or Mat in or over any Street or Thoroughfare after Eight of the Clock in the Forenoon; or throw, cast, lay, or place upon or in any of the said Streets, Lanes, Squares, Crescents, Terraces, Lawns, Roads, Passages, or other Places any Coals, Stones, Slates, Lime, Bricks, Timber, Boards, Iron, or other Materials or Substances, and continue the same for a longer Time than may be absolutely necessary for the removing or housing thereof; or sift, throw, cast, or lay upon or in any of the said Streets, Lanes, Squares, Crescents, Terraces, Lawns, Roads, Passages, or other Places any Ashes (except in Times of Frost so as to prevent Accidents), or any Dust, Dirt, Dung, Soil, Sinkfloat, or other Filth, Carrion, Blood, Offal, or any Sort of Rubbish, or permit the same to flow therein or be washed therewith from their Yards or Sinks; or throw or cast any such Matters or Things, or any Rubbish, into any Common Sewer, Drain, Sink, or Watercourse, or throw or cast any Animal or Carcase, or any noisome or offensive Materials, Ingredients, Offal, or Filth, into, or wash, dip, or rince any Wearing Apparel, Cloth, or other Article, Matter, or Thing into, or in any Well, Pump, Watercourse, or Reservoir for Water within the said Parish, or wilfully do or commit any Act whereby the Water therein may be rendered impure or contaminated; or slide or skate during Frost or Snow on any Pavement or Footway, or on the Road or Way, in any Street, Lane, Passage or other Place whatsoever within the said Parish of *Ramsgate*, public or private, being lighted or repaired by the said Commissioners; or sell or assist in selling by Auction or public Sale any Goods, Wares, or Merchandize, or Thing or Things whatsoever, in any of the said Streets, Squares, Crescents, Terraces, Lawns, Lanes, Roads, Passages, or other Places without the Leave of the said Commissioners or their Clerk or Surveyor for the Time being in Writing for that Purpose first had and obtained; or hang out, place, or expose to Sale or otherwise the Carcase of any Calf, Sheep, Swine, Cattle, or Beast, or any Part or Parts thereof, or any Linen, Cloth, Wearing Apparel, Goods, Wares, or Merchandize whatsoever, or any Fruit, Vegetables, or Garden Stuff or other Matter or Thing, in or upon or so as to project over or upon any Footway or Carriageway, or beyond the Line of or on the Outside of any House or Shop at which the same shall be so hung or placed or exposed to Sale; or kill or slaughter, or singe, scald, or dress, any Beast, Swine, Ox, Cow,

Calf, Sheep, Lamb, or other Cattle, either wholly or in part, in any of such Streets, Squares, Crescents, Terraces, Lawns, Lanes, Roads, Passages, or other Places; or cause or permit any Offal, Blood, Filth, or other offensive Matter to run from any Slaughterhouse, Hogstye, Butcher's Shop, or Dunghill into any of the said Streets, Squares, Crescents, Terraces, Lawns, Lanes, Roads, Passages, or other Places; or fix up or place any Flower Pot, Basket, or Box at any Window or Windows, without sufficiently guarding the same so as to prevent their falling, or place or erect any Pole or Line projecting from any Window, Parapet, or other Part of any Dwelling House or other Place, and extending into or over or across any of the said Streets, Squares, Crescents, Terraces, Lawns, Lanes, Road, Passages, Footways, or Causeways or other Places in the said Parish of *Ramsgate*; or shall suspend or hang thereon or therefrom any Bed Clothes, Linen, Woollen, Wearing Apparel, or any other Thing, or leave open after Sunset or before Sunrise, or leave defective or without being properly secured, the Door, Hatchway, or Flap-window, Grate, Stone, Plate, Board, or other Covering giving Light or Air to or securing any Cellar, Coahlole, Vault, Office, or other underground Room or Apartment, or of any Area, without having placed or kept a sufficient Light to warn and prevent Persons from falling into such Cellars or other underground Rooms or Apartments or Areas; or run, draw, drive, or carry any Truck, Wheelsledge, Wheelbarrow, Bier, Handbarrow, or other Carriage whatsoever, or any Furniture, Goods, or Merchandize, upon any Footway or Causeway (except only for the Purpose of crossing such Footway or Causeway), or carry or assist in carrying any Sedan Chair upon any such Footway or Causeway, or roll thereon any Cask or Tub (other than for the necessary loading or unloading thereof) into, upon, from, or out of any Cart or Carriage, or set or place thereon any Furniture, Goods, or Merchandize, or any Cask, Tub, Barrel, Box, Basket, Bucket, Bench, or Stall; or erect, set up, or place any Blind, Shade, Coverlid, or Awning, or any other Matter or Thing, in the Front of or before any House, Shop, or other Building, so as in any way to cause any Obstruction or Annoyance in any such Footway; or cause or erect or continue to use any Scraper which shall project into or over any such Footway or Causeway; or stand loitering or remaining on any such Footway or Causeway, using obscene Language, or in any Manner that shall tend to Riot or Disturbance of the Peace, or to obstruct or prevent the free Passage of any such Footway or Causeway, or to annoy any Person passing or going there or residing in the immediate Neighbourhood; or if any Person shall affix any Posting Bill or other Paper to or against any Dwelling House, Wall, Fence, Railing, or Building without the Consent of the Owner or Occupier thereof, or write upon the same or otherwise deface or mark the same by means of Chalk, Paint, or any other Material whatsoever; or shall in any such Street, Square, Crescent, Terrace, Lane, Road, Passage, Lawn, or other Place within the said Parish of *Ramsgate* show or expose any Stallion or Stone Horse; or shall suffer any Ass, Hogs, or Swine to go at large; or wilfully ride, lead, or drive or suffer to stray on any Footway or Causeway any Horse, Beast, or Cattle of any Kind whatsoever; or tie or fasten any Horse or other Beast or Cattle to any Door, Wall, Post, Tree, or other Thing

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whatsoever, so as that such Horse, Beast, or Cattle can go or stand across or upon any Footway or Causeway; or shall drive any Carriage or Carriages for the Purpose of breaking or exercising any Horse or Horses, or shall ride or lead any Horse for the Purpose of exercising, airing, trying, showing, or exposing such Horse for Sale (otherwise than by passing through such Streets or other public Places); or commit any public Nuisance or Annoyance whatsoever; each and every Person so offending in any of such Cases within the said Parish of *Ramsgate*, or the Person causing any such Offences, Matters, or Things to be committed or done, shall for each and every such Offence respectively forfeit and pay any Sum not exceeding Forty Shillings; and it shall be lawful for any Commissioner, Constable, Peace Officer, or Watchman to take away and remove any of the before-mentioned Obstructions, in case the Party occasioning the same shall not remove the same within a reasonable Time after being required so to do by any Person whomsoever; and it shall be lawful for any Constable, or any one of the said Commissioners, or any Officer or other Person acting by or under their Authority, by virtue of this Act, and without any Warrant whatsoever, to seize and apprehend any such Offender as aforesaid, and forthwith to convey and deliver him into the Custody of a Peace Officer, in order to the conveying him before some Justice or Justices of the Peace having Jurisdiction within the said Parish of *Ramsgate*, in order to his being dealt with according to the Directions of this Act.

Carriages obstructing the Streets may be seized.

LXII. And be it further enacted, That where any Waggon, Wain, Dray, Cart, or other such like Carriage shall be found in any Street, Lane, Road, or public Passage or Place within the said Parish of *Ramsgate* so as in any Manner to obstruct the free Passage thereof, without having any Owner or other Person therewith, it shall be lawful for any Constable of the said Parish, or for the Surveyor, or any other Officer appointed by the said Commissioners, to seize and take possession of every such Waggon, Wain, Dray, Cart, or other such like Carriage, and to cause the same to be conducted and left at such Place or Places as shall be appointed by the said Commissioners to receive the same, there to remain and be kept until the same shall be claimed by or on behalf of the Owner thereof; immediately whereupon every such Waggon, Wain, Dray, Cart, or other Carriage so seized as aforesaid shall be delivered up, upon Payment of the Costs and Charges of seizing, removing, and keeping the same; and in case such Waggon, Wain, Dray, Cart, or other Carriage shall not be claimed and such Costs and Charges paid within the Space of Twenty-four Hours after such Seizure made, the same shall be sold, and the Money arising from such Sale, after deducting the said Costs and Charges and the Expences of such Sale, shall be paid to the Owner, on Demand.

Doors and Gates to open inwards.

LXIII. And be it further enacted, That all Doors, Gates, and Bars (not being underground Cellar Doors or Trap-doors,) which after the passing of this Act shall be made to lead to any Houses, Buildings, Coach-houses, Yards, Gardens, or Lands within the said Parish of *Ramsgate*, shall be so constructed as that the same shall not open outwards upon or over any Footpath or public Way in any

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of the Streets, Lanes, or public Passages within the said Parish, but that all such Doors, Gates, and Bars shall open inwards or into the respective Premises of the Owners or Occupiers of such Houses, Buildings, Coach-houses, Yards, Gardens, or Lands; and the Occupier or Occupiers of any Houses, Buildings, Coach-houses, Yards, Gardens, or Lands within the said Parish having any Door, Gate, or Shutter opening outwards, contrary to the Meaning of this Act, shall, within Fourteen Days after Notice to him, her, or them given either personally or in Writing from the Surveyor of the said Commissioners for the Time being, cause such Door, Gate, or Shutter to be hung so that no Part of the same in opening or when open shall project over any Part of such Road, Street, Footpath, or Way; and in default thereof the said Surveyor is hereby authorized to cause the Door, Gate, or Shutter to be hung according to the Intent of this Act; and the Person guilty of such Neglect or Default shall, upon Complaint made to any Justice of the Peace, and upon Conviction upon the Oath of One credible Witness, pay to such Surveyor such Sum as the said Justice shall direct, to defray the Expences of making the Alterations, and hanging of such Door, Gate, or Shutter, and shall also forfeit and pay a further Sum, not exceeding Forty Shillings, for his, her, or their Neglect therein, to be fixed by and at the Discretion of the Justice before whom such Conviction shall be made; and which said Expences shall and may be recovered from the Person or Persons liable to pay the same in like Manner as any Penalty may be recovered by virtue of this Act.

Footways to be swept daily during Frost and Snow.

LXIV. And be it further enacted, That every Owner or Occupier of any House, Tenement, Warehouse, Shop, Shed, Coach-house, Stable, Chapel, Meeting House, or other public or private Building, Garden, Yard, Backside, Land, or Ground now or hereafter to be situate in any of the Streets, Lanes, Passages, or Places within the said Parish of *Ramsgate*, whether public or private, lighted or repaired by the said Commissioners, and along which any Footway or Foot Pavement hath been or shall be made or laid, shall from Time to Time and at all Times hereafter, once in every Day, before the Hour of Ten of the Clock in the Forenoon of each Day, sweep, clear, and cleanse, or cause to be swept, cleared, and cleansed, the Footway all along the front Side and back Walls of their respective Houses, Tenements, Warehouses, Shops, Sheds, Coach-houses, Stables, Chapels, Meeting Houses, or other public or private Buildings, Gardens, Backsides, Land, or Ground; and every Owner or Occupier who shall neglect so to do shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; and the Owner of any House or other Tenement within the said Parish which may be let in divided Apartments shall be deemed and taken for the Purposes of this Provision to be the Occupier of every such House or other Tenement respectively: Provided always, that in case it may appear expedient to the said Commissioners to take the Charge of sweeping and cleansing the public Footways or Foot Pavements upon themselves, it shall be lawful for them to employ the public Scavengers to sweep and cleanse the same.

Time for emptying Privies, &c.

LXV. And be it further enacted, That if any Person shall empty or begin to empty any Privy or take away any Night Soil from any House or Premises within the said Parish of *Ramsgate*, (save and except between the Hours of Twelve of the Clock in the Night and Four of the Clock in the Morning from *Lady Day* to *Michaelmas* in every Year, and between Twelve of the Clock at Night and Five of the Clock in the Morning from *Michaelmas* to *Lady Day* in every Year,) or if any Person shall put or cast or cause or suffer to be cast out of any Cart or Tub or otherwise any Night Soil or other Filth in any of the Roads, Streets, Ways, or other Places in the same Parish, public or private, lighted or repaired by the said Commissioners, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Punishing Persons firing Chimnies.

LXVI. And be it further enacted, That if any Person shall set fire to, or cause, permit, or suffer the Chimney of any House, Workshop, Outhouse, or other Building within the said Parish of *Ramsgate* to be on fire, the Person setting fire to the same, or the Occupier of every such House, Workshop, Outhouse, or other Building, or of any Part thereof, from whence such Fire shall commence or happen, shall forfeit and pay for every such Offence any Sum not exceeding Ten Shillings.

Cattle straying in the Streets to be impounded.

LXVII. And be it further enacted, That if any Horse, Ass, Sheep, Cattle, Swine, or other Beast shall at any Time be found straying or at large in any of the Roads, Streets, Squares, Lawns, Crescents, Terraces, Lanes, Ways, Passages, or other Places in the said Parish of *Ramsgate*, public or private, lighted or repaired by the said Commissioners, which already have been or hereafter shall be made, laid out, or formed within the said Parish, it shall be lawful for any Officer or other Person appointed by the said Commissioners, or for any other Person whomsoever, to seize and impound any and every such Horse, Ass, Sheep, Cattle, Swine, or other Beast in the Common Pound (if any) of the same Parish, or in such other Place as the said Commissioners shall have provided or shall provide for that Purpose, and the same there to detain until the Owner thereof shall for every such Horse, Ass, Sheep, Cattle, Swine, or other Beast so impounded have paid any Sum not exceeding Five Shillings, at the Discretion of the Commissioners, together with the reasonable Charges, and Expences of impounding and keeping such Horse, Ass, Sheep, Cattle, Swine, or other Beast, to the Treasurer, Clerk, or Surveyor of the said Commissioners; and in case the said Penalty, Charges and Expences, shall not be paid within Three Days after such Horse, Ass, Sheep, Cattle, Swine, or other Beast shall be so impounded, it shall be lawful for any One or more Justice or Justices of the Peace having Jurisdiction within the said Parish of *Ramsgate* to order every such Horse, Ass, Sheep, Cattle, Swine, or other Beast to be sold; and the Money arising from such Sale, after deducting the said Penalty, and Charges and Expences of impounding, keeping, and selling every such Horse, Ass, Sheep, Cattle, Swine, or other Beast, shall, on Demand, be paid to the Person whose Property the same so sold shall appear to have been; and in

in case the Owner thereof shall not be known, and no Application shall be made for the Money arising by such Sale over and above the said Penalty, Costs, and Charges within Seven Days after such Sale shall have taken place, the said Money shall, after deducting the said Penalty, Charges, and Expences, be paid to the Treasurer to the said Commissioners, and be applied to the Purposes of this Act.

For providing a Pound for the said Parish.

LXVIII. And whereas there is no Pound to which Cattle found straying or trespassing in the said Parish of *Ramsgate* can be led to to be impounded nearer than the Distance of Four Miles and upwards therefrom, and it would be a great Convenience to the Inhabitants of the same Parish if a Pound for the Purpose of impounding Cattle straying or trespassing in the same Parish were erected therein or near thereto; be it therefore enacted, That it shall be lawful for the said Commissioners and they are hereby authorized to contract and agree with any Person for the Purchase of such Piece or Parcel of Ground situate within the said Parish of *Ramsgate*, or within One Mile thereof, as may be deemed convenient, and as such Person shall or may be disposed to sell to the said Commissioners, for the Purpose of erecting a Pound therein or thereupon; and that after such Sale and Purchase shall have been completed by the Conveyance thereof to the said Commissioners the said Piece or Parcel of Ground, and the Pound so to be erected therein or thereupon, shall for ever thereafter be vested in and become the Property of the said Commissioners for the Purposes aforesaid.

For punishing Persons guilty of Pound Breach.

LXIX. And be it further enacted, That in case any Person shall release or attempt to release any Horse, Ass, Sheep, Cattle, Swine, or other Beast which shall be seized for the Purpose of being impounded under the Authority of this Act from the Pound or Place where or in which the same shall be so impounded; or shall pull down, break, damage, or destroy the same Pound or Place, or any Part thereof, or any Lock, Bolt, or other Fastening belonging thereto or with which the same shall be fastened; or shall rescue or release, or attempt to rescue or release, any Distress or Levy which shall be made under the Authority of this Act until or before such Horse, Ass, Sheep, Cattle, Swine, or other Beast so seized or impounded, or such Distress or Levy so made, shall be discharged by due Course of Law; every Person so offending shall, upon Conviction thereof before any One of Her Majesty's Justices of the Peace for the County, Liberty, or Place where the Offence shall be committed, either upon the Confession of the Party offending or upon the Oath of One credible Witness, be committed by such Justice by Warrant under his Hand and Seal to the Common Gaol or House of Correction of the Town, Port, and Borough of *Sandwich*, in case the Offence shall be committed in the said Parish of *Ramsgate*, but otherwise of the County or Place where such Offence shall be committed, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months.

Slaughter-houses, Hog-sties, and

LXX. And be it further enacted, That in case any Foundry, Candle-house, Melting-house or Melting-place, Soap-house, Slaughter-house,

other Erections to be removed if deemed a Nuisance.

house, Hogstye, Boiling-house for Offal, or uninclosed or uncovered Yard or Place for the Deposit or screening or sifting of any Lime, or Ash Dust, or any Necessary House, Dunghill, Manure Heap, or other noisome or offensive Depository or Building, Place, or Matter whatsoever, in or near any of the Streets, Lanes, Roads, Lawns, Crescents, Terraces, Passages, Market Place, or other Places within the said Parish of *Ramsgate*, public or private, lighted or repaired by the said Commissioners, shall in the Judgment of the said Commissioners be a Nuisance to any of the Inhabitants thereof, it shall be lawful for the said Commissioners, upon Complaint thereof to them made by any such Inhabitant, and after due Investigation of such Complaint, by Notice in Writing under the Hands of any Three or more of the said Commissioners, or under the Hand of their Clerk for the Time being, to order that every or any such Foundry, Candle-house, Melting-house or Melting-place, Soap-house, Slaughter-house, Boiling-house, or uninclosed and uncovered Yard or Depository, Hogstye, Necessary House, Dunghill, Manure Heap, or other Nuisance or offensive Matter, be remedied or removed; and in case the same shall not be remedied or removed within Five Days after such Notice given to such Owner or Occupier of the Premises wherein such Nuisance or Annoyance shall be situate or arise, or to the Person on whose Behalf the same is carried on, kept, or made, or left at his last or usual Place of Abode, or on the said Premises, then every such Owner or Occupier or other Person so neglecting to remedy or remove such Nuisance or Annoyance pursuant to such Notice, and to the Satisfaction of the said Commissioners, shall forfeit and pay any Sum not exceeding Five Pounds for every Day the same shall continue unremedied or unremoved after the Expiration of the Time mentioned in such Notice: Provided always, that where any Person thinking himself aggrieved by such Order as aforesaid shall give Notice to the said Commissioners or their Clerk of his Intention to appeal against the said Order, and shall enter into a Recognizance within the Time and in the Manner herein-after directed for or in respect of Appeals against any Matter or Thing to be done in pursuance of this Act, such Person shall not be subject to or liable to remove such alleged Nuisances, or pay any such Penalty or Forfeiture, until the Expiration of Seven Days next after the hearing and Determination of such Appeal, and the Confirmation thereupon of the said original Order of the said Commissioners: Provided always, that nothing herein contained shall extend or be construed to extend to any Foundry, Candle-house, Melting-house or Melting-place, Soap-house, or Slaughter-house which shall have been erected or set up before the passing of this Act.

Appeal.

Power for Commissioners to repair and cleanse Lanes, &c. not public Highways.

LXXI. And whereas there are several Lanes, Courts, Passages, and Places within the said Parish of *Ramsgate* which are not public Highways, and which from not being sufficiently cleansed, scoured, and drained, or by reason of the bad State of Repairs of such Lanes, Courts, Passages, and Places, are Nuisances and Offences to the Inhabitants within the same Parish, and may contribute much to produce contagious Diseases; be it therefore enacted, That the said Commissioners shall and may and they are hereby empowered (in case of any Neglect or Refusal on the Part of the Occupiers for the

Space of Three Days after Notice in Writing or printed signed by the Clerk to the said Commissioners by their Order, and served upon the Occupier or Occupiers of such Premises respectively) to repair, pave, cleanse, scour, and drain such Lanes, Courts, Passages, and Places, or to cause the same to be done, in such Manner as the said Commissioners shall think right and proper, and to charge the several Persons legally obliged to repair, pave, or cleanse the same with the Expences thereof in such Proportions as to the said Commissioners shall seem fair and reasonable; and on Refusal to pay or reimburse the said Commissioners all such Charges and Expences which shall or may be occasioned thereby the same shall or may be recovered in like Manner by Distress and Sale of the Goods and Chattels of such Person as any Penalty or Forfeiture is by this Act authorized to be recovered.

Regulating Cellar Doors or Flaps.

LXXII. And be it further enacted, That where any Opening is now or may hereafter be made in the Paving of any Footpath in the said Streets, Lanes, or other Passages and Places within the said Parish of *Ramsgate*, public or private, lighted or repaired by the said Commissioners, as an Entrance into or for the Purpose of carrying Coals or other Articles into any Vault or Cellar, whether such Vault or Cellar be inhabited or uninhabited, or for the Purpose of carrying Light into any Room or Cellar, or for any other Purpose, the Door, Lid, Flap, Covering, or Grating to such Opening shall be made (at the Expence of the Occupier of the Cellar, Kitchen, Building, or other Premises to which such Opening shall communicate) of Iron or such other Material, and of such Dimensions and in such Manner and Form, as the said Commissioners shall direct and approve of; and every such Door, Lid, Flap, Covering, or Grating shall from Time to Time be repaired, varied, and altered at the Expence of the Person for whose Use and Benefit the same shall be possessed and enjoyed, and in such Manner and Form as the said Commissioners shall direct or appoint; and in case any Person shall cause any such Covering or Grating to be made, repaired, varied, or altered, or shall neglect or refuse to make, repair, vary, or alter such Covering or Grating, contrary to such Directions or Appointment as aforesaid, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Commissioners may make public Drains, &c.

LXXIII. And be it further enacted, That it shall be lawful for the said Commissioners at any Time hereafter, when and as often as they shall find it necessary, and from Time to Time, to cause to be cut or made, in, through, over, under or adjoining to any of the Streets, Ways, Lanes, Passages, or Places, public or private, within the said Parish of *Ramsgate*, lighted or repaired by the said Commissioners, any new Common Sewers, Tunnels, Gutters, Drains, Sinks, Ditches, or Watercourses for more effectually draining and cleansing the said Parish or any Part thereof; and also from Time to Time to cause any of the present or any future Common Sewers, Tunnels, Gutters, Sinks, Drains, Ditches, or Watercourses, or any Part or Parts thereof respectively, to be opened, scoured, cleansed, widened, straightened, deepened, or repaired, or the Form or Line thereof to be turned, varied, or changed, in such Manner as they the said

said Commissioners shall think fit; and the Charges and Expences attending or in any Manner relating to the making, stopping, opening, scouring, cleansing, widening, straightening, deepening, turning, altering, or repairing of such Common Sewers, Tunnels, Gutters, Sinks, Drains, Ditches, or Watercourses shall be paid by the said Commissioners out of the Rates herein-after authorized to be raised.

In case of Neglect, Surveyor may cleanse and make private Drains, and charge the Costs thereof to the Owners.

LXXIV. And be it further enacted, That for preventing any Sink or Refuse Water from remaining in any Cesspool or other Place within any House, Building, Ground, or Land, so as to cause a Stench or Nuisance, public or private, and for preventing the same running on or over the Surface of the Streets, Ways, Lanes, Passages, or Places, public or private, lighted or repaired by the said Commissioners, or the Channels thereof; and in case the Owner or Occupier of the Messuage, Building, Land, or Tenement from or on which such Sink or other Refuse Water shall arise or remain shall neglect or refuse to remove such Sink or Refuse Water, and abate such Stench or Nuisance, for Five Days next after he shall have been required so to do by a Notice in Writing signed by Five of the said Commissioners, and delivered to or left at the then or then last or usual Place of Abode of such Owner or Occupier, it shall be lawful for the said Commissioners, or their Surveyor for the Time being, or any other Person appointed by them, and they are hereby respectively authorized and empowered, from Time to Time to open, scour, cleanse, widen, straighten, deepen, turn, alter, vary, or repair any of the present or future private Tunnels, Gutters, Sinks, Drains, Ditches, Sewers, or Watercourses running into, over, under, through, or adjoining any of the present or future Streets, Ways, Lanes, Passages, or Places, public or private, within the said Parish of *Ramsgate*, lighted or repaired as aforesaid; or to make or cause to be made any new private Tunnels, Gutters, Sinks, Drains, Ditches, Sewers, or Watercourses from any House, Building, Ground, or Land, or any Part thereof, in, through, under, over, or adjoining to any such Street, Way, Lane, Passage, or Place, for the Purpose of conveying and draining any Sink or other Refuse Water from such House, Building, Ground, or Land, or any Part thereof, into such present or future Common Sewer or public Tunnel, Gutter, Sink, Drain, Ditch, or Watercourse, or otherwise, so made or hereafter to be made as herein-before is directed, as the said Commissioners shall see proper; and the Costs, Charges, and Expences thereof shall be reimbursed to the said Commissioners by the Owner or Occupier within Seven Days next after Demand made; and in case of Non-payment of such Costs, Charges, and Expences the same shall be levied by Distress and Sale of the Goods and Chattels of such Owner or Occupier under the Authority of a Warrant under the Hand and Seal of any Justice of the Peace having Jurisdiction within the said Parish of *Ramsgate*: Provided always, that in case the Costs, Charges, and Expence of making, stopping, opening, scouring, cleansing, widening, straightening, deepening, turning, altering, or repairing any public or private Tunnel, Gutter, Sink, Drain, Ditch, or Watercourse shall be paid by any such Occupier, it shall be lawful for him to deduct or retain the same out of his Rent, and the Proprietor

prietor or Landlord is hereby required to allow the same accordingly to such Occupier.

For preventing the spreading of Canine Madness.

LXXV. And be it enacted, That it shall be lawful for any Two Justices of the Peace having Jurisdiction within the said Parish of *Ramsgate*, in case of Suspicion of the Existence or Prevalence of Canine Madness in the said Parish of *Ramsgate* or the Neighbourhood thereof, by an Order under their Hands and Seals, to order or authorize any Person to be named in such Order, and such Person shall be and is hereby authorized accordingly, to destroy all Dogs which shall be found at large in any of the Streets or Places within the same Parish on the Expiration of Six Hours after Notice thereof shall have been given by the Public Crier in the same Parish, and after a Notice shall have been posted up in the said Parish, by Direction of the said Justices, setting forth the Order of such Justices, and requiring all Persons to confine their Dogs; and if any Person after such Notice shall have been given shall suffer or permit any Dog whatever to go at large in any of the Streets or Places during such Time as such Notice shall direct Dogs to be confined, he shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Power to appoint Watchmen and other Officers.

LXXVI. And be it further enacted, That the said Commissioners shall from Time to Time appoint and employ such Number of Watchmen, Beadles, and other Officers and Persons as they shall judge necessary for the proper Protection of the Inhabitants, Houses, and Property, Streets and Places, within the said Parish of *Ramsgate*, by Day and by Night, and shall likewise direct and appoint how and where they shall be stationed, in what Manner they shall be armed, how often they shall go their Rounds, how long they shall continue upon Duty, and what Wages shall be paid or allowed them for such Services, and shall from Time to Time make all such Orders, Rules, and Regulations as they shall deem expedient for preventing Neglect or Abuse; and for rendering them efficient in the Discharge of their Duties; and the said Commissioners, or any Two Justices of the Peace having Jurisdiction within the said Parish of *Ramsgate*, may at any Time suspend or dismiss any One or more of such Watchmen, Beadles, or other Officers whom they shall think negligent in the Discharge of his or their Duty or otherwise unfit for the same; and when any Man shall be so suspended or dismissed all Powers vested in him as a Constable by virtue of this Act shall immediately cease, and no Man so dismissed shall be re-appointed without the Consent of Two Justices of the Peace; and the said Commissioners shall and may offer and give, as well to the said Watchmen, Beadles, and other Officers and Persons as to any others not specially employed by them, such Gratuities and Rewards for apprehending Felons and other Offenders within the said Parish of *Ramsgate* as to them shall seem proper, and shall and may defray the Expences of prosecuting any such Felons and Offenders for the Protection of the Inhabitants within the said Parish, or in defending any of the said Watchmen, Beadles, or other Officers and Persons in the Execution of their Duty, as they shall think proper; and it shall be lawful for such Watchmen, Beadles, and other Officers or Persons so to be appointed

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as aforesaid, and they are hereby authorized and required, to use their utmost Endeavours to prevent any Mischief by Fire, and vigilantly to keep Watch and Ward within the said Parish, and to arrest, apprehend, and detain, in some convenient Place of Security within the said Parish to be provided and appointed by the said Commissioners for that Purpose, all Felons, Malefactors, disorderly Persons, Rogues, Vagrants, Beggars, and all Prostitutes, Night-walkers, and suspected Persons, who shall be found wandering or misbehaving themselves or disturbing the public Peace, and shall take them (as soon as conveniently may be) before some Justice of the Peace having Jurisdiction within the said Parish of *Ramsgate* to be examined and dealt with according to Law.

Penalty on Watchmen, &c. misbehaving.

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

Watchmen, &c. to be sworn in and to have the Powers of Constables.

LXXVIII. And be it further enacted, That all such Watchmen, Beadles, and other Persons appointed and employed as last aforesaid shall be sworn in as Constables before any Justice of the Peace having Jurisdiction within the said Parish of *Ramsgate*, and act as such while in the Execution of the Powers and Authorities of this Act; and they are hereby invested with and shall have and enjoy, not only within the said Parish of *Ramsgate*, but at any other Place or Places within Three Miles thereof, the like Powers and Authorities, Privileges and Immunities, and shall be subject and liable to such and the like Penalties and Forfeitures, as any Constables are invested with, or shall or may have and enjoy, or are or shall be subject or liable to, by virtue of the Common Law of this Realm, or of any Statutes made or to be made.

Penalty on Publicans harbouring Watchmen during the Time of Duty.

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

Penalty for assaulting or obstructing Watchmen or other Officers.

LXXX. And be it enacted, That if any Person shall assault, obstruct, hinder, or molest any Watchman, Beadle, or other Officer in the Performance or Execution of any Duty, Matter, or Thing by this Act authorized or directed to be done, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and it shall be lawful for the said Commissioners to give such Rewards or Compensation or Compensations to such Watchmen, Beadles, or other Officers or Persons who may be disabled

disabled or wounded in the Execution of their Duty, or shall be worn out by Length of Service, as the said Commissioners shall think reasonable.

Power to license Hackney Coaches, &c.

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

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

LXXXII. And be it enacted, That it shall be lawful for the said Commissioners and they are hereby authorized and empowered from Time to Time, so often as to them shall seem necessary, to make, ordain, constitute, and appoint such Bye Laws, Rules, Orders, and Regulations as they shall think fit for better regulating and ordering such Hackney Coaches or other Carriages, Flies, Sedan Chairs, Horses, Asses, and Mules to be so licensed as aforesaid, and how and in what Manner the Owners, Drivers, and Carriers thereof respectively shall conduct and demean themselves in their several Employments, and within what Hours and Times they may follow and exercise their Calling; and also in what Manner and Order and how such Hackney Coaches or other Carriages, Flies, Sedan Chairs, Horses, Asses, and Mules shall be furnished, provided, kept, and numbered, and what Number of Persons may be carried and conveyed in and on such Coaches or other Carriages, Flies, or Sedan Chairs, and what Number of Horses or other Animals are to draw the same; and for ascertaining, fixing, altering, and removing the Stands of such Coaches or other Carriages, Flies, Chairs, Horses, Asses, and Mules, or any of them, from Time to Time, and punishing the Misconduct or Misbehavour of Hackney Coachmen, Chairmen, and Persons attending such Carriages, Flies, Horses, Asses, or Mules, or any Imposition by demanding or receiving more than the regular Fare or otherwise; and for fixing, ascertaining, and defining what Rates, Prices, or Fares shall be allowed, paid, awarded to, or received by such Hackney Coachmen, Chairmen, and Owners of or Persons attending such Carriages, Flies, Horses, or Mules, and to what Distance such Hackney Coachmen, Chairmen, or Persons shall be obliged to ride, drive, go, or come in and about the said Parish or the Neighbourhood thereof, not exceeding Five Miles from the Town Hall of the said Parish of *Ramsgate*; and also for the Government and Regulation of Persons bathing in the Sea adjoining the same Parish or the Neighbourhood thereof; and the said Commissioners may from Time to Time, as they shall think fit, repeal, alter, or amend such Bye Laws, Rules, Orders, and Regulations, or any of them, such Bye Laws, Rules, Orders, and Regulations not being repugnant to the Laws of that Part of the United Kingdom called *England*, or to this Act; and the said Commissioners may from Time to Time, as they shall think fit, ascertain and impose any reasonable pecuniary Penalties and Forfeitures upon Persons breaking or avoiding the same or any of them, provided that no such Penalty or Forfeiture shall exceed the Sum of Five Pounds for any one Offence:

Provided always, that the said several Bye Laws, Rules, Orders, and Regulations, and the Alterations and Amendments therein, shall be subject to the Approval of one of the Judges of Assize or the Court of Quarter Sessions, and shall from Time to Time be printed or written in a large and conspicuous Manner; and a Copy thereof, signed by the Clerk to the said Commissioners, shall be fixed up in the Office of such Clerk for the free and open Inspection of all Persons at convenient Hours without Fee or Reward, and other Copies thereof, so signed, shall be painted on Boards, and be placed or affixed in such conspicuous Places in the said Parish of *Ramsgate* as the said Commissioners shall direct; and such Copies respectively shall be renewed and replaced from Time to Time as often as the same shall be obliterated, defaced, or destroyed; but no such Bye Laws, Rules, Orders, and Regulations shall have any Force or Effect until Seven Days after the same shall have been so printed or written and painted on Boards and affixed.

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

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

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

LXXXIV. And be it further enacted, That if any Person shall pull down or wilfully damage or destroy any Papers or Boards fixed or put up in any Office or public Place in pursuance of this Act for the Publication of the Bye Laws, Rules, Orders, or Regulations of the said Commissioners, or of any Table of Tolls or any other official Publication of or from the said Commissioners in the Execution of this Act, or any Part thereof, or obliterate or deface any Painting, Printing, or Writing thereon, he shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and every Person doing any such Damage shall also be liable to pay for or make good all Damage done and Expences occasioned thereby.

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

LXXXV. And be it enacted, That every Licence to be granted as herein mentioned shall be signed by Seven of the Commissioners at the least, and every Licence not so signed shall be void; and every such Licence shall express the Number of the Hackney Coach or Carriage, Fly, Sedan Chair, Bathing Machine, Horse, Ass, or Mule so licensed, and shall be in force for One Year only from the Day of the Date of such Licence, or until the next general Licensing Meeting for the Purposes aforesaid only, in case any such general

Licensing Day shall be appointed by the said Commissioners, as they are hereby authorized to do: Provided nevertheless, that all or any of such Licences may, by reason of the Misbehaviour or Misconduct of the Owner or Driver or Person attending such Coach, Carriage, Fly, Sedan Chair, Horse, Ass, or Mule respectively so licensed, be suspended or revoked by the said Commissioners as they shall deem right; and that no One Licence shall include more than One Coach, Carriage, Fly, Chair, Bathing Machine, Horse, Ass, or Mule; and every such Licence shall be made out by the Clerk of the said Commissioners, and be duly entered in a Book to be provided and kept by him for that Purpose, with the Christian and Surname and Place of Residence of the Person licensed, and the Number of the Licence; and in such Book shall be contained Columns or Places for Entries to be made of every Offence committed by any Owner, Driver, or Person attending a Coach, Carriage, Fly, Sedan Chair, Bathing Machine, Horse, Ass, or Mule; and for each and every such Licence there shall be paid to the Clerk of the said Commissioners for the Time being, as a Remuneration to him for his Trouble and Expence, the following Sums; (that is to say,) for each Licence for a Hackney Coach, Fly, or other Carriage, or Sedan Chair, the Sum of Two Shillings and Sixpence; for each Licence for a Horse, Ass, or Mule, the Sum of One Shilling; and for each Licence for a Bathing Machine the Sum of Two Shillings and Sixpence; and every Owner of such Coach, Fly, or other Carriage, Sedan Chair, Bathing Machine, and of every Saddle Horse, Ass, or Mule, shall affix and keep affixed such Figure or Number as shall be respectively appointed by the said Commissioners on such conspicuous Part of such Coach, Fly, Carriage, Chair, Bathing Machine, Saddle Horse, Ass, or Mule as shall be appointed by the said Commissioners, and shall for every Refusal or Neglect so to do forfeit and pay any Sum not exceeding Forty Shillings.

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

LXXXVI. And be it further enacted, That if any Person shall refuse or neglect to pay, on Demand, to any licensed Hackney Coachman, Flyman, Sedan Chairman, or Person attending such Bathing Machine, Horse, Ass, or Mule, the regular Fare or Money due to him for the Hire or Service thereof respectively, or shall cut, deface, break, or injure any such licensed Coach, Fly, or Carriage, Horse, Ass, or Mule, or the Harness of the same, or any such licensed Chair or Bathing Machine, it shall be lawful for any Justice of the Peace having Jurisdiction within the said Parish of *Ramsgate*, upon Complaint thereof made to him, to summon the Person complained of to appear before him to answer the said Complaint, and upon Proof upon Oath of the Service of the Summons to proceed in and hear the Matter of such Complaint on Oath, whether the Person so summoned shall appear or not, and to make such Order therein as to such Justice shall seem just; and if the Person against whom such Order shall be made do not immediately pay or cause to be paid the Money which shall be ordered as a Satisfaction to the Person for the Service or Injury done it shall be lawful for such Justice and he is hereby required to levy the same by Distress and Sale of the Goods and Chattels of such Person so refusing or declining to pay in the same Manner as Penalties are by this Act directed to be recovered, and to

pay

pay the Amount so awarded to the Person to whom it shall be due, with such Costs as such Justice shall think reasonable, returning the Overplus, if any, to the Owner of the Goods and Chattels so distrained; and it shall and may be lawful for such Justice to order such Person so refusing or declining to pay to be detained in safe Custody until Return can conveniently be made to the Warrant or Warrants for such Distress and Sale, unless such Person shall give sufficient Security to the Satisfaction of such Justice for his or her Appearance before the said Justice on such Day or Days as shall be appointed for the Return of such Warrant or Warrants, such Day or Days not being more than Five Days from the Time of taking such Security, and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if no sufficient Distress can be found, then it shall be lawful for such Justice to commit the Person against whom such Order shall be made to the Common Gaol or House of Correction of the Town, Port, and Borough of *Sandwich* for any Term not exceeding Thirty Days, there to remain without Bail or Mainprize, unless the Money be sooner paid.

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

LXXXVII. And be it enacted, That if any Person shall undress on the Sea Beach, or shall bathe in the Sea, except from a Bathing Machine, at any Place on the Sea Coast within Half of a Mile from *Ramsgate* Harbour, or if any Person shall indecently expose himself in bathing or otherwise in any public Street or Highway of the said Parish of *Ramsgate*, or upon or near the Sea Shore within One Mile from *Ramsgate* Harbour, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Commissioners may provide Fire Engines.

LXXXVIII. And be it further enacted, That it shall be lawful for the said Commissioners to maintain and keep repaired the Fire Engine provided by the Commissioners acting in execution of the said recited Acts, with the Pipes and other Apparatus belonging to it, and also (if they shall think proper) to purchase or provide further Fire Engines, Pipes, and other necessary Apparatus for extinguishing Fires, and to hire such Horses for the Use of the same as they the said Commissioners shall think fit; and to erect, hire, or rent a proper Place or Places for keeping such Engines, and to employ during Pleasure a proper Number of Persons as Firemen to attend the same, and with such Wages or Salaries, and also to give such Firemen or other Persons such Rewards for their Exertions in case of Fire, and to make such Rules and Orders for the Regulation of such Firemen for working such Engines occasionally, and keeping the same in order, as the said Commissioners shall think fit.

Power to purchase Buildings, &c. for widening and improving the Streets and enlarging Market, &c.

LXXXIX. And as well for the Purpose of widening and otherwise improving the Streets, Lanes, Roads, Highways, Passages, and other public Places within the said Parish of *Ramsgate*, and for making and opening nearer, better, and more convenient Communications and Ways between many Parts of the same Parish, as for enlarging and improving the Market Place, or the making and erecting a new Market Place or new Market Places therein, and suitable Approaches thereto, and for enlarging and improving the present Town Hall of the same Parish, or making and erecting a new Town Hall

Hall therein, with suitable Offices and Approaches thereto; be it further enacted, That the said Commissioners shall and may and they are hereby authorized and empowered from Time to Time to treat, contract, and agree with any Corporations, Tenants for Life or in Fee Tail, General or Special, or with any Feoffees in Trust, Husbands, Guardians, Committees, Lunatics or Idiots, or other Trustees whomsoever, not only for and on behalf of themselves and their respective Heirs and Successors, but also for and on behalf of their respective Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, Femes Covert, or other Persons under any Disability of acting for themselves, who are or shall be seised or interested in their own Rights, or with any other the Owners or Proprietors for the Time being of all or any of the Messuages, Buildings, Lands, Tenements, or Hereditaments situate within the same Parish which are specified in the Schedule hereto annexed, for the absolute Purchase of such Messuages, Buildings, Lands, Tenements, or Hereditaments, or any of them, or any Part or Parts thereof, which the said Commissioners shall consider proper and necessary to be purchased for the Purposes of this Act, or for the Compensation or Satisfaction to be made for the same or for any Part thereof, or for any Rights or Interests therein, and to purchase the same respectively, and to pay the Purchase Monies out of the Monies to be by them received by virtue of this Act for such respective Purposes.

Misnomers or wrong Descriptions in Schedule not to prevent the Execution of the Act.

XC. Provided always, and be it further enacted, That if any of the Lands, Messuages, Tenements, or Hereditaments mentioned and described in the Schedule hereunto annexed, or any of the Persons in whose Possession or Occupation the same or any Part thereof are stated or described to be, or the Owners or Lessees thereof, or any other Persons interested therein, or in any Part thereof, shall happen by Mistake to be misnamed or incorrectly described, then and in such Case, on the same being certified by any Two of Her Majesty's Justices of the Peace having Jurisdiction within the said Parish of *Ramsgate*, such Misnomer or incorrect Description shall not prevent or retard the Execution of this Act, but the same Premises and every Part thereof shall and may be purchased, sold, assessed, and valued in manner in this Act mentioned, and afterwards conveyed, disposed of, and applied for and to the Purposes of this Act, as fully and effectually as if the same was or were properly named and described in this Act, or in the said Schedule hereunto annexed.

Parties to deliver a Statement of their Estates and Claims within One Calendar Month after Notice.

XCI. And be it further enacted, That on or before the Expiration of One Calendar Month next after Notice in Writing from the said Commissioners, or their Agent duly authorized, of their Intention to take or use any Lands or any Part thereof for the Purposes of this Act, and also of this Provision, shall have been given to any Person or Corporation seised, possessed, or interested in or authorized by this Act to accept and receive Satisfaction and Compensation for the Value of the same, or any Estate, Share, or Interest therein or Charge thereon, or for any Injury or Damage sustained on account of the Execution of this Act, or left at the last known Residence of such Person, or given to the Clerk or known Agent of such Corporation, such Person or Corporation shall deliver or cause to be

delivered at the Office of the Clerk to the said Commissioners a Statement in Writing of the Particulars of the Estate, Share, Interest, or Charge which he or they claim to be entitled to or to be authorized to receive Satisfaction and Compensation for, and of the Injury or Damage sustained by him or them, and of the Amount of the Sum of Money which he or they may expect and be willing to receive in satisfaction and compensation for the Value of such Estate, Share, Interest, or Charge, and for such Injury or Damage respectively.

Corporations and Persons empowered to agree for Satisfaction and Compensation.

XCII. And be it further enacted, That all Corporations and other Persons by this Act capacitated to sell and convey any Lands, or to sell and convey any other Rights or Interests in Lands, and the respective Owners, Lessees, and Occupiers of any Lands required for the Purposes of this Act, may agree to accept and receive and may (subject to such Restrictions as in this Act are contained as to the Payment thereof) accept and receive Satisfaction for the Value of such Lands, or of the Interest therein by them conveyed, and also Compensation for or on account of any Damage occasioned to such Lands by reason of the severing or dividing of the same, or by reason or on account of the Execution of any of the Works by this Act authorized, and also for and on account of any Damage, Loss, or Inconvenience which may be sustained by such Corporations or other Parties by reason of the Execution of any of the Powers of this Act, in such gross Sums as shall be agreed upon between the said Owners (including Persons hereby capacitated as aforesaid), Lessees, and Occupiers respectively and the said Commissioners; and in case the said Commissioners and the said Parties respectively shall not agree as to the Amount or Value of such Purchase Money, Satisfaction, or Compensation, the same respectively or either of them concerning which they do not so agree shall be ascertained and settled by the Verdict of a Jury, if required, as herein-before is directed.

Commissioners may purchase other Hereditaments.

XCIII. And be it further enacted, That the said Commissioners shall or may and they are hereby authorized and empowered at any Time or Times to contract and agree with the Owners of and any Trustees, Parties, or Persons interested in any other Messuages, Buildings, Lands, Grounds, or Tenements within the same Parish of *Ramsgate* for the Time being, or other Hereditaments whatsoever situate within the same Parish, for the absolute Purchase thereof, or of any Part or Parts thereof which the said Commissioners shall think proper and necessary to be purchased for the Purposes of this Act, at or for such Price as shall be mutually agreed upon for the same.

Corporations and Persons under legal Disability empowered to sell and convey Lands.

XCIV. And be it further enacted, That it shall be lawful for all Corporations, Tenants for Life or in Tail, or for any other partial or qualified Estate or Interest, Husbands, Guardians, Trustees, and Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Committees, and all Trustees and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of all Persons entitled in Reversion, Remainder, or Expectancy after them, if incapacitated, unborn,

unborn, or not to be found, and for and on behalf of their Wives, Wards, Lunatics, and Idiots respectively, and in the same Manner and to the same Extent as such Wives, Wards, Lunatics, and Idiots respectively could have done by Law under the Powers of this Act in case they had been sole, of full Age, and sound Mind, and for and on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Persons, and to and for all Femes Covert seised, possessed of, or interested in their own Right or entitled to Dower or other Interest, and for all other Persons whomsoever who are or shall be seised or possessed of or interested in any Lands authorized to be taken under the Powers of this Act, to contract for, sell, and convey the same or any Part thereof to the said Commissioners; and all Conveyances for the Purposes of this Act shall be made at the Expence of the said Commissioners, and may be in the Words or to the Effect following, or with such Variations, Covenants, or Conditions as the Number of the Parties and the Circumstances of the Case may render expedient; (that is to say),

Form of Conveyance to the Commissioners.

'I of in consideration of the Sum of to me [*or, as the Case may be*, into 'the Bank of *England* in the Name and with the Privity of the 'Accountant General of the Court of Exchequer *ex parte* "The Com- 'missioners for improving the Parish of *Ramsgate*," *or* to *A. B.* of 'and *C. D.* of Trustees 'appointed to receive the same], pursuant to the Act after-mentioned, 'paid by the Commissioners for improving the Parish of *Ramsgate*, '*or* said Commissioners, in pursuance of an Act passed in the 'Year of the Reign of Queen *Victoria*, intituled [*here insert the Title 'of this Act*], do hereby convey [*or, in Cases of Copyhold or Customary 'Lands requiring Surrender*, do hereby agree to surrender] to the 'said Commissioners, their Successors and Assigns, all [*describing 'the Premises to be conveyed*], together with all Ways, Rights, and 'Appurtenances thereto belonging, and all such Estate, Right, Title, 'and Interest in and to the same and every Part thereof as I am or 'shall become seised, possessed of, or entitled to, or am by the said 'Act capacitated or empowered to convey, to hold the Premises to 'the said Commissioners, their Successors and Assigns for ever, 'according to the true Intent and Meaning of the said Act. In 'witness whereof I have hereunto set my Hand and Seal this 'Day of in the Year 'of our Lord .'

And all such Conveyances and Assurances as aforesaid shall be valid and effectual in Law, and shall operate to bar and destroy all Estates Tail, and all Titles to Dower, and all other Estates, Rights, Titles, Remainders, Reversions, Limitations, Trusts, and Interests whatsoever, of and to the Lands in such Conveyances respectively comprised, which shall be compensated for by the Payment of the Compensation Money mentioned in such Conveyances, and also to merge all Terms of Years attendant by express Declaration or by Construction of Law on the Estate or Interest thereby conveyed or aliened, except where the said Commissioners shall have express Assignments or other Dispositions made of such Terms for their Benefit; but although the said Terms shall be merged they shall in Equity afford

afford the same or the like Protection and Priority as if they were assigned and kept on foot in Trust for the Commissioners, and to attend the Reversion and Inheritance.

Mortgagees to convey to the Commissioners.

XCV. And be it further enacted, That all Persons and Corporations having any Mortgage on any Lands which shall be required to be taken for the Purposes of this Act (and whether entitled thereto in their own Right or in Trust for any other Person or Corporation, and whether in Possession of such Lands by virtue of such Mortgage or not, and whether such Mortgage shall affect such Lands solely, or jointly with any other Lands which shall not be so required,) shall, on Payment or Tender by the said Commissioners, or by any Person by them authorized, of the Principal Money and Interest due on such Mortgage, and the just Costs (if any) then due, together with the Amount of Six Calendar Months Interest on the said Principal Money, (which Tender and Payment the said Commissioners are hereby authorized to make, and to deduct the same from any Sum agreed or directed to be paid for the Estate or Interest of the Parties entitled to the Equity of Redemption of and in the Lands so mortgaged, in case the same shall be sufficient for the Purpose,) immediately convey, assign, and transfer the respective Interests of such Mortgagees in the Lands which shall be so required to the said Commissioners, or to such Person as they shall appoint, and which Conveyance, Assignment, or Transfer may be of the like Form as the Conveyances by this Act directed or authorized to be used in Cases of Conveyance of Lands, or as near thereto as the Circumstances of the Case will permit, or in any other Form; or in case such Mortgagees shall have Notice in Writing from the said Commissioners, or from the Parties entitled to the Equity of Redemption of and in the same Lands, that they will pay off the Principal Money and Interest which shall be due on such Mortgage at the End of Six or less Number of Calendar Months, to be computed from the Day of giving such Notice, then at the End of such Six or less Number of Calendar Months, on Payment or Tender by the said Commissioners of the Principal Money and Interest which would become due at the End of Six Calendar Months from the Time of giving such Notice, together with any just Costs then due, such Mortgagees shall convey, assign, and transfer their respective Interests in the Lands which shall be so required for the Purposes of this Act to the said Commissioners or as they shall direct; and in case any such Mortgagee shall refuse or be incompetent to convey, assign, or transfer as aforesaid on such Payment or Tender respectively as aforesaid, then all Interest on every such Mortgage Debt, and all Claim and Right of every such Mortgagee thereto, shall from thenceforth cease and determine: Provided always, that in case any such Mortgagee shall in either of the Cases aforesaid neglect or refuse or be incompetent to convey, assign, or transfer as aforesaid, then upon Payment of the Principal Money and Interest and the Costs (if any) due on any such Mortgage as aforesaid into the Bank of *England* at or at any Time after the End of Six Calendar Months from the Day of giving such Notice as aforesaid, or in lieu of such Notice, and in addition to the said other Monies, of Six Calendar Months Interest in advance for the Use of such Mortgagee at any Time after

after Tender of the Principal, Interest, and Costs, and Six Calendar Months Interest in advance as aforesaid, the Cashier of the said Bank shall give a Receipt for the said Money in like Manner as is by this Act directed in Cases of other Payments into the said Bank, and thereupon, or upon such Conveyance, Assignment, or Transfer by any such Mortgagee as aforesaid, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of such Mortgagee, and of all Persons in Trust for him, or for whom he shall be Trustee, shall vest in the said Commissioners, and the said Commissioners shall be deemed to be in the actual Possession of the Premises and Estate comprised in such Mortgage, or so much thereof as shall be required for the Purposes of this Act, to all Intents and Purposes whatsoever.

As to Cases where Mortgage Money is more than the Value of the Land, or a Part only of the Land is taken.

XCVI. And be it further enacted, That in all Cases in which any Lands subject to any Mortgage shall be required for the Purposes of this Act, which Lands shall be of less Value than the Principal Monies, Interest, and Costs secured thereon, or in which a Part only of the Lands subject to any Mortgage shall be required for the Purposes of this Act, and such Part shall be of less Value than the Principal Monies, Interest, and Costs secured on such Lands, and the Mortgagee thereof shall not consider the remaining Part of such Lands to be a sufficient Security for the Money charged thereon, or shall not be willing to release the Part required for the Purposes of this Act from the Principal or Mortgage Money, and all Interest due and to become due thereon, and all Costs, the Value of such Lands or, as the Case may be, of such Part of the said Lands as shall be so required for the Purposes aforesaid, and also the Compensation (if any) for any Damage done in respect of the Part so required, shall be settled and agreed upon by and between such Mortgagee, if competent thereto, and the Person or Corporation entitled to the Equity of Redemption of such Lands, whether absolutely or for such Estate as might capacitate him or them to convey for the Purposes of this Act, on the one Part, and the said Commissioners on the other Part; and in case of the Incompetency of the Mortgagee, or of any Difference between them, then such Value and Compensation shall be determined by the Verdict of a Jury in the same Manner as in other Cases of Difference; and the Amount of such Value and Compensation, being so agreed upon or determined as aforesaid, shall be paid to such Mortgagee in satisfaction of his Claim, so far as the same will extend, and such Mortgagee shall thereupon convey, assign, and transfer all his Interest in such mortgaged Lands, the Value whereof shall so have been agreed upon or determined as aforesaid; or in case of his neglecting or refusing or being incompetent to convey, assign, or transfer as hereinbefore directed, then the Amount of such Value and Compensation shall be paid into the Bank of *England* to the Credit of the said Mortgagee as by this Act is provided in Cases of a like Nature; and such Payment to the Mortgagee or into the Bank as last aforesaid shall be accepted in satisfaction of the Claim of such Mortgagee, so far as the same will extend, and also in full Discharge and Exoneration of such Part of the mortgaged Premises as shall be so taken or used from all Principal and Interest and other Money due or secured thereon; and thereupon such mortgaged Lands shall become absolutely

lutely vested in the said Commissioners, and the said Commissioners shall be deemed to be in the actual Possession thereof to all Intents and Purposes whatsoever: Provided nevertheless, that all Mortgagees shall have the same Powers and Remedies for recovering or compelling Payment of their Mortgage Money, or the Residue thereof (as the Case may be), or the Interest thereof respectively, upon and out of the Residue of the mortgaged Lands not required for the Purposes aforesaid, as they would have had or been entitled to for recovering or compelling Payment thereof upon or out of the whole of the Lands originally comprised in such Mortgage: Provided also, that when a Part only of the Lands (subject to any Mortgage) shall have been taken for the Purposes of this Act as aforesaid, and the Value of the Lands so taken shall, on the Assignment thereof to the said Commissioners, have been paid to the Mortgagee thereof in part Satisfaction of his Mortgage Debt, a Memorandum of what shall have been so paid shall be endorsed on the Deed creating such Mortgage at the Time of executing such Assignment to the said Commissioners, and shall be signed by such Mortgagee, and a Copy of such Memorandum shall at the same Time (if required) be furnished by the said Commissioners at their Expence to the Person so entitled as aforesaid to the Equity of Redemption of the Lands comprised in such Mortgage Deed.

In case the Parties refuse or are incapable to treat, the Amount of Satisfaction and Compensation to be settled by a Jury.

XCVII. And for settling all Differences which may arise between the said Commissioners and the several Owners and Occupiers of or Persons or Corporations interested in any Lands or Hereditaments which may be taken, used, damaged, or injuriously affected by the Execution of any of the Powers hereby granted; be it further enacted, That if any Corporation, Trustee, or other Person so interested or entitled and capacitated to sell, contract, or convey as aforesaid shall not agree with the said Commissioners as to the Amount of such Purchase Money or Satisfaction or other Compensation as aforesaid, or if any of such Parties shall refuse to accept such Purchase Money or Satisfaction or other Compensation as aforesaid as shall be offered by the said Commissioners, and shall give Notice thereof in Writing to the said Commissioners within One Calendar Month next after such Offer shall have been made, and the Party giving such Notice shall therein request that the Matter in dispute may be submitted to the Determination of a Jury; or if any of such Parties as aforesaid shall for the Space of One Calendar Month next after Notice in Writing shall have been given to him, or in case of any Corporation to the Clerk, Agent, or principal Officer of any such Corporation, either personally or by being left at his Place of Abode, neglect or refuse to treat or shall not agree with the said Commissioners for the Sale and Conveyance of the respective Estates and Interests which they respectively are hereby capacitated to convey, or shall by reason of Absence be prevented from treating, or shall by reason of any Impediment or Disability be incapable of making such Agreement or Conveyance as shall be necessary or expedient for enabling the said Commissioners to take such Lands, or shall not disclose and prove the State of Title to the Premises of which they respectively may be in possession, or the Share, Interest, or Charge which they may claim to be entitled unto or interested in, in case they shall be required by

the said Commissioners to do so, or in any other Case where Agreement for Compensation for Damages incurred in the Execution of any of the Powers of this Act cannot be made; then and in every such Case the said Commissioners shall and they are hereby required from Time to Time to issue a Warrant under the Hands and Seals of Seven at least of the said Commissioners to the Clerk of the Peace of the Town and Port and Borough of *Sandwich*, or in case the said Clerk of the Peace shall be one of the said Commissioners, or enjoy any Office of Trust or Profit under the said Commissioners, or shall be in anywise interested in the Matter in question, then to the Sheriff of the County of *Kent*, or to any of the Coroners of the said County, not interested as aforesaid, or if the Sheriff and all the Coroners shall be so interested, then to some Person then living in the said County who shall have filled the Office of Sheriff or Coroner in the said County, and be free from personal Disability, and not interested as aforesaid (a Person having more recently served either Office being always preferred), commanding such Clerk of the Peace, Sheriff, Coroner, or other Person to impannel, summon, and return, and the said Clerk of the Peace, Sheriff, Coroner, or other Person is hereby accordingly empowered and required to impannel, summon, and return, a Jury of at least Twenty-four sufficient and indifferent Men, qualified according to the Laws of this Realm to be returned for Trials of Issues in Her Majesty's Courts of Record at *Westminster*; and the Persons so to be impannelled, summoned, and returned are hereby required to appear before the said Clerk of the Peace, Sheriff, Under Sheriff, Coroner, or other Person at such Time and Place as in such Warrant shall be appointed, and to attend from Day to Day until duly discharged; and out of such Persons so to be impannelled, summoned, and returned a Jury of Twelve Men shall be drawn by the said Clerk of the Peace, Sheriff, Under Sheriff, Coroner, or other Person, or by some other Person to be by them respectively appointed, in such Manner as Juries for Trials of Issues joined in Her Majesty's Courts of Record at *Westminster* are by Law directed to be drawn; and in case a sufficient Number of Jurymen shall not appear at the Time and Place so to be appointed as aforesaid, such Clerk of the Peace, Sheriff, Under Sheriff, Coroner, or other Person shall return other honest and indifferent Men of the Standers-by or of others that can speedily be procured (being so qualified as aforesaid) to make up the said Jury to the Number of Twelve; and all Parties concerned may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and the said Clerk of the Peace, Sheriff, Under Sheriff, Coroner, or other Person is hereby empowered and required, on Request in Writing by either Party, to summon before him all Persons who shall be thought necessary to be examined as Witnesses touching the Matters in question, and may order and authorize such Jury, or any Six or more of them, to view the Place or Matter in controversy; and such Jury shall upon their Oaths, or (being Quakers) upon their solemn Affirmations, (which Oaths and solemn Affirmations, as well as the Oaths and Affirmations of all Persons who shall be called upon to give Evidence, the said Clerk of the Peace, Sheriff, Under Sheriff, Coroner, or other Person is hereby empowered and required to administer), inquire of and assess and give a Verdict for the Sum or Sums of Money to be paid

paid for the Purchase of such Lands (except for such Interest therein as shall have been of right purchased by the said Commissioners from any other Person or Corporation), and also the separate and distinct Sum or Sums of Money to be paid by way of Satisfaction or Compensation either for the Damages which shall before that Time have been done or sustained as aforesaid, or for the future temporary or perpetual or for any recurring Damages to be so done or sustained as aforesaid, and the Cause or Occasion of which shall have been in part only obviated, removed, or repaired by the said Commissioners, and which cannot or will not be further wholly obviated, removed, or repaired by them; and the said Clerk of the Peace, Sheriff, Under Sheriff, Coroner, or other Person shall accordingly give Judgment for such Purchase Money, Satisfaction, or Compensation as shall be assessed by such Jury: Provided always, that not less than Seven Days Notice in Writing of the Time and Place at which such Jury are so required to be returned shall be given by the said Commissioners to the Party with whom any such Controversy shall arise by personally serving or leaving such Notice at the Dwelling House of the Person, or the Clerk or Agent or principal Officer of any such Corporation: Provided also, that in all such Cases the Party claiming such Satisfaction or Compensation shall be the Plaintiff, and shall be entitled to all such Advantages and Privileges as Plaintiffs are in Actions tried in any of Her Majesty's Courts of Record at *Westminster* by Law entitled.

Value of Land and Compensation for Damages to be ascertained separately.

XCVIII. And be it further enacted, That on ascertaining the Money to be paid for the Purchase of any Lands to be taken for the Purposes of this Act the Jury shall also ascertain and assess the Compensation and Satisfaction to be made by the said Commissioners for any Damages which shall or may be sustained by any Persons interested in such Lands for or by reason of the severing or dividing of the same from other Lands whereof, wherein, or whereto any such Persons as aforesaid shall be seised, possessed, or entitled, and also for or on account of any Damage, Loss, or Inconvenience whatsoever which shall or may accrue to or be sustained by such Persons by reason of the Execution of any of the Powers of this Act, such Damages, Compensation, and Satisfaction to be settled and ascertained separately and distinctly from the Value of the Lands so to be taken as aforesaid.

Purchase Money and Compensation to be apportioned between Parties having particular Interests.

XCIX. And be it further enacted, That the said Juries shall and they are hereby respectively empowered, if thereunto required, to apportion the Shares and Proportions of the Purchase Money or Compensation for Damages which shall be assessed as aforesaid among the several Persons interested in any Manner in the Premises according to their respective Interests therein, and the Loss or Damage which they may respectively sustain.

Verdicts to be recorded.

C. And be it further enacted, That the said Verdicts and Judgments, being first signed by the said Clerk of the Peace, Sheriff, Under Sheriff, Coroner, or other Person presiding at the taking of such Verdict and pronouncing of such Judgment respectively, shall be kept by the Town Clerk or other Person having the Custody of the

the Records of the Quarter Sessions for the said Town, Port, or Borough of *Sandwich*, and shall be deemed Records to all Intents and Purposes, and the same or true Copies thereof shall be allowed to be good Evidence in all Courts whatsoever; and all Persons shall have Liberty to inspect the same, paying to such Town Clerk for such Inspection the Sum of One Shilling, and shall be entitled to be furnished with Copies thereof, paying to the said Town Clerk for every Copy after the Rate of Sixpence for every One hundred Words.

Penalty on Clerk of the Peace, or Sheriff, or Jurors or Witnesses making default.

CI. And be it further enacted, That if any such Clerk of the Peace, Sheriff, Under Sheriff, Coroner, or other Person herein-before authorized and directed to act as aforesaid shall make default in the Premises, he shall for every such Offence forfeit and pay the Sum of Fifty Pounds; and if any Person so summoned and returned upon any such Jury as aforesaid shall not appear, or appearing shall refuse to be sworn, or being a Quaker to make his solemn Affirmation, or to give his Verdict, or shall in any other Manner wilfully neglect his Duty contrary to the true Intent and Meaning of this Act, or if any Person so summoned to give Evidence as aforesaid shall not appear on being paid or tendered a reasonable Sum for his Costs and Expences, or appearing shall refuse to be sworn, or being a Quaker affirmed, or to give Evidence, every Person so offending, having no reasonable Excuse, (such Excuse to be judged of and determined by the said Clerk of the Peace, Sheriff, Under Sheriff, Coroner, or other Person,) shall forfeit and pay for every such Offence, for the Benefit of the Party for whom or on whose Account such Jury or Witness shall have been summoned, any Sum not exceeding Ten Pounds; all which Penalties and Forfeitures shall and may be levied, by virtue of a Warrant under the Hand and Seal of any Justice of the Peace having Jurisdiction within the said Parish of *Ramsgate*, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to him, on Demand, the Overplus of the Money thereby produced (if any), after such Penalty, and the Charges and Expences of such Distress and Sale, shall have been deducted.

Jurors to be under the same Regulations as those of the Superior Courts.

CII. And be it further enacted, That every such Jury and Juryman as aforesaid shall, in addition to the Penalties hereby inflicted, also be subject to the same Regulations, Pains, and Penalties as if such Jury and Juryman had been returned for the Trial of any Issue joined in any of Her Majesty's Courts of Record at *Westminster*; and all Persons who in any Examination to be taken by virtue of this Act upon their Oaths, or being Quakers upon their solemn Affirmations, shall wilfully and corruptly give false Evidence before any such Jury, Clerk of the Peace, Sheriff, Under Sheriff, Coroner, or other Person, or before any Justice of the Peace acting as such in the Execution of this Act, shall and may be prosecuted for the same, and upon Conviction thereof shall be liable to the Pains and Penalties to which Persons guilty of wilful Perjury shall or may by Law be subject or liable.

Allowance to Jurymen, Clerk of the Peace, &c.

CIII. And be it enacted, That every Juryman who shall be sworn for the Purposes of this Act shall be allowed the Sum of Ten Shillings and

and no more for each Day's Attendance and Expences, notwithstanding such Juryman shall be sworn on several Inquiries and Assessments on the same Day; and the Clerk of the Peace, Sheriff, Coroner, or other Person, for summoning, impannelling, and returning of such Jury or Juries, and taking and recording their Verdict or Verdicts, and for attending on the first Day, shall be allowed the Sum of Three Pounds and no more, and for each Day's Attendance beyond the first the Sum of Two Pounds and no more, whether such Jury or Juries shall be impannelled for the Purpose of one Inquiry or several Inquiries.

Expences of Jury and Witnesses how to be paid.

CIV. And be it further enacted, That in every Case in which the Verdict of a Jury shall be given for the same or a greater Sum than shall have been previously offered by the said Commissioners for the Purchase of any Lands to be used or taken by them for the Purposes of this Act, or as Compensation or Satisfaction for any Damage or Loss which may happen or arise in or be occasioned by the Execution of any of the Powers of this Act, all the Costs, Charges, and Expences incurred in summoning, impannelling, and returning such Jury, taking such Inquisition, and the Attendance of Witnesses, and recording the Verdict or Judgment thereon, and otherwise incident to the said Inquisition, and the Expences of the Bond to be given as herein-after mentioned by the Party requiring the Jury to be summoned, shall be borne by the said Commissioners, and such Costs, Charges, and Expences shall be settled and determined by the said Clerk of the Peace, Sheriff, Under Sheriff, Coroner, or other Person as aforesaid; and in case such Costs, Charges, and Expences shall not be paid to the Party entitled to receive the same within Seven Days after the same shall have been demanded, the same shall and may be levied and recovered by Distress and Sale of any Goods or Chattels of the said Commissioners, or of their Treasurer (unless the Treasurer or other Officer of the said Commissioners shall pay such Costs, Charges, and Expences out of any Monies received by him by virtue of this Act, and which he is hereby authorized to do), under a Warrant to be issued for that Purpose by any Justice of the Peace acting within his Jurisdiction and not interested in the Matter in question, which Warrant such Justice is hereby authorized and required to issue under his Hand and Seal on Application made to him for that Purpose by any Party entitled to receive such Costs, Charges, and Expences; but if the Verdict of the Jury shall be given for a less Sum than shall have been previously offered by or on the Behalf of the said Commissioners, one Moiety of the said Costs, Charges, and Expences, to be settled and determined as aforesaid, shall be defrayed by the Party with whom the said Commissioners shall have such Controversy or Dispute, and the remaining Moiety shall be defrayed by the said Commissioners; and the former Moiety of such Costs, Charges, and Expences, having been ascertained and settled in manner herein-before mentioned, shall and may be deducted out of the Money awarded to be paid to such Party as aforesaid as so much Money advanced to and for his Use, and the Payment or Tender of the Remainder of such Money shall be deemed and taken, to all Intents and Purposes, to be a good Payment or Tender and Satisfaction of the whole thereof.

CV. And

Persons requesting Juries to enter into Bonds to prosecute their Complaints and pay Expences.

CV. And be it further enacted, That all Parties with whom the said Commissioners shall have any Dispute respecting Damages, and who shall require a Jury to be summoned as aforesaid, shall, before the said Commissioners shall be obliged to issue their Warrant for summoning such Jury, enter into a Bond to the said Commissioners in a Penalty of Two hundred Pounds to prosecute their Complaint, and to bear and pay their Proportion of the Costs and Expences of summoning, impannelling, and returning such Jury, taking such Inquisition, and of the Attendance of Witnesses, and recording the Verdict or Judgment thereon, and otherwise incidental to such Inquisition, in case any Part of such Costs and Expences shall fall upon them.

Demand of Compensation for Loss or Injury to be made before any Proceedings taken.

CVI. And be it further enacted, That the said Commissioners shall not be obliged, nor shall any Jury to be summoned by virtue of this Act be allowed without the Consent or the said Commissioners, to receive or take notice of any Complaint to be made by any Party for any Loss, Injury, or Damage by him sustained or supposed to be sustained in consequence of the Execution of any of the Powers of this Act, unless, after Application by the Commissioners setting forth this Provision, Notice in Writing by the Clerk or Treasurer or other proper Officer of the Corporation or by the Person making such Complaint, stating the Particulars of such Loss or Injury and the Amount of the Compensation claimed in respect thereof, shall have been given by such Corporation or Person to the said Commissioners within Two Calendar Months next after the Time of such supposed Loss or Injury having been sustained, or after the doing or committing thereof shall have ceased, and Thirty Days before the summoning of such Jury.

Damages under 20*l.* may be settled by Justices.

CVII. And be it further enacted, That in case any Difference shall arise between the said Commissioners and any of the Owners or Occupiers of the Lands to be taken or used for the Purposes of this Act as to the Amount or Value of the Damages done by the said Commissioners, their Deputies, Engineers, Contractors, Servants, Agents, or Workmen, to such Lands in the Execution of any of the Powers of this Act, and such Difference cannot be adjusted and settled between the said Parties, the same shall, in case the Amount of Damages claimed does not exceed the Sum of Twenty Pounds, be ascertained and determined by some One or more Justice or Justices of the Peace having Jurisdiction within the said Parish of *Ramsgate*, who, upon Application made to him or them by both or either of the said Parties, shall examine into the Matter in dispute, and shall determine and settle the Amount of Compensation which shall be payable by the said Commissioners.

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

CVIII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for the Purchase of any Lands to be taken or used by virtue of the Powers and under the Authority of this Act, or of any Interest therein, or for any Compensation or Satisfaction under this Act, which any Corporation, Tenant for Life or in Tail, or Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Cestuique Trust, or

any

any Person whose Lands are limited in strict or other Settlement, or any Person under any other Disability or Incapacity, or unborn, shall be entitled unto, interested in, or hereby capacitated to convey, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there *ex parte* "The Commissioners for improving the Parish of *Ramsgate*," pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward, and shall when so paid in there remain until the same shall, by Order of the said Court made in a summary Way upon Petition to be presented to the said Court by the Party who would have been entitled to the Rents and Profits of the Lands in respect whereof such Money shall be paid, be applied either in the Purchase or Redemption of the Land Tax, or in or towards the Discharge of any Debt or other Incumbrance, affecting such Lands, or affecting other Lands standing settled therewith to the same or the like Uses, Trust, Intents, or Purposes, as the said Court of Exchequer shall authorize to be purchased or paid, or such Part thereof as shall be necessary; or until the same shall, upon the like Application, be laid out, by Order of the said Court made in a summary Way, in the Purchase of other Lands, which shall be conveyed, limited, and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands which shall be so purchased, taken, or used as aforesaid, or in respect of which such Compensation or Satisfaction shall be paid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking effect; and in the meantime, and until such Purchase can be made, the said Money may, by Order of the said Court upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and in the meantime, and until such Annuities or Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, or shall be called in or cancelled, the Dividends or Interest and annual Produce thereof shall from Time to Time, by Order of the said Court, be paid to the Party who would for the Time being have been entitled to the Rents and Profits of such Lands so to be purchased and settled in case the same had been so purchased and settled.

1 G. 4. c. 35.

When less than 200*l.* and amounting to 20*l.*

CIX. And be it further enacted, That if any Money so agreed or awarded to be paid as last herein-before is mentioned shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then the same shall, at the Option of the respective Parties for the Time being entitled to the Rents and Profits of the Lands in respect whereof such Money shall be so awarded or agreed to be paid, or of their respective Husbands, Guardians,

dians, or Committees, in case of Coverture, Infancy, Idiotcy, Lunacy, or other Incapacity, with the Approbation of the said Commissioners signified in Writing under the Hands of at least Three of the said Commissioners, be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, and be placed to his Account as last aforesaid, to be applied in manner last herein-before directed; or otherwise the same may be paid, at the like Option and with the like Approbation, to Two Trustees to be nominated by the respective Parties exercising such Option (such Nomination to be approved of by the said Commissioners), and such Nomination and Approbation to be signified in Writing under the Hands of the nominating Parties, and under the Hands of Three at least of the said Commissioners; and the Money so paid to such Trustees, and the Dividends and Produce so arising thereon and therefrom, shall be by such Trustees applied in like Manner as herein-before directed with respect to the Money so to be paid into the Bank of *England* in the Name of the Accountant General of the Court of Exchequer, but without being required to obtain any Order of the said Court touching the Application thereof.

When less than 20*l.*

CX. And be it further enacted, That where any Money so agreed or awarded to be paid as last herein-before mentioned shall be less than the Sum of Twenty Pounds, then the same shall be paid to the respective Parties who would for the Time being have been entitled to the Rents and Profits of the Lands in respect whereof such Money, Compensation, or Satisfaction shall be paid, for their own Use and Benefit, or in case of Coverture, Infancy, Idiotcy, Lunacy, or other Incapacity, then such Money shall be paid for their Use to their respective Husbands, Guardians, Committees, or Trustees.

In case of not making out Titles, or of Absence or Refusal to convey, the Money to be paid into the Bank.

CXI. And be it further enacted, That in case any Party to whom any Sum of Money shall be agreed or awarded to be paid for the Purchase of any Lands to be taken under or by virtue of the Powers of this Act, or for any other Right or Interest to, in, or affecting any such Lands, or otherwise for Compensation or Satisfaction as aforesaid, shall refuse or neglect to accept the same, or shall refuse, neglect, or be unable to make a Title to such Lands to the Satisfaction of the said Commissioners for the Purposes of this Act, or shall be absent from *England*, or cannot be conveniently found, or if any Party entitled unto or by this Act capacitated to convey any such Lands, Right, or Interest be not known or discovered, or be absent from *England*, or shall refuse to convey the same, then and in every such Case, where not otherwise provided by this Act, it shall be lawful for the said Commissioners to order the Money so agreed or awarded as aforesaid to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Lands (describing them so far as the said Commissioners can do so), subject to the Control and Disposition of the said Court; which said Court, on the Application of any Party making claim to such Money or any Part thereof by Petition, is hereby empowered in a summary Way of proceeding, or otherwise as to such Court shall seem meet, to order the same to be laid out and

invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estates, Titles, or Interests of the Parties making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem proper; and the Cashier of the Bank of *England* who shall receive such Money is hereby required to give to the said Commissioners, or to the Party so paying any Money into the Bank of *England* under or pursuant to this Act, a Receipt for such Money, mentioning and specifying therein for what and for whose Use (described as aforesaid) the same is received, and in respect of what Purchase the same has been so paid in.

In case of disputed Title Persons in Possession to be deemed presumptively entitled.

CXII. And be it further enacted, That where any Question shall arise, in reference to the Provisions aforesaid or otherwise upon this Act, touching the Title of any Party to any Lands or to any Interest in any Lands, or to any Compensation in respect of any Damage done to any Lands, or to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, or of any Estate, Right, Title, or Interest in any Lands, to be taken or used in pursuance of this Act for the Purposes aforesaid, or for Compensation or Satisfaction as aforesaid, or to any Annuities or Securities to be purchased with any such Money as aforesaid, or to the Dividends or Interest of any such Annuities or Securities, the Parties respectively who shall have been in Possession or Receipt of the Rents or Profits of such Lands at the Time of taking or using the same, and all Corporations or Persons claiming under such Parties, or under or consistently with the Possession of such Parties, shall be deemed to have been lawfully entitled to such Lands or to such Interest therein, or to such Money as aforesaid, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court, and the Dividends or Interest of the Annuities or Securities to be purchased with such Money, and also the Capital of such Annuities or Securities, shall be paid, applied, and disposed of accordingly.

Court of Exchequer may order reasonable Expences of Purchases and Costs to be paid by the Commissioners.

CXIII. And be it further enacted, That where, by reason of any Disability or Incapacity of any Person or Corporation entitled to any Lands or Hereditaments to be purchased, taken, or used under the Authority of this Act, or from any other Cause except the wilful Refusal of such Person or Corporation to convey the said Lands and Hereditaments, or to accept the Purchase or Compensation Money herein-after mentioned, the Purchase Money for any Lands or Hereditaments, or any Money to be paid by way of Recompence or Compensation for any Damage or Injury done to the same, shall be required to be paid into the Bank of *England*, it shall be lawful for the said Court of Exchequer to order the reasonable Costs, Charges, and Expences attending any such purchase, taking, or using of Land, or which may be incurred in consequence thereof, and also all the Costs, Charges, and Expences of the Investment of such Purchase or Compensation Money in Government or Real Securities, and of the Re-investment of the same, or the Government or Real Securities purchased therewith, in the Purchase of other Lands and Hereditaments,

ments, together with the necessary Costs, Charges, and Expences of obtaining the proper Orders, and of all other Proceedings for such Purposes, except such as may be occasioned by Litigation between Claimants, and for the Payment of the Dividends and Interest of the Government or Real Securities upon which such Purchase or Compensation Money may be invested, and for the Payment out of Court of the Principal of such Purchase or Compensation Money, or of the Government or Real Securities aforesaid, to be paid by the said Commissioners, and the said Commissioners shall from Time to Time pay such Sums of Money for the Costs, Charges, and Expences hereinbefore mentioned as the said Court shall direct.

Expences of Titles to be paid by the Commissioners.

CXIV. And be it further enacted, That all the Costs, Charges, and Expences, on the Part as well of the Seller as the Purchaser, of all Conveyances and Assurances of any Lands which shall be purchased or taken by the said Commissioners for the Purposes of this Act, and of deducing, evidencing, and verifying such Title as the said Commissioners may require to the said Lands, and of making out and furnishing such Abstract and such attested Copies as the said Commissioners may require, and all Expences whatsoever incident to the Investigation, Deduction, and Verification of such Title, shall be exclusively borne and paid by the said Commissioners; and the said Commissioners, before entering into possession of the Lands so purchased or taken, shall pay the Amount of such Costs, Charges, and Expences, or, in case there shall be any Dispute about the same, shall obtain such Order as herein-after mentioned, and shall deposit, for the Purpose of paying the same, in such Manner as herein-after mentioned, the Amount of the Costs, Charges, and Expences claimed by the Party from whom the Lands shall be purchased or taken: Provided always, that the said Commissioners shall not be prevented from entering into possession of the Lands so purchased by reason of the Nonpayment of the said Costs, Charges, and Expences, or by reason of the Order herein-before mentioned not having been obtained, or the Deposit herein mentioned not having been made, unless the Party from whom such Lands shall have been purchased shall, within Seven Days after Notice in Writing for that Purpose shall have been given to them by the said Commissioners, deliver a Bill of their said Costs, Charges, and Expences to the said Commissioners: Provided also, that in case the said Commissioners shall not require the making out or furnishing of such Abstract of Title as aforesaid, but shall be satisfied with an Inspection of the Title Deeds of the Seller of the Lands purchased or taken, such Seller shall be bound, at the Expence of the said Commissioners, to produce or cause the Production of the Title Deeds relating to the said Lands when required by the said Commissioners so to do, without furnishing any Abstract of his Title.

How such Expences are to be ascertained.

CXV. And be it further enacted, That if the said Commissioners and the Parties aforesaid cannot agree as to the Amount of such Costs, Charges, and Expences, the same shall be ascertained by the said Court of Exchequer; and it shall be lawful for the said Court, on Petition to be presented by the said Commissioners, to order and direct that such Costs, Charges, and Expences shall be referred to one

one of the Masters of the said Court to be taxed in the usual Manner, and such Order shall be served on the Party aforesaid, who shall be at liberty to proceed under the same; and after Taxation thereof it shall be lawful for the said Court to order and direct the Amount of such Costs, Charges, and Expences so taxed, together with the Costs, Charges, and Expences attending the Taxation thereof, or so much of the same as shall be payable by the said Commissioners to the Party from whom such Lands shall have been purchased or taken, to be paid to the Party aforesaid: Provided always, that the said Commissioners shall not be at liberty to enter into possession of the Lands so purchased or taken until an Order shall have been made for the Taxation of the said Costs, Charges, and Expences, and the said Commissioners shall have deposited the Sums claimed in respect of the same in the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account there *ex parte* the Commissioners for improving the Parish of *Ramsgate*, pursuant to the Method prescribed by the herein-before mentioned Act passed in the First Year of the Reign of His late Majesty King *George* the Fourth, which Sum shall be applied, under the Order of the said Court, in payment of the said Costs, Charges, and Expences: Provided also, that the Expence of determining such Costs, Charges, and Expences as aforesaid, and of obtaining the Order or Orders referring the same to be taxed, shall be paid and borne by the said Commissioners, unless One Sixth Part of the said Costs, Charges, and Expences shall be disallowed, in which Case the said Expence shall be paid and borne by the Party from whom the said Lands were purchased or taken, and the Amount thereof may then be paid to the said Commissioners out of the said Sum so deposited by them as aforesaid.

Power to enter Lands on Payment or Tender of Pu chase Money.

CXVI. And be it further enacted, That upon Payment or legal Tender of such Money as shall have been agreed upon between the Parties, or awarded by a Jury or Justices in manner aforesaid, for the Purchase of any Lands, or of any Estate or Interest in any Lands, to the respective Proprietors of such Lands, or other Person entitled according to the Provisions of this Act to receive such Money, within Three Calendar Months next after the same shall have been so agreed upon or awarded, or whenever any of the respective Cases shall happen wherein such Money, Satisfaction, or Compensation is herein-before authorized or directed to be paid into the Bank of *England*, then upon Payment into the Bank of *England* in manner in such Case herein-before authorized or directed, it shall be lawful for the said Commissioners immediately to enter upon such Lands, and thereupon such Lands and the Fee Simple and Inheritance thereof, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of all Parties therein, paid or compensated for by such Payment as aforesaid, shall thenceforth be vested in and become the sole Property of the said Commissioners to and for the Purposes of this Act, and the said Commissioners shall not be bound to see to the Application of any such Purchase Money, Compensation, or Satisfaction; and such Payment or Tender and Conveyance as herein-before mentioned, or such Deposit in the Bank of *England* as aforesaid, shall not only bar all Right, Title, Interest, Claim, and

Demand of every such Party, but shall also bar all Dower and all Estates Tail and other Estates in Reversion and Remainder, and all Rights, Titles, Limitations, and Trusts whatsoever, of and in the said Lands so compensated and paid for as aforesaid: Provided nevertheless, that before such Payment, Tender, or Deposit in the Bank of *England* as aforesaid shall have been made it shall not be lawful for the said Commissioners, or for any Person acting under their Authority, to enter upon such Lands for any of the Purposes of this Act, save for the Purpose of surveying or valuing the same for the Purposes of this Act, without the previous Consent of the Owners and Occupiers thereof respectively.

Tenants at Will, for a Year, or from Year to Year, to deliver up Possession on Six Calendar Months Notice.

CXVII. And be it further enacted, but without Prejudice to any other Powers herein contained under which the said Commissioners may take possession of Land for the Purposes of this Act at any different Period or on different Terms, That all Tenants at Will, for a Year, or from Year to Year, and other Persons in possession of any Lands which shall be intended to be taken or used for the Purposes of this Act, and who shall have no greater Interest in the Lands than as Tenants at Will or for a Year, or as Tenants from Year to Year, shall respectively deliver up the Possession of such Lands to the said Commissioners, or to such Persons as they shall appoint to take possession of the same, at the Expiration of Six Calendar Months next after Notice to that Effect shall have been given by the said Commissioners to such respective Tenants or Persons in Possession, or left upon the said Lands (whether such Notice be given with reference to the Time of the Commencement of such Tenant's holding or not, and whether such Notice be given before or after the said Lands shall be purchased by the said Commissioners, or at such Time after the Expiration of Six Calendar Months from the giving or leaving of such Notice as they shall be respectively required); and in case any such Tenant or Person so in Possession as aforesaid shall refuse to deliver up such Possession as aforesaid, or in case any Owner, Occupier, or Tenant of such Lands other than and besides such as are herein-before last described shall refuse to deliver up Possession of such Lands to the said Commissioners after the Time herein-before appointed for the said Commissioners to enter thereupon, it shall be lawful for the said Commissioners, under the Hands and Seals of Two at least of such Commissioners, to issue their Precept to the Constables of the said Parish of *Ramsgate* to deliver Possession thereof to such Person as shall in such Precept be nominated to receive the same; and the said Constables are hereby required to deliver Possession of the said Lands accordingly, and to levy and satisfy such Costs as shall accrue by or on account of the Issuing and Execution of such Precept on the Person so refusing to deliver Possession by Distress and Sale of his Goods and Chattels.

Compensation to be made for Interests of such Tenants, and settled by a Jury in case of Dispute.

CXVIII. And be it further enacted, That where any such Tenant shall be required to deliver up the Possession of any Lands so occupied by him before the Expiration of his Term therein, and such Tenant shall, within Seven Days after Application by the said Commissioners setting forth this Provision, give the said Commissioners Notice in Writing stating the Period of such unexpired

Term or Interest, the said Commissioners shall and they are hereby required to make or tender to such Tenant, before they shall issue their Precept to the Constables to give Possession of the Lands in the Occupation of such Tenant, Satisfaction or Compensation for the Value of his actual unexpired Term in the said Premises; which Satisfaction or Compensation, in case of Difference, shall be ascertained and determined in the same Manner as any other Satisfaction or Compensation for any Lands to be taken or used under the Authority of this Act is by this Act directed to be made or determined.

Persons holding under Leases to produce the same.

CXIX. And be it further enacted, That in all Cases in which any Party shall claim any Satisfaction or Compensation for or in respect of any unexpired Term or Interest which he shall claim to be possessed of or entitled unto in any Lands to be taken or used under the Authority of this Act under or by virtue of any Demise or Lease, or Agreement for Demise or Lease, or Grant thereof, the said Commissioners are hereby authorized to require such Party to produce or show the Lease, or Demise, or Agreement for Lease or Demise, or Grant, in respect of which such Claim to Satisfaction or Compensation shall be made, or the best Evidence thereof in his Power; and if such Lease or Demise, or Agreement for Lease or Demise or Grant, or such best Evidence, shall not be produced and shown within Twenty-one Days after Demand made by the said Commissioners, the Party claiming such Compensation or Satisfaction shall be considered and treated as holding only from Year to Year.

Constables may be authorized to deliver Possession of Lands required.

CXX. And be it further enacted, That in all Cases where by this Act the said Commissioners are authorized or empowered to enter upon and take possession of any Lands required for the Purposes of this Act, and the Owner or Occupier of the said Lands or any other Person shall refuse to give up the Possession thereof, or shall hinder or prevent the said Commissioners from entering upon or taking possession of the same, it shall be lawful for the said Commissioners to issue their Precept to the Constables of the said Parish of *Ramsgate* to deliver Possession of the said Lands to such Person as shall in such Precept be nominated to receive the same; and the said Constables are hereby required to deliver Possession of the said Lands accordingly, and to levy and satisfy such Costs as shall accrue upon or by reason of the Issuing and Execution of such Precept on the Person so refusing to give Possession, or hindering or preventing the said Commissioners from entering upon or taking possession of the same, by Distress and Sale of his Goods and Chattels.

Commissioners to sell Lands not wanted for the Purposes of this Act.

CXXI. And whereas the said Commissioners by virtue of this Act may happen to be seised of more Lands than will be necessary for effecting the Purposes of this Act, or of Lands not applicable to the Purposes hereof; be it therefore enacted, That it shall be lawful for the said Commissioners and they are required, within Seven Years after the passing of this Act, to sell any Lands purchased by or vested in the said Commissioners by virtue of this Act, or any Part thereof, or any Estate or Interest therein, either together or in

Parcels, by public Auction or private Contract, or partly by public Auction and partly by private Contract, and for such Price as they shall deem most convenient and think fit, and by any Deed duly executed to convey and assure the same to the Purchaser thereof, or as he may request; and all such Conveyances from the said Commissioners shall be valid and effectual, any thing in this Act contained, or any Law, Statute, or Custom, to the contrary notwithstanding: Provided always, that the said Commissioners, before they shall dispose of any such Lands, shall first offer to sell the same to the Persons whose Lands shall immediately adjoin the Lands so proposed to be sold, and who shall be in *England* and conveniently to be found, and capable of entering into a Contract for the Purchase thereof; and all Persons and Corporations hereby capacitated to sell in like Manner shall be and are hereby capacitated to purchase of the said Commissioners; and every such Person, in case he shall be desirous of purchasing the same Lands, shall signify such his Desire and Intention in that Behalf to the said Commissioners in Writing within Ten Days after such Offer of Sale shall have been made by Notice in Writing given to or left for him at his last known or usual Place of Abode; and in case such Persons shall decline or neglect to avail themselves of such Offer, or shall neglect so to signify their Desire and Intention to purchase such Lands for the Space of Ten Days after such Offer shall have been made, the Right of Pre-emption of every such Person so declining or neglecting in respect of such Lands included in such Offer shall cease; and a Declaration made before a Master or Master Extraordinary in the High Court of Chancery, or before a Justice of the Peace having Jurisdiction within the said Parish of *Ramsgate*, by some Person not interested in the said Lands, stating that at the Time such Lands shall have been sold the Person entitled to such Right of Pre-emption was not in *England*, or was not to be found, or was not capable of entering into a Contract for the Purchase of such Lands, or that such Offer was made by or on behalf of the said Commissioners, and was refused or was not accepted or agreed to (as the Case may be) by the Person to whom the same was made within Ten Days from the Time of making the same, shall in all Courts and on all Occasions whatever be conclusive Evidence and Proof of the Facts therein stated; and in case such Person shall be desirous of purchasing the same, and he and the said Commissioners shall not agree with respect to the Price thereof, then the Price shall be ascertained by a Jury in manner by this Act directed with respect to the disputed Value of Lands to be taken by the said Commissioners; and the Expence of hearing and determining such Difference shall be borne and paid in like Manner as in this Act is directed with respect to the disputed Value of Lands to be taken or used by the said Commissioners as aforesaid, *mutatis mutandis*; and the Money produced by the Sale which may be made by the said Commissioners of any such Lands as aforesaid shall be applied to any of the Purposes to which the Funds in the Hands of the said Commissioners shall from Time to Time be by Law applicable.

If Land not sold within Time limited, of

CXXII. And be it further enacted, That if the said Commissioners shall not within the Time herein-before limited have sold such Parts

the same to vest in the Owners of adjoining Lands.

of the Lands purchased by them as shall be not wanted for the Purposes of this Act, then and in such Case such last-mentioned Lands shall vest in the Owners for the Time being of the Land adjoining that which shall not have been sold in manner following; that is to say, one Moiety in the Owners of the Land on the one Side thereof, and the other Moiety in the Owners of the Land on the other Side thereof.

Receipts to be given for Money paid to the Commissioners.

CXXIII. And be it further enacted, That upon Payment of the Money which shall arise by the Sale of any Lands authorized by this Act to be sold by the said Commissioners, or upon Payment to the said Commissioners of any other Money under this Act, it shall be lawful for the Commissioners to sign and give Receipts for the Money so paid, which Receipts shall be sufficient Discharges to all Persons for the Purchase Money for such Lands as shall be so sold, or for such other Sums of Money as in such Receipts respectively shall be expressed to be received; and such Persons shall not afterwards be answerable or accountable for any Loss, Misapplication, or Non-application of such Purchase or other Monies, or any Part thereof respectively.

The Word "grant" in Conveyances from the Commissioners to amount to certain Covenants,

CXXIV. And be it further enacted, That in all Conveyances to be made by the said Commissioners under or in pursuance of this Act the Word "grant" shall operate as and be construed and adjudged in all Courts of Judicature to be express Covenants to or with the respective Grantees therein named, and the Successors, Heirs, Executors, Administrators, or Assigns of such Grantees, according to the Quality or Nature of such Grantees Interest therein, and the Estate or Interest therein expressed to be thereby conveyed by or from the said Commissioners, for themselves, their Successors and Assigns, and that they the said Commissioners, notwithstanding any Act and Default done by them, were at the Time of the Execution of such Conveyances seised of or entitled to the Lands thereby granted for an indefeasible Estate of Inheritance in Fee Simple, free from all Incumbrances done or occasioned by them, or otherwise for such Estate or Interest as therein expressed to be thereby granted, free from Incumbrances done or occasioned by them, that the Purchasers thereof, their Heirs and Assigns, Successors and Assigns, or Executors, Administrators, and Assigns (as the Case may be), shall quietly enjoy the same against the said Commissioners, their Successors and Assigns, and all claiming under them, and be indemnified and saved harmless by the said Commissioners, their Successors and Assigns, from all Incumbrances committed by the said Commissioners, and also for further Assurance of such Lands by the said Commissioners, their Successors and Assigns, and all claiming under them, unless, except, and so far as the same shall be restrained and limited by express particular Words contained in such Conveyances; and all such Grantees, and their several Successors, Heirs, Executors, Administrators, and Assigns respectively, according to their respective Quality or Nature, and the Estate or Interest expressed to be thereby conveyed, shall and may in all Actions to be brought assign Breach or Breaches thereupon as they might do in case such Covenants were expressly inserted in such Conveyances.

CXXV. And

If Land not contracted for within Seven Years the Power of purchasing to cease.

CXXV. And be it further enacted, That unless the said Commissioners shall within the Space of Seven Years, to be computed from the passing of this Act, agree for or cause to be valued and paid for, as in this Act is mentioned, the Lands which they are by this Act empowered to take and use, or otherwise so much thereof as shall be by them deemed necessary and proper for the Purpose of making the Improvements and Works hereby authorized, then and from thenceforth the Powers which are hereby granted to them for the compulsory taking or using of such Lands shall cease and be utterly void.

Power to demise or let the Market and Tolls thereof.

CXXVI. And be it further enacted, That it shall be lawful for the said Commissioners for the Time being acting under this Act from Time to Time to demise or let the Market Place or Market Places of the said Parish of *Ramsgate*, and to let to farm the Whole or any Part of the Tolls and Profits to be collected or to arise from the Market or Markets therein by virtue of this Act, to any Person who shall be willing to take or farm the same, either by public Auction or private Contract, upon such Terms and Conditions, and with such Securities for the Observance thereof and Payment of the Rent, as shall be agreed upon and contracted for by and between the Commissioners for the Time being acting under this Act and the Persons respectively to whom such Lettings shall be made.

Power to make Rules and Bye Laws, &c.

CXXVII. And be it further enacted, That for the Regulation of the said Market and Markets it shall be lawful for the said Commissioners, or any Seven or more of them, and they are hereby authorized, from Time to Time to make, constitute, provide, and ordain such Rules, Orders, and Bye Laws as they shall think fit for the regulating, ordering, and governing all Persons, both Buyers and Sellers, thereto coming and resorting, in all Matters which do or may concern or relate to the said Market or Markets, and also for the regulating of all Carriers therein, and fixing and ascertaining the Rates and Prices for the carrying and conveying of all Articles carried and conveyed from the said Market or Markets, and for the appointing, trying, adjusting, regulating, and ordering of all Weights and Measures according to the legal Standard, and the Sale of Goods, Provisions, and other Things, or any of them, by such Weights and Measures, and for preventing the Sale and exposing to Sale of such Goods, Provisions, and other Things in the said Market or Markets by false and deceitful Weights or Measures and also for preventing the Sale or exposing to Sale of any unwholesome Flesh Meat, Fish, and other Provisions in such Market or Markets; and likewise for appointing and altering the Days and Hours on which the said Market or Markets shall be held, and for regulating and ordering of all other Matters and Things which do or may concern or relate to the said Market or Markets; and the said Commissioners, or any Seven or more of them, may from Time to Time as they shall think fit repeal, alter, add to, or amend such Rules, Orders, and Bye Laws, or any of them, and shall ascertain and therein set down what pecuniary and other Penalties and Forfeitures shall be incurred by Persons breaking or evading such Rules, Orders, and Bye Laws, or any of them, provided that no pecuniary Penalty shall exceed the Sum of Five Pounds for any one Offence; all

all which said Rules, Orders, and Bye Laws so to be made as aforesaid shall not be repugnant to the Laws of that Part of the United Kingdom called *England*, or to the Provisions of this Act; and all Persons so as aforesaid coming and resorting to the said Market or Markets are hereby required to observe and keep the same Rules, Orders, and Bye Laws under such Penalties and Forfeitures respectively as shall be ascertained and set down as aforesaid; and all such Rules, Orders, and Bye Laws, subject to the Approval of one of the Judges of Assize or the Court of Quarter Sessions, shall be signed by the Clerk to the said Commissioners, and shall be painted on Boards in White Letters on a Black Ground or in Black Letters on a White Ground, and put up or affixed in some conspicuous Place in the said Market or Markets, which from Time to Time shall be renewed and replaced when and as often as the same shall be altered, obliterated, or defaced, and the same shall be as good, valid, and effectual as if the same had been enacted in this Act; but no Rule, Order, or Bye Law shall have any Force or Effect until Ten Days next after the same shall have been affixed as aforesaid; and the said Rules, Orders, and Bye Laws, and any Alteration thereof, shall be subject to Appeal in manner hereinafter mentioned: Provided that it shall not be lawful for any Person or Persons to sell or expose to Sale at any Time or Times any manufactured Article of any Kind (Provisions and Victuals excepted) in the said Market or Markets.

Penalty on Persons selling Meat, &c. in any other Place than the Market;

CXXVIII. And for preventing any Encroachments being hereafter made on the Market already established or on any Market or Markets hereafter to be established in the said Parish of *Ramsgate* by virtue of this Act; be it further enacted, That from and after the passing of this Act it shall not be lawful for any Person to erect or hold any other Market within the said Parish of *Ramsgate*, or to sell or offer or expose to Sale any Manner of Flesh Meat, or other raw Victuals, Fish, Poultry, Rabbits, Sucking Pigs, Eggs, Butter, Herbs, Roots, or other Garden Stuff, Fruit, or other Provisions or Things which are usually sold in public Markets, in any other Place whatsoever within the said Parish except in such Market or Markets established or to be established as aforesaid; and every Person who shall so sell or offer or expose to Sale within the said Parish any Flesh Meat, or other raw Victuals, Fish, Poultry, Rabbits, Sucking Pigs, Eggs, Butter, Herbs, Roots, or Garden Stuff, Fruit, Provisions, or other Things which are usually sold in public Markets, out of the said Market or Markets so established or to be established for the Sale of Flesh Meat and other Victuals and Things as aforesaid, and shall be convicted thereof before One or more of Her Majesty's Justices of the Peace having Jurisdiction within the said Parish of *Ramsgate*, shall for every such Offence forfeit and pay a Sum not exceeding Forty Shillings, one Moiety of which Penalty shall go to the Informer, and the other Moiety to the Commissioners for the Time being acting under this Act: Provided always, that nothing herein contained shall be construed to extend to prevent any of the inhabitant Householders within the said Parish from selling or exposing to Sale any of the aforesaid Articles, Matters, and Things, or any Manner of Goods, Wares, and Merchandises, in their own Houses and Shops, or Grounds used therewith.

except in private Houses.

CXXIX. And

Powers to take Tolls, &c. on Goods, &c. sold in Market.

CXXIX. And be it further enacted, That there shall be paid to the Commissioners for the Time being acting under this Act, or to their Collector or Treasurer, by every Person holding, using, and occupying any Stall, Shed, or Standing, or selling or offering or exposing to Sale any Butcher's Meat, Provisions, or other Goods, Articles, or Things as aforesaid, in the said Market already established, and in any new Market or Markets to be established as aforesaid, from and after the passing of this Act, immediately on the same being brought to such Market or Markets, or on Demand by such Collector or Treasurer, the several Tolls or Sums following, or such other Tolls or Sums not exceeding such Tolls or Sums as the said Commissioners shall from Time to Time fix and appoint; (that is to say,)

	s.	*d.*
For every Stall or Table used for the Sale of Meat, Cheese, Bacon, pickled Pork, or Fish, by the Day - -	1	6
For the Hangings of Meat, Bacon, or Pork, for every Foot in Length, and so in proportion for any less Quantity than a Foot, by the Day - - - -	0	3
For every Quantity of Butter not exceeding Six Pounds in Weight - - - - -	0	1
For every additional Three Pounds of ditto - -	0	0½
For every Head of Poultry (except Turkeys and Geese), wild Fowl, Partridge, Woodcock, Snipe, Landrail, Plover, Rabbit, Dozen of Larks, or Half Dozen of Wheatears -	0	0½
For every Turkey or Goose - - - -	0	2
For every Hare, Pheasant, Head of Grouse, Black Heath, or Moor Game - - - - -	0	1
For any Number of Pigeons not exceeding One Dozen -	0	2
For every additional Half Dozen of ditto - -	0	1½
For any Number of Eggs not exceeding One Dozen -	0	0½
For every additional Dozen of ditto - - -	0	0½
For every Quantity of Fish (except Lobsters, Crawfish, Crabs, Prawns, Shrimps, Oysters, Cockles, or Muscles) not exceeding Half a Bushel - - - -	0	3
For every Quantity of ditto containing more than Half a Bushel and not exceeding One Bushel - -	0	6
For every additional Half Bushel of ditto - -	0	3
For every Quantity of Lobsters or Crawfish not exceeding in Weight Six Pounds - - - -	0	2
For every additional Three Pounds of ditto - -	0	1
For every Quantity of Crabs not exceeding in Weight Six Pounds - - - - -	0	1
For every additional Three Pounds of ditto - -	0	0½
For every Quantity of Prawns not exceeding One hundred	0	2
For every additional Fifty Prawns - - -	0	1
For every Quantity of Shrimps not exceeding One Quart -	0	0½
For every additional Quart of ditto - - -	0	0½
For every Quantity of Oysters or Scallops not exceeding One Bushel - - - - -	0	3
For every additional Half Bushel of ditto - -	0	1½
For every Quantity of Cockles or Muscles or other Shell Fish not herein-before named not exceeding Two Gallons	0	0½
For every additional Two Gallons - - -	0	0½

For

	s.	d.
For every Quantity of Fruit of any Kind, whether separate or mixed, not exceeding Half a Bushel - -	0	3
For every Quantity of ditto containing more than Half a Bushel and not exceeding a Bushel - - -	0	6
For every additional Half a Bushel of ditto - -	0	3
For every Quantity of Herbs, Roots, or Vegetables, whether separate or mixed, not exceeding a Bushel - -	0	2
For every additional Half a Bushel of ditto - -	0	1
For every live or dead Pig called a Sucking Pig - -	0	2
For every dead Hog or Porker not sold on Stalls or Standings - - - - -	0	6
For every Quantity of fresh Pork or Sausages not exceeding Twelve Pounds in Weight - - - -	0	2
For every additional Six Pounds of ditto - - -	0	1
For every Stall, Table, or Standing used for the Sale of any Articles not included or already charged in this Table, by the Day - - - - - -	1	6

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

Preventing Nuisances in the Market Places.

CXXX. And be it further enacted, That if any Person shall kill, slaughter, singe, scald, or dress, or cause to be killed, slaughtered, singed, scalded, or dressed, any Beast, Swine, Calf, Sheep, or other Cattle in the said Market Place or Market Places; or shall wilfully, carelessly, or negligently injure, deface, or spoil any Part of the Stalls or Standings, or the Roofs, Walls, Windows, Fences, Rails, Gates, Pillars, Columns, Steps, or Pavements, in or belonging to the said Market Place or Market Places, or any Part thereof; or shall cause, do, or commit any other Kind of Obstruction, Annoyance, or Nuisance, Damage, Injury, or Spoil in any Part of the said Market or Markets, or upon any of the Stalls, Standings, Erections, or Buildings therein; every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings, and shall over and above such Penalty pay such Sum or Sums of Money as the Justice before whom the Complaint of any such Act or Offence as aforesaid shall be heard shall think reasonable by way of Satisfaction for any Damages so done by such Offender as aforesaid.

Table of Tolls to be set up.

Tolls may be levied by Distress and Sale.

CXXXI. And be it enacted, That the said Commissioners shall set up and maintain in some conspicuous Part of the said Market or Markets a Table of the Tolls to be taken by virtue of this Act; and in case any Person holding, using, or in any Manner occupying any of the said Stalls, Tables, or Standings, or selling or exposing to Sale any Provisions, Goods, or Articles as aforesaid in the said Market or Markets, shall neglect or refuse to pay or shall wilfully evade the Payment of the

several Sums or Tolls aforesaid, or any of them, or any Part thereof, it shall be lawful for the said Commissioners, or the Collector or the Person to be appointed by them to receive such Tolls, to levy the same by Distress and Sale of all or any of the Goods, Articles, or Things so exposed to Sale, or other the Goods and Chattels of such Person so neglecting, refusing, or evading to pay as aforesaid, and the said Distress so to be taken to sell forthwith, rendering the Overplus (if any), after deducting the Expences attending such Distress and Sale, to the Owner, on Demand.

For settling Disputes concerning Tolls, &c.

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

Powers to make Rates or Assessments.

CXXXIII. And in order to raise Money for carrying the several Purposes of this Act into execution, be it enacted, That it shall be lawful for the said Commissioners once in every Year after the passing of this Act, or oftener if they shall think it necessary, the first Year to be computed from the First Day of *January* One thousand eight hundred and thirty-nine, to make One or more equal Rate or Rates, Assessment or Assessments, to be signed by any Seven or more of the said Commissioners, upon the Occupiers of all Houses, Shops, Warehouses, Coach-houses, Cellars, Buildings, Gardens, Grounds, Lands, Tenements, and Hereditaments within the said Parish of *Ramsgate*, according to the annual Value of all such Houses, Shops, Warehouses, Coach-houses, Cellars, Buildings, Gardens, Grounds, Lands, Tenements, and Hereditaments, so as such Rate or Rates, Assessment or Assessments, do not exceed in the whole in any one Year the Sum or Rate of Sixpence in the Pound on such annual Value, except as is next herein-after provided.

Power to increase Rates or Assessments with Consent of Rate-payers in Vestry.

CXXXIV. Provided always, and be it further enacted, That in case it shall at any Time appear that the said Sum of Sixpence in the Pound to be assessed on all Houses, Shops, Warehouses, Coach-houses, Cellars, Buildings, Gardens, Grounds, Lands, Tenements, and Hereditaments within the said Parish of *Ramsgate*, as before mentioned, is not sufficient for the Purposes aforesaid, then and in every such Case it shall and may be lawful to and for the said Commissioners, with the Consent of the Rate-payers of the same Parish in Vestry assembled, to increase any Rate or Rates on all such Houses, Shops, Warehouses, Coach-houses, Cellars, Buildings, Gardens, Grounds, Lands, Tenements, and Hereditaments to any Sum not exceeding One Shilling in the Pound in the whole in any

one Year on the annual Value of such Houses, Shops, Warehouses, Coach-houses, Cellars, Buildings, Gardens, Grounds, Lands, Tenements, and Hereditaments.

Rates vested in the Commissioners.

CXXXV. And be it further enacted, That the several Rates made under the Authority of this Act shall be paid to the Collectors or other Persons appointed by the said Commissioners to receive the same; and the said respective Rates, and the Monies arising therefrom, shall be and the same are hereby vested in the said Commissioners.

Recovery of Rates from Persons neglecting or refusing to pay.

CXXXVI. And be it further enacted, That if any Person duly rated under the Authority of this Act shall neglect or refuse to pay his Proportion of any of the said Rates for the Space of Fourteen Days after the personal Demand thereof, or Demand in Writing left at the Dwelling House or usual Place of Abode of such Person, or on the Premises in respect of which such Rate shall be made, the same shall be levied and recovered by Distress and Sale of the Goods and Chattels of such Person by Warrant under the Hand and Seal of any Justice of the Peace having Jurisdiction within the said Parish of *Ramsgate*; and the Overplus (if any) of the Monies to be raised by such Distress and Sale shall be returned, on Demand, to the Owner of the Goods and Chattels so distrained and sold, together with what shall remain unsold, after deducting all Expences previous to and attending such Distress and Sale, such Expences to be ascertained and directed by the said Justice.

Form of Warrant of Distress.

CXXXVII. And be it further enacted, That the Warrant of Distress for the Nonpayment of any Rate to be made by virtue of this Act may include One or more Person or Persons, and may be in the Words or to the Effect following; (that is to say,)

'*Ramsgate*, in the Liberties of the Cinque Ports, to wit.' } To one of the Collectors of the Rates for the several Purposes mentioned in an Act passed in the Year of the Reign of Queen *Victoria*, intituled [*here insert the Title of this Act*], and to all Constables, Headboroughs, Beadles, and Peace Officers within the said Parish of *Ramsgate* and Liberties of the Cinque Ports.

'WHEREAS the under-mentioned Persons, now or late Inhabitants, Householders, Landlords, Tenants, or Occupiers of Premises within the Parish aforesaid, have been duly rated in or are liable to the Payment of a Rate made on the Day of under the Authority of the said Act, and there are now due from them respectively the several Sums of Money against their Names herein-after respectively set down, which they have respectively refused or neglected to pay, as appeareth upon Oath to me, One of Her Majesty's Justices of the Peace for the said Liberties of the Cinque Ports, [*or* Town, Port, and Borough of *Sandwich*, and the Liberties thereof,] and the said several Persons having been duly summoned to appear before me to answer the Premises, and not having shown any sufficient Cause why such several Sums of

'Money

'Money should not be paid: These are therefore, in Her Majesty's 'Name, to require you or any of you forthwith to levy the said 'several Sums due as herein-before mentioned by Distress and Sale 'of the respective Goods and Chattels of the Persons aforesaid, 'rendering to them respectively the Overplus (if any), the reasonable Charges of such Summons, Warrant, Distress, and Sale being 'first deducted; and if no sufficient Distress can be had and taken, 'then that you certify the same to me, to the end that such further 'Proceedings may be had as the Law doth authorize and direct; 'and I do hereby strictly charge and command all and singular the 'Constables, Headboroughs, and other Her Majesty's Peace Officers 'for the said Liberties of the Cinque Ports and Parish of *Ramsgate* 'respectively to be aiding and assisting in all Things relating to 'the Premises. Given under my Hand and Seal this Day of 'in the Year of Our Lord one thousand eight hundred 'and

	Sums due: £	s.	d.
'A.B.	-	-	-
'C.D.	-	-	-

Constables or Headboroughs to assist in making Distress.

CXXXVIII. And be it further enacted, That in all Cases where a Distress is hereby authorized to be made, if any Constable or Headborough of and within the said Liberties of the Cinque Ports or Parish of *Ramsgate*, upon being required by any Person appointed to collect any Rates, or by any other Person, (who shall have obtained a Warrant for such Distress from any Justice of the Peace,) shall refuse or neglect to aid or assist in making a Distress and Sale pursuant to such Warrant, every such Constable or Headborough shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, to be recovered in the Manner in which other Penalties or Forfeitures are by this Act directed to be recovered.

Commissioners or Justices may assess or excuse Rates on account of Poverty.

CXXXIX. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners, or for the Justices of the Peace having Jurisdiction within the said Parish of *Ramsgate* in Petty Sessions assembled, where they shall see Cause, by reason of the Poverty or Sickness of any Person rated under this Act, by virtue of this Act to mitigate, reduce, or wholly remit the Payment of any Rate imposed under the Authority of this Act, in such Manner as the said Commissioners or Justices shall in their Discretion think just and reasonable.

Commissioners may amend Rates.

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

same or to render it less operative; and every Rate which shall be so altered or corrected shall be as valid and effectual in Law to all Intents and Purposes as if such Addition had been inserted, or such Alteration or Correction had been made, in the Rate at the Time the same was first made and signed: Provided always, that every Person whose Name shall be so inserted, or who shall be so made liable to the Payment of any Sum of Money, or who shall think himself aggrieved by any such Addition, Alteration, or Correction, shall have the same Right of Appeal therefrom as he would have had had such Addition been inserted or such Alteration or Correction made in the Rate at the Time when the same was first made and signed; and in case of Alteration or Correction, such Person whose Rate shall be so altered or corrected shall be entitled to Seven Days Notice thereof before the Rate shall be payable by him.

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

CXLI. And be it further enacted, That it shall be lawful for the said Commissioners, and for all other Persons authorized by them, at all reasonable Times to inspect the Books of Assessment made from Time to Time for the Relief of the Poor of the said Parish of *Ramsgate*, and also to take Copies thereof and make Extracts therefrom, which Inspection, Copies, and Extracts the Collectors of the Poor Rate or other Person having the Custody of such Books and Assessments are hereby required to permit and suffer to be made without Fee or Reward; and on Refusal thereof they or he shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Landlords in certain Cases to be rated as Occupiers.

CXLII. And be it further enacted, That the several Owners of all Houses, Buildings, or Tenements within the said Parish of *Ramsgate* the yearly Rent or Value whereof respectively shall not exceed Ten Pounds, or which, whatever the yearly Rent or Value of the same may be, shall be let to weekly or monthly Tenants, or in separate Apartments, furnished or unfurnished, for any Period of Time whatever, shall be rated to and pay the Rates by this Act directed to be made or levied, instead of the actual Occupiers thereof.

Owner may be rated without naming him.

CXLIII. And be it further enacted, That whenever the Name of the Owner of any such Houses, Buildings, or Tenements shall not be known to the said Commissioners, or to the Person making any Rates for the Purposes of this Act, it shall be sufficient to rate such Owner in the Rate Book of the said Commissioners as the Owner of such Houses, Buildings, or Tenements, within the Meaning or for the Purposes of this Act, by the Title or Designation of "the Owner," without stating the Name of such Owner; and the Person so rated by such Title or Designation shall be liable to pay and shall pay the said Rate.

Defining "Owners" for the Purposes of this Act.

CXLIV. And in order to prevent any Dispute touching the Meaning of the Word "Owner" for the Purposes of rating under the Authority of this Act; be it enacted, That the Person receiving or authorized to receive the Rents of any Houses, Buildings, or Hereditaments within the said Parish of *Ramsgate* from the imme-

diate Occupier thereof, either on his own Account or as Agent of any other Person, or the Mortgagee receiving the Rents of such Houses, Buildings, or Hereditaments, shall be deemed the "Owner" of the same for the Purposes of such rating.

Certain Occupiers to be rated if required.

CXLV. Provided always, and be it further enacted, That it shall be lawful for the Occupiers of any Houses, Buildings, or Tenements in the said Parish of *Ramsgate* to demand to be assessed for and to pay the Rates to be from Time to Time made for the Purposes of this Act, and the said Commissioners are hereby required to assess such Occupiers so demanding to be assessed, instead of the Owner thereof, so long as such Occupier shall duly pay the whole Amount of the said Rates, and no longer.

Goods of Occupiers to be distrained to a certain Extent.

CXLVI. And be it further enacted, That when the Owner of any Houses, Buildings, or Tenements shall have been rated in pursuance of this Act, and the Rate shall have remained due and unpaid for the Space of Six Calendar Months, the Person renting and occupying the same shall and may, at the Discretion of the said Commissioners, be called upon and required to pay such Rate; and in case of Nonpayment thereof, the Goods and Chattels of such Person shall be liable to be seized, distrained, and sold for such Nonpayment, as if such Person had been rated in such Rate: Provided always, that no Person so renting or occuping as aforesaid shall be required to pay nor shall his Goods and Chattels be seized or distrained for any further Sum than the Amount of Rent actually due from him for or in respect of the Premises which shall have been so rated at the Time of such Requisition to pay, or of such Seizure or Distress respectively, and which Amount the Person so renting or occupying as aforesaid is hereby required to disclose on Application made to him; and in default of such Disclosure it shall be lawful for the said Commissioners to levy the whole Amount of Rate then due by such Distress and Sale as aforesaid: Provided also, that if the Distress and Sale so made shall not be sufficient to discharge the whole Amount of the Rate then due, the Owner of such Premises shall continue liable to the Payment of so much of the said Rate as shall not have been so recovered: Provided also, that no Action of Debt shall be brought against any such Person so renting or occupying as aforesaid for any Rate by this Act directed or authorized to be made.

Occupiers paying Rates authorized to deduct the same from the Rent.

CXLVII. And be it further enacted, That every Person so renting or occupying as aforesaid who shall be required to pay and who shall pay the Amount of such Rate in respect of which the Owner of any Premises shall have been rated, or on whose Goods and Chattels the said Amount shall have been levied, may deduct the same, together with the Costs and Charges (by him paid) of making such Distress and Sale, from the Rent then due or thereafter to become due by him for renting or occupying such Premises respectively, unless such Occupier shall be in possession of such Premises under or by virtue of any Agreement, verbal or written, made before the passing of this Act, or unless there be some Agreement to the contrary between such Person and his Lessor or Landlord; and the Receipt for the Amount so paid or levied by the Person so authorized to

receive the same shall be a sufficient Discharge to the Person so renting or occupying as aforesaid against his Lessor or Landlord for the Amount in such Receipt mentioned; and the Receipt in Writing under the Hand of such Person so authorized as aforesaid shall, on Proof of his Handwriting, be Evidence of such Receipt.

Tenants by virtue of Agreements made before the passing of this Act to repay the Rates to their Landlords, unless otherwise agreed.

CXLVIII. Provided always, and be it further enacted, That when any Person shall at the Time of the passing of this Act be in the Occupation of any House, Building, Land, Tenement, Hereditament, or separate Apartment in the said Parish of *Ramsgate* as Tenant thereof by virtue of any Agreement, written or verbal, entered into before the passing of this Act, and the Owner thereof shall be rated in respect thereof in any Rate under the Authority of this Act, it shall be lawful for such Owner to recover of and from the Tenant of such House, Building, Land, Tenement, Hereditament, or separate Apartment any Sum of Money which such Owner shall pay for any Rate so rated or imposed upon him in respect of the said Premises whilst the same shall be so held or occupied by such Tenant under any such Agreement, or a proportionate Part thereof; and for the Recovery thereof such Owner shall have and be entitled to all such Remedies as Landlords by any Law or Statute have or are entitled to for the Recovery of Rent in arrear from their Tenants, unless in such Agreement it shall have been expressly agreed that the Landlord or Owner shall bear or pay the Rates in respect of such Premises.

Recovery of Rates from Persons removing.

CXLIX. And be it further enacted, That in case any Person shall quit or be about to quit his Premises before he shall have paid the Rates then due in respect thereof, and shall refuse or neglect to pay the same on Demand, it shall be lawful for the said Collector, by Warrant under the Hand and Seal of any Justice of the Peace having Jurisdiction within the said Parish of *Ramsgate*, which Warrant such Justice is hereby empowered and required to grant upon Proof of any such Removal, or of a reasonable Suspicion of an intended Removal, to seize the Goods and Chattels of any such Person wherever they may be, and to sell the same, rendering the Overplus (if any), after having deducted the reasonable Costs, Charges, and Expences attending such Distress and Sale, upon Demand, to the Owner of such Goods and Chattels.

Rate Books to be received as Evidence.

CL. And be it further enacted, That the Books of Rates of the said Commissioners, and all Entries afterwards made therein in manner by this Act directed, shall be received as Evidence of the Rates imposed by virtue of this Act.

On Appeal from Rate, Quarter Sessions may amend without quashing it.

CLI. And be it further enacted, That on all Appeals from any Rate made in pursuance of this Act the Court of General or Quarter Sessions of the Peace shall and such Court is hereby authorized and required (in all Cases where they shall see just Cause to give Relief) to amend such Rate, either by inserting therein or by striking out therefrom the Name of any Person, or by altering the Sum therein charged on any Person, or in any other Manner which the said Court shall think necessary for giving such Relief, and without

out

out quashing or wholly setting aside such Rate: Provided always, that if the said Court shall be of opinion that it is necessary for the Purpose of giving Relief to the Person appealing that the Rate should be wholly quashed, then the said Court may quash the same, and order a new one to be made.

Person removing to pay a proportionable Part of the Rate.

CLII. And be it further enacted, That in all Cases where any Person shall remove from or quit any Premises which shall be rated by virtue of this Act, such Person shall be liable to pay such Rate in proportion to the Time for which he occupied the same in like Manner as if he had not removed from or quitted the same; and in all Cases where any Person shall come into or occupy any such Premises as aforesaid, out of or from which any other Person rated as aforesaid shall have removed, or which at the Time of making any such Rate were empty, or were not rated under the Authority of this Act, he shall, for and in respect of his Occupation thereof, be liable only to such Rate in proportion to the Time that he shall occupy the same in the same Manner as if he had been originally rated for such Premises, which said respective Proportions, in case of Dispute, shall be determined by the said Commissioners.

Roads to cease to be Turnpike.

CLIII. And be it further enacted, That from and after the passing of this Act it shall not be lawful for the Trustees of any Turnpike Road passing or leading through or into the said Parish of *Ramsgate* to collect or expend any Money upon such Part of the said Road as is or may be within the same Parish, but such Trustees shall be thenceforth exonerated and discharged from the Repair of the same; and such Parts of the said Turnpike Roads as aforesaid shall and may be maintained and repaired by the said Commissioners out of the Monies received by them by virtue of this Act.

Coal Duty.

CLIV. And whereas by virtue of the said recited Acts hereby repealed the Commissioners thereby appointed were authorized and empowered to collect for all Coals, Coke, and Cinder imported or brought into and landed and delivered in or carried through the said Parish of *Ramsgate*, or the Pier or Harbour thereof, a Rate or Duty of Two Shillings for every Chaldron sold by the Chaldron, and the like Rate or Duty of Two Shillings for every Ton thereof containing Twenty Hundred Weight sold by Weight: And whereas not only the Parish of *Ramsgate*, but also the Neighbourhood thereof, is much interested in the Formation and Existence of a good System of Police within the said Parish, and in the widening and improving of the Streets of the said Parish; and a considerable Proportion of the Coals imported and landed as aforesaid being consumed in the adjoining Parishes, it is therefore expedient that the Commissioners for executing this Act should be empowered to continue to collect and receive the Rate or Duty herein-after mentioned for the general Purposes of this Act; be it therefore enacted, That from and immediately after the passing of this Act there shall be paid to the said Commissioners, or to such Persons as they shall from Time to Time appoint to collect and receive the same, any Rate or Duty which the said Commissioners shall think fit to order and direct, not exceeding the Sum of Two Shillings for every Ton of Twenty Hundred Weight

of

of Coal, Culm, or Coke, and so in proportion for any less Quantity, which shall or may be imported or landed within the said Parish of *Ramsgate*, or the Pier or Harbour thereof, or which shall be otherwise brought into or delivered within the same Parish, such Rate or Duty to be in addition to all other Duties payable or to become payable in respect thereto by any Law or Statute whatsoever.

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

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

Vessels or Coals may be distrained for Duty.

CLVI. And be it enacted, That in case any Master, Owner, or other Person having the Control or Command of any Ship or Vessel laden with or having on board, or having been laden with or had on board, Coals, Culm, or Coke liable to the aforesaid Rate or Duty, shall refuse or neglect to pay the same, it shall be lawful for the said Commissioners or their Collector, or such Person as they shall appoint, from Time to Time to go on board such Ship or Vessel to demand, collect, and receive the said Rate or Duty, and on Nonpayment thereof to take and detain every such Ship or Vessel, with all her Tackle, Apparel, and Furniture, or any Part thereof, or all or any Part of the said Coals, Culm, or Coke chargeable with the aforesaid Rate or Duty, either on board such Ship or Vessel or on Land; and in case the said Rate or Duty shall not be paid for the Space of Three Days after any Distress shall be so taken as aforesaid, it shall be lawful for the said Commissioners or their Collector, or such other Person as they shall appoint as aforesaid, to cause the same to be sold by public Auction or otherwise, and thereout to satisfy as well the said Rate or Duty so refused or neglected to be paid, as also the reasonable

reasonable Charges of taking, keeping, and selling such Distress, rendering to the Master, Owner, or other Person having the Control or Command of the said Ship or Vessel, on Demand, the Overplus (if any); and the said Commissioners or their Collector, or such other Person as they shall appoint as aforesaid, shall not be answerable or accountable for any Damage which may arise or happen by Stress of Weather or otherwise to the said Ship or Vessel, or the other Articles or Things detained, in consequence of such Distress having been made and taken.

Duty on Coals, &c. brought into the Parish by Land Carriage to be paid within Twenty-four Hours, on Penalty of 1*s.* for every 75 lbs. Weight.

CLVII. And be it enacted, That in case any Coal, Culm, or Coke shall be brought into the said Parish of *Ramsgate* by Land Carriage, and the said Rate or Duty shall not be paid thereon as aforesaid by the Owner or Carrier or the Person attending or bringing in the same to the Collector or Person appointed by the said Commissioners to collect and receive the said Rate or Duty, on Demand, or if not demanded, then in case the same shall not be paid to such Collector or Person appointed as aforesaid within Twenty-four Hours next after such Coal, Culm, or Coke shall have been brought into the same Parish, the Owner, Carrier of, or Person so bringing in or attending as aforesaid shall, in addition to the said Rate or Duty, forfeit and pay the Sum of One Shilling for each and every Seventy-five Pounds Weight of the said Coal, Culm, or Coke for which the said Rate or Duty shall not have been so paid, and so in proportion for any less Quantity; and the said Commissioners, or their Collector or other Person appointed as aforesaid, are and is hereby authorized and empowered in either of the said Cases to seize and detain the said Coal, Culm, or Coke, or any Part thereof, and also the Cart, Waggon, or other Carriage in which the same may be at the Time of Seizure, or in which the same was brought into the said Parish of *Ramsgate*, and the Horse or Horses, Mule or Mules, Ass or Asses, or other Cattle drawing the same, together with the Harness and Tackle thereon, and the Person having the Custody thereof, if he shall refuse to deliver the same, and until he shall deliver Possession thereof, and on Nonpayment of the said Rate or Duty and the said Penalty within the Space of Three Days after such Seizure, to sell the said Coal, Culm, or Coke, or any Part thereof, and also the Cart, Waggon, or other Carriage, Horses, Mules, Asses, or other Cattle, Matters and Things, by public Auction, and by and out of the Produce thereof to retain the said Rate or Duty and Penalties, and also the Charges and Expences of making, keeping, and selling such Distress, rendering the Overplus (if any), on Demand, to the Owner thereof: Provided nevertheless, that nothing in this Act contained shall extend or be construed to extend to enable any Person to seize such Coal, Culm, or Coke after the same shall have been actually delivered and removed from and out of any Cart, Waggon, or other Carriage, or from off any Horses, Mules, Asses, or Cattle, to the private Dwelling House or Premises of the Purchaser thereof, or to enter any such private Dwelling House or Premises for the Purpose of seizing the same or otherwise without the Consent of the Owner or Occupier of such Dwelling House or Premises.

Power to erect Toll Houses and

CLVIII. And be it enacted, That it shall be lawful for the said Commissioners and they are hereby authorized and empowered to purchase

appoint Officers to collect the Duty on Coal by Land Carriage.

purchase and hold to them and their Successors any Land or Ground in One Place or in several Places adjoining to any of the Highways within the said Parish of *Ramsgate*, and to erect thereon suitable Houses or Places for the Accommodation of the Collectors to be appointed by the said Commissioners; and also to appoint proper Persons to attend for the Purpose of receiving an Account of and collecting the Rates or Duties hereby made payable on Coals, Culm, and Coke brought into the said Parish by Land Carriage in manner herein-before provided.

Collectors of Coal Duty may demand an Account of Coals brought into the Parish by Land.

CLIX. And be it enacted, That for ascertaining the Quantity of such Coal, Culm, or Coke as shall be brought into the said Parish of *Ramsgate* by Land Carriage, and collecting the Duty thereon, it shall be lawful for the Collector or Person appointed by the said Commissioners to collect such Rates or Duties to demand of the Owner or Carrier of or Person bringing in or attending with the same an Account in Writing of the Weight of such Coal, Culm, or Coke contained in any Waggon, Cart, or other Carriage or Conveyance whatsoever; and the Owner, Carrier of, or Person attending with such Waggon, Cart, or other Carriage or Conveyance, or having Possession of such Coal, Culm, or Coke, shall and he is hereby required, on such Demand being made, and before he shall pass such Collector or Person, to deliver to such Collector or Person a true and correct Statement in Writing, signed by the Owner, Carrier of, or Person attending with or having the Possession thereof as aforesaid, of the Weight of such Coal, Culm, or Coke contained in such Waggon, Cart, or other Carriage or Conveyance, and shall immediately thereupon pay to such Collector or Person the Rate or Duty payable on the said Coal, Culm, or Coke; and the Collector or Person demanding any such Rate or Duty shall and he is hereby required, on Receipt of such Rate or Duty, to deliver to the Owner, Carrier, or Person attending with or having the Possession of such Coal, Culm, or Coke a Certificate signed by him of the Payment of the said Rate or Duty; and if such Owner, Carrier, or other Person shall neglect or refuse, on Demand, to deliver such Account, or shall deliver an Account which shall be less than the true Weight thereof, or if such Collector or Person shall neglect or omit, on Receipt of such Rate or Duty, to deliver such Certificate as aforesaid, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Penalty for refusing to deliver or delivering incorrect Accounts.

Power for Collector to weigh Coals brought by Land.

CLX. And be it enacted, That it shall be lawful for the Collector or Person appointed as aforesaid and he is hereby authorized and empowered for the Purpose of ascertaining the Weight of Coal, Culm, or Coke brought into the said Parish of *Ramsgate* by Land Carriage, and the Correctness of such Account as aforesaid, to detain any such Coal, Culm, or Coke, and the Waggon, Cart, Carriage, or other Conveyance in which the same is contained, with the Horses, Asses, Mules, or Cattle drawing the same, and the Harness and Tackle thereon, until such Coals, Culm, or Coke shall have been weighed by the proper Officer to be appointed by the said Commissioners by virtue of this Act; and such Officer is hereby authorized and required, at the Request of such Collector or Person, to weigh the same, and to report to such Collector or Person, and, if present, to

the Person in whose Custody such Coals or other Articles as aforesaid shall be, the Weight thereof: Provided that in case it shall appear that the Statement or Account as aforesaid was correct as to the Weight of the said Coal, Culm, or Coke, in such Case the Owner shall be paid such Compensation by the Treasurer of the said Commissioners for any Delay or Damage which he may have sustained by reason of such weighing having been made as shall be settled and awarded by any Justice, such Compensation to be recovered from the said Treasurer in the same Manner as Damages or Charges are by this Act directed or authorized to be recovered.

Power to appoint Coal Meters and Weighers.

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

Drawback of Duty to be allowed on Coal re-shipped.

CLXII. Provided always, and be it further enacted, That in every Case where any Coals, Culm, or Coke shall have been landed or unloaded within the said Parish of *Ramsgate*, and for which the Rate or Duty hereby imposed shall have been paid, and which shall afterwards be re-shipped and not consumed within the said Parish, then and in every such Case the Collector or Treasurer to be appointed by virtue of this Act is hereby directed and required to return and pay, on Demand, to the Owner or Owners, or other Person or Persons on his, her, or their Behalf, a Drawback of the Rate or Duty paid for every Ton of Coals, Culm, or Coke so landed or unloaded, and which shall have been re-shipped and not consumed within the said Parish.

Penalty on Treasurer not returning the Drawback, and on Persons fraudulently obtaining it.

CLXIII. And be it further enacted, That if the said Collector or Treasurer shall refuse or neglect to return and pay, on Demand, to any Person or Persons entitled to the same the Drawback hereby directed to be allowed, or if any Person or Persons shall fraudulently obtain or endeavour to obtain the Allowance of the said Drawback, not being legally entitled to the same, every such Person or Persons shall for every such Offence forfeit and pay any Sum not exceeding Fifty Shillings.

CLXIV. And

Drawback of the Duty on Coal may be allowed to poor Persons.

CLXIV. And be it further enacted, That it shall be lawful for the Churchwardens and Overseers of the Poor of the Parish of *Ramsgate*, by any Writing under their Hands, to grant a Drawback of the Rate or Duty payable by virtue of this Act on Coal, Culm, and Coke to such Person or Persons as by reason of their Poverty are not able to pay the same on any of the said Articles for their own Use or Consumption: Provided always, that no such Person shall be allowed the said Drawback for more than Two Tons of Coal, Culm, or Coke, nor for more than Three Bushels of Charcoal, in any one Year; which Drawback the Treasurer to the said Commissioners shall and he is hereby authorized and empowered to pay to such poor Persons respectively upon Production of a Certificate signed by the said Churchwardens and Overseers, which Certificate shall be a sufficient Discharge to the said Treasurer in his Accounts.

Power to raise Money at Interest.

CLXV. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to borrow and take up at Interest such Sums of Money as they shall see necessary for the Purposes of this Act upon the Credit of the Rates, Assessments, Tolls, Duties, and Impositions to be laid and collected by virtue of this Act, and by Writing under their Hands and Seals to assign all or any Part of the said Rates, Assessments, Tolls, Duties, and Impositions to such Persons as shall lend or advance any Money thereon, or to their Trustees, as a Security for the Principal Money to be advanced, with any legal Interest for the same; and the Costs and Expences of such Assignment thereof to be made as herein-after mentioned shall be from Time to Time defrayed by the said Commissioners out of the Monies so to be borrowed; and every such Assignment shall be in the Words or the Effect following; (that is to say,)

Form of Security.

'WE Seven of the Commissioners appointed by or in
'pursuance of an Act passed in the Year of the
'Reign of Queen *Victoria*, intituled [*here set forth the Title of this*
'*Act*], in consideration of the Sum of
'advanced and lent by *A.B.* upon the Credit and for the Purposes
'of the said Act, do hereby grant and assign unto the said *A.B.*,
'[*or* to his Trustee, *as the Case may require*,] his Executors,
'Administrators, and Assigns, such Proportion of the Rates, Assessments, Tolls, Duties, and Impositions arising by virtue of the
'said Act as the said Sum of doth or shall bear
'to the whole Sum which may at any Time be borrowed or become
'due and owing or be charged upon the Credit of the said Act, to
'be holden from this Day of until the said Sum
'of with Interest at *per*
'*Centum per Annum* for the same, shall be paid and satisfied. In
'witness whereof we the said Commissioners have hereunto set our
'Hands and Seals the Day of in the Year of our
'Lord One thousand eight hundred and .'

And every such Security shall be good, valid, and effectual, and shall entitle the Persons to whom the same shall be made, their Executors, Administrators, and Assigns, to the Payment thereof, and to all Profit and Advantage thereon, according to the Intent and Meaning of this Act: Provided always, that no greater Sum than the Sum of Twelve thousand

thousand Pounds in the whole shall be borrowed on the Credit of the said Rates, Assessments, Toll, Duties, or Impositions, except under the Provisions in that Behalf herein-after contained.

Power to transfer Securities.

CLXVI. And be it further enacted, That it shall be lawful for the Persons entitled to any of the Securities for the Money to be borrowed at such legal Interest as aforesaid, and their respective Executors, Administrators, and Assigns (as the Case may be), at any Time by Deed in Writing under their Hands and Seals duly stamped, and in which the Consideration shall be truly specified, to transfer such Securities to any Persons whomsoever, which Transfer may be in the Words or to the Effect following; (that is to say,)

Form of Transfer.

'I *A. B.*, being entitled to the Sum of
'secured to Executors, Administrators, and
'Assigns, by virtue of an Assignment bearing Date the
'Day of under the Hands and Seals of
'of the Commissioners acting in the Execution of an Act passed in
'the Year of the Reign of Queen *Victoria*, intituled
'[*here set forth the Title of this Act*], upon the Credit of the Rates,
'Assessments, Tolls, Duties, and Impositions granted or payable by
'the said Act, do hereby transfer all my Right and Title in and to
'the same Sum, and all Interest now due and owing thereon, unto
'*E. F.*, his Executors, Administrators, and Assigns. Given under
'my Hand and Seal this Day of in the Year of
'our Lord One thousand eight hundred and .'

And a Copy of every Security or Assignment which shall have been made in pursuance of this Act, and an Extract or Memorial of every Transfer thereof respectively, shall be entered in a Book to be kept for that Purpose by the Clerk to the said Commissioners, which Extract or Memorial shall specify and contain the Date, Names of the Parties, and Sums of Money thereby transferred, to which Book any Person interested shall at all seasonable Times have Access, and have free Liberty to inspect the same, without Fee or Reward; and for the Entry of every such Transfer the said Clerk shall be paid by the Person to whom such Transfer shall be made the Sum of Five Shillings and no more; and every such Transfer, after Entry thereof as aforesaid, shall entitle the Person to whom such Transfer shall be made, and his Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred, without any other Registry or Enrolment whatsoever.

No Preference in Payment of Mortgages.

CLXVII. And be it further enacted, That the several Persons to whom any such Mortgages or Securities shall have been made shall be severally entitled to their respective Quota of the said Rates, Assessments, Tolls, Duties, and Impositions, in proportion to the annual Amount of the Interest of the Monies borrowed on Mortgage, without any Preference by reason of the Priority in Date of any such Mortgage or Security, or on any other Account whatsoever.

Register Book to be kept of Mortgages.

CLXVIII. And be it further enacted, That a Book shall be provided by the said Commissioners under this Act, in which shall be entered and registered Copies of all Mortgages or Securities made in pursuance of

of this Act, which Book shall be open to the Inspection of the several Holders of Mortgages or Securities made by virtue of this Act and their respective Executors, Administrators, and Assigns, at all seasonable Times, without Fee or Reward.

Commissioners may borrow Money at a lower Rate to pay off Securities at a higher Rate of Interest.

CLXIX. Provided always, and be it further enacted, That in case the said Commissioners can at any Time borrow or take up any Sums of Money for any of the Purposes of this Act at a lower Rate of Interest than any Securities which shall then be in force shall bear, it shall be lawful for the said Commissioners from Time to Time to charge the said respective Rates, Tolls, and Duties, or other Funds or Property, or any Part thereof, in such Manner and with such Restriction as herein mentioned, with such Sums of Money as they shall think proper and the Interest thereof at such lower Rate as aforesaid, to pay off and discharge any Securities bearing a higher Rate of Interest, according to the Directions and Regulations herein prescribed for paying off Securities.

Provision for Payment of Mortgages by Ballot.

CLXX. And in order that no undue Preference may be given in paying off the aforesaid Mortgages or Securities, be it further enacted, That when and so often as the said Commissioners shall under the Provisions of this Act be enabled and think it expedient to pay off One or more of the said Mortgages or Securities they shall cause the several Numbers of the Mortgages or Securities granted and then in force to be written upon distinct Pieces of Paper of an equal Size, and all such Papers shall be rolled or folded up in the same Form, and be put into a Box, and the Clerk to the said Commissioners shall, in the Presence of Seven or more of the said Commissioners, draw separately out of the said Box One of the said Numbers for each Mortgage or Security then intended to be paid off by the said Commissioners, and thereupon the Mortgage or Security corresponding with the Number which shall be so drawn shall accordingly be paid off by the said Commissioners; and after every such Ballot the said Commissioners shall cause Notice signed by their Clerk to be given to the Person who shall be entitled to the Money to be paid off pursuant to such Ballot, which Notice shall express the Principal Sum to be paid off, and that the same will be paid, together with the Interest due thereon, at a Place to be specified in such Notice, at the Expiration of Three Calendar Months from the Date of giving such Notice; and the Interest of the Principal Money to be paid off shall from and after the End of the said Three Calendar Months cease and be no longer paid or payable, unless the Money shall be demanded pursuant to such Notice, and not paid; but the Principal Money in respect whereof such Notice shall be given, and also the Interest thereof to the End of the said Three Calendar Months, shall nevertheless be payable on Demand.

Providing a Sinking Fund for payment of Money borrowed under this Act.

CLXXI. And in order to form a Sinking Fund for the Payment of the Money to be borrowed under the Authority of this Act; be it enacted, That the said Commissioners shall and they are hereby authorized and required, on and after the First Day of *January* One thousand eight hundred and forty-two, or sooner if they think fit, to appropriate from the said consolidated Rates, Assessments, and Impositions

positions any Sum not less than the Sum of Two Pounds Ten Shillings *per Centum per Annum* on the Money which shall from Time to Time be borrowed on the Credit of the said consolidated Fund, over and besides the Interest payable on the Money so borrowed, in order to form a Sinking Fund for the gradual Payment thereof; and such annual Sum is hereby charged on and directed to be answered out of the said Rates, in order to form an accumulating Fund for the gradual Payment of the Principal Sums of Money from Time to Time to be borrowed and remaining unpaid; and as often as the said Sinking Fund shall amount to the Sum of Three hundred Pounds the same shall be applied in the Payment of a like Amount of the said Principal Money to become due on the Credit or Security of the said Rates, to be determined by Ballot as aforesaid.

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

CLXXII. Provided always, and be it further enacted, That in case the whole Debt of Twelve thousand Pounds by this Act charged on or hereafter to be borrowed on the Credit of the said consolidated Fund shall at any Time hereafter be wholly paid off and discharged, or reduced below the Sum of Six thousand Pounds, then it shall be lawful for the said Commissioners and they are hereby authorized and empowered from Time to Time, with the Consent of the Rate-payers of the said Parish of *Ramsgate* in Vestry assembled, to borrow and take up at Interest, for the Purposes of this Act, on the Credit of the said consolidated Rates, Assessments, Duties, and Impositions, in the Manner herein-before mentioned, any further Sum or Sums of Money, so that the whole Sum to be charged or secured at any one Time on the Credit of the said consolidated Fund shall not exceed the Sum of Nine thousand Pounds.

Application of Rates and other Monies

CLXXIII. And be it further enacted, That all Money in the Hands of the Commissioners of the said recited Acts hereby repealed or either of them, or of their Treasurer or Clerk, at the Time of the Commencement of this Act, and all Money to arise from the Duties upon Coals, Culm, and Coke, or by or from the said Rates or Assessments hereby or by the said recited Acts hereby repealed or either of them granted, and all Money to be levied or received from Time to Time by virtue of this Act, and all the Money which may be borrowed upon the Credit thereof, shall be paid to the Treasurer of the Commissioners acting under this Act, or to such Person as they shall appoint, and shall, unless by this Act directed to be otherwise applied, be applied and disposed of, in the first place, in paying and defraying the Charges and Expences which shall have been incurred in or shall be incident to and attending the soliciting, obtaining, and passing of this Act, and in the Repayment of any Money which shall have been advanced for defraying such Charges and Expences, together with legal Interest for the same from the Time of such Advance; in the next place, in paying the Interest of all Monies due and owing on the Credit of the said recited Acts hereby repealed or either of them, or of the Rates, Tolls, Duties, and Assessments by this Act granted; then in defraying the Costs, Charges, and Expences of paving, cleansing, lighting, watching, draining, and watering the several public Streets, Lanes, and other Passages and Places in the said Parish of *Ramsgate*, and making new Ways and

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Communications and otherwise improving the same in manner hereby directed, and of carrying the several other Purposes of this Act into execution; and afterwards in reducing, paying off, and discharging the Principal of all Monies due and owing on the Credit of the said recited Acts hereby repealed or either of them, or of the Rates, Tolls, Duties, and Assessments by this Act granted, and for no other Use, Intent, or Purpose whatsoever.

Damages and Charges, in case of Dispute, to be settled by a Justice.

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

In case of Nonpayment of Damages and Penalties by Commissioners, the same may be recovered by Distress and Sale of their Goods or of the Goods of their Treasurer.

CLXXV. And be it further enacted, That when and so often as any Sum or Sums of Money shall be directed or awarded to be paid by any Justice or Justices of the Peace in pursuance of the Powers or Authorities in or by this Act given to such Justice or Justices, or by way of Satisfaction or Compensation for any Materials or Costs, or for any Damage, Spoil, or Injury of any Kind done or committed by the said Commissioners, or any Person or Persons acting by or under their Authority, and such Sum and Sums of Money shall not be paid by the said Commissioners to the Party or Parties entitled to receive the same within Fourteen Days after Demand in Writing shall be made of the Treasurer to the said Commissioners, or delivered at his usual or last Place of Abode, then and in such Case such Sum and Sums of Money shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Commissioners by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, by a Warrant to be issued for that Purpose by such Justice or Justices, which Warrant any such Justice or Justices is and are hereby authorized and required to grant under his Hand and Seal or their Hands and Seals on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money; 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 Commissioners or their Treasurer for the Time being, as the Case may be: Provided always, that it shall be lawful for such Treasurer

Treasurer to retain out of any Monies which he shall have received or shall receive in pursuance of this Act all such Damages, Costs, Charges, and Expences as he shall have sustained or been put unto by virtue of any such Warrant as aforesaid.

Recovery and Application of Penalties.

CLXXVI. And be it further enacted, That all Fines, Penalties, and Forfeitures inflicted or imposed by this Act, or by virtue of any Bye Law, Rule, Order, or Regulation made in pursuance thereof, the Manner of levying and recovering whereof is not herein otherwise particularly directed, may, in case of Nonpayment thereof, be recovered in a summary Way by the Order and Adjudication of some Justice of the Peace having Jurisdiction within the said Parish of *Ramsgate*, on Complaint for that Purpose made, and afterwards be levied, as well as the Costs and Expences (if any) of such Proceedings, on Nonpayment, by Distress and Sale of the Goods and Chattels of the Offender or Person liable to pay the same, by Warrant under the Hand and Seal of such Justice, who is hereby authorized and required to summon any Witness touching or concerning such Offence, Matter, or Thing, and to hear and determine the same; and the Overplus (if any) of the Money so raised or recovered, after discharging such Fine, Penalty, or Forfeiture, the Costs of such Distress and Sale, and other the Costs and Expences aforesaid, shall be returned, on Demand, to the Party whose Goods and Chattels shall be distrained; all which Fines, Penalties, and Forfeitures, not directed to be otherwise applied, shall be paid, one Moiety to the Informer, and the Remainder to the said Commissioners, to be by them applied to the Purposes of this Act, unless any such Fine, Penalty, or Forfeiture shall be incurred by the said Commissioners, and in such Case one Moiety of such Fine, Penalty, or Forfeiture shall be paid to the Informer, and the other Moiety to such public Charity as the convicting Justice shall direct; and in case such Fines, Penalties, or Forfeitures shall not be forthwith paid it shall be lawful for such Justice and he is hereby required to order the Offender so convicted to be detained in safe Custody until Return can conveniently be made to such Warrant of Distress, unless such Offender shall give sufficient Security to the Satisfaction of such Justice for his Appearance at such Time as shall be appointed for the Return of such Warrant of Distress, such Time being not more than Eight Days from the taking such Security, and which Security any such Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of any such Warrant it shall appear that no sufficient Distress could be had whereupon to levy the said Fines, Penalties, or Forfeitures, and such Costs and Expences as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of such Justice, upon the Confession of the Offender or otherwise, that he has not sufficient Goods and Chattels whereupon such Fines, Penalties, Forfeitures, Costs, and Expences could be levied if a Warrant of Distress should be issued, such Justice shall not be required to issue such Warrant of Distress, but may by Warrant under his Hand and Seal commit such Offender to the Common Gaol or House of Correction of the Town, Port, or Borough of *Sandwich*, there to remain for any Time not exceeding

Three Calendar Months, or until such Fine, Penalty, or Forfeiture shall be paid and satisfied, together with all Costs and Charges attending such Distress, Sale, and other Proceedings as aforesaid, to be ascertained by such Justice, or until such Offender shall otherwise be discharged by due Course of Law.

Justices may proceed by Summons in the Recovery of Penalties.

CLXXVII. And be it further enacted, That in all Cases in which by this Act any Fine, Penalty, or Forfeiture is made recoverable by Information before any Justice of the Peace before whom Complaint shall be made for any Offence committed against this Act, or any Bye Law, Rule, Order, or Regulation made in pursuance thereof, it shall be lawful for such Justice to summon before him the Person complained against, and upon Proof of the due Service of the Summons upon such Person by delivering the same to him personally, or by leaving the same at his usual or last Place of Abode, to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Fine, Penalty, or Forfeiture incurred, and to proceed in the Recovery of the same, although no Information in Writing or in Print shall have been exhibited before such Justice; and all such Proceedings by Summons, without Information in Writing or in Print, shall be as valid and effectual to all Intents and Purposes as if an Information in Writing or in Print had been exhibited.

For compelling the Attendance of Witnesses.

CLXXVIII. And be it further enacted, That if any Person having been summoned as a Witness to give Evidence before any Justice of the Peace touching any Complaint for any Offence against this Act, or against any Bye Law, Rule, or Order made in pursuance thereof, whether on the Part of a Prosecutor or of the Person complained against, (a reasonable Sum for his Costs and Charges having been tendered to him,) shall refuse or neglect to appear at the Time and Place for that Purpose appointed without a reasonable Excuse for such Refusal or Neglect, to be approved of by the said Justice, or appearing shall refuse to be examined on Oath or Affirmation, and to give Evidence before such Justice, then and in either of the said Cases such Person shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

For securing transient Offenders.

CLXXIX. And be it further enacted, That it shall be lawful for any Commissioner under this Act, or for any Officer or Servant of the said Commissioners, to seize and detain any Person whose Name and Residence shall be unknown to such Commissioners, Officer, or Servant who shall commit any Offence against this Act, and to convey him with all convenient Despatch before some Justice of the Peace having Jurisdiction within the said Parish of *Ramsgate*, without any Warrant or other Authority than this Act; and such Justice is hereby empowered and required to proceed immediately to the hearing and determining of the Complaint.

Form of Conviction.

CLXXX. And be it further enacted, That every Justice of the Peace before whom any Person shall be convicted of any Offence against this Act shall and may cause the Conviction to be drawn up according

according to the Form or to the Effect following, or as near thereto as the Circumstances of the Case will admit:

'*Ramsgate*, in the Liberties of the Cinque Ports, to wit.' BE it remembered, That on the Day of One thousand eight hundred and is convicted before of Her Majesty's Justices of the Peace for the Town, Port, and Borough of *Sandwich*, and the Liberties thereof, *or* [for the Liberties of the Cinque Ports,] of [*here specify the Offence or Omission, and the Time and Place when and where committed, as the Case may be,*] contrary to an Act passed in the Year of Queen *Victoria*, intituled [*here set forth the Title of this Act*]; and I [*or* we] do adjudge that the said hath forfeited for the said Offence the Sum of and also the further Sum of for Costs. Given under my Hand and Seal [*or* our Hands and Seals] the Day and Year first above written.'

Distress not unlawful for Want of Form.

CLXXXI. And be it further enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in any Proceedings relating thereto, nor shall the Party distraining be deemed a Trespasser *ab initio* on account of any Irregularity which shall be afterwards done by the Party distraining; but the Person aggrieved by such Irregularity may recover full Satisfaction for the special Damage in an Action on the Case: Provided always, that no Plaintiff shall recover in any Action for such Irregularity, Trespass, or other Proceedings if Tender of sufficient Amends shall be made, by or on behalf of the Party who shall have committed any Act, Irregularity, Trespass, or wrongful Proceedings, before such Action brought; and in case no such Tender shall have been made it shall be lawful for the Defendant in any such Action, by Leave of the Court where such Action shall be brought, at any Time before Issue joined, to pay such Money into Court as he shall see fit, whereupon such Proceedings, Orders, and Judgments shall be had, made, or given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Justices may administer Oaths.

CLXXXII. And be it further enacted, That in all Cases where any Justice of the Peace is authorized by this Act to examine any Person on Oath or Affirmation it shall be lawful for such Justice and he is hereby required to administer such Oath or to take such Affirmation.

Prescribing Form of Declaration in lieu of Oath.

CLXXXIII. And be it further enacted, That in every Case in which by this Act a Declaration is required to be made, the same shall be in the Form (or as near thereto as the Circumstances of the Case will admit) prescribed in the Schedule to the Act of the Fifth and Sixth Year of His late Majesty King *William* the Fourth, for the Suppression of voluntary and extra-judicial Oaths and Affidavits; and that all Declarations required by this Act to be made shall be made in the Form before referred to, and shall be as valid and effectual

tual as an Oath or Affirmation; and if any Declaration so made shall be false or untrue in any material Particular, the Person wilfully making such false Declaration shall be deemed guilty of a Misdemeanor.

Inhabitants may be Witnesses.

CLXXXIV. And be it further enacted, That no Inhabitant within the said Parish of *Ramsgate* shall be deemed an incompetent Witness in any Action, Suit, or Information, Complaint, Appeal, Prosecution, or Proceeding to be had, made, prosecuted, or carried on under the Authority of this Act, by reason of such Person being rated or liable to be rated by virtue of this Act,

Appeal to the Quarter Sessions.

CLXXXV. And be it further enacted, That if any Person shall find himself aggrieved by any Rate, Assessment, Penalty, or Fine under or in pursuance of this Act, or any Order or Conviction of any Justice of the Peace, or by any Rule, Bye Law, or Regulation made under the Provisions of this Act, it shall be lawful for such Person to appeal to any General or Quarter Sessions of the Peace to be held in and for the Eastern Division of the County of *Kent*, or for the Town, Port, and Borough of *Sandwich*, and the Liberties thereof, at the Option of the Party appealing, within Three Calendar Months next after the Cause of Complaint shall have arisen, or if such Session shall be held before the Expiration of One Calendar Month then next ensuing, then such Appeal shall be made to the next succeeding Sessions, either of which Courts of Session is hereby authorized to hear and finally determine the Matter of the said Appeal, and to make such Order therein as to such Court of Sessions shall seem meet, which Order shall be final and conclusive upon all Parties; provided that the Person so appealing shall give or cause to be given at least Fourteen Days Notice in Writing of his Intention of appealing as aforesaid, and of the Matter or Cause thereof, to the Clerk for the Time being to the said Commissioners or other the Respondent, and within Three Days after such Notice shall enter into a Recognizance before some Justice of the Peace having Jurisdiction within the said Parish of *Ramsgate* to try such Appeal at the then next General Sessions or Quarter Sessions of the Peace, which shall first happen, and to abide the Order of and pay such Costs as shall be awarded by such Sessions or any Adjournment thereof; and such Sessions, upon hearing and finally determining the Matter of such Appeal, shall and may according to their Discretion award such Costs to the Party appealing or appealed against as they shall think proper, and their Determination in or concerning the Premises shall be conclusive and binding on all Parties to all Intents and Purposes whatsoever,

Rates and Proceedings not to be quashed for Want of Form, &c.

CLXXXVI. Provided always, and be it further enacted, That no Rate, or any Proceeding to be had touching the Conviction of any Offender against this Act, or any Order made or any other Matter or Thing done or transacted in or relative to the Execution of this Act, shall be vacated or quashed for Want of Form, or be removed or removeable by Certiorari or any other Writ or Process whatsoever into any of Her Majesty's Courts of Record at *Westminster*, any

any Law, Statute, or Usage to the contrary in anywise notwithstanding.

Tender of Amends.

CLXXXVII. Provided also, and be it further enacted, That no Plaintiff shall recover in any Action to be commenced against any Person whomsoever for any thing to be done under or in pursuance of this Act if Tender of sufficient Amends shall have been made to him or to his Attorney, by or on behalf of the Defendant, before such Action brought; and in case no Tender of Amends shall have been made, it shall be lawful for the Defendant, by Leave of the Court, at any Time before such Issue joined, to pay into Court such Sum of Money as he shall think fit, whereupon such Proceedings, Orders, and Judgments shall be made and given in and by such Court as in other Actions where Defendants are allowed to pay Money into Court.

Satisfaction for special Damages.

Declaring what shall be good Service of Notices.

CLXXXVIII. And be it further enacted, That in all Cases where it may be necessary or requisite for any Person or Party to serve any Notice, or any Writ or other legal Proceeding, or Proceedings in Equity, upon the said Commissioners, Service thereof respectively upon the Clerk of the said Commissioners, or left at the Office of such Clerk, or at his last or usual Place of Abode, or at the Office of the said Commissioners, or upon any one of the said Commissioners acting under this Act, or left at his respective last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Commissioners.

Other Notices how to be served.

CLXXXIX. And be it enacted, That in all other Cases of Notices or Demands in Writing directed or required by this Act to be given or served, or which shall or may be necessary for carrying into execution any of the Powers or Provisions of this Act, the Service of any such Notice or Demand by delivering the same or a true Copy thereof to the Person to whom the same ought to be given, or by leaving the same or a true Copy thereof at his Dwelling House or usual or last Place of Abode, shall be a sufficient Service thereof (except only in Cases where personal Service is herein-before expressly required); or in case it shall be necessary to serve Notice upon any Corporation, then the leaving such Notice, or a true Copy thereof, at the Office or Place of Residence of the Chief Officer of any such Corporation, shall be deemed sufficient Service thereof.

This Act not to interfere with the Rights of the Royal Harbour of Ramsgate.

CXC. Provided always, and be it further enacted, That nothing contained in this Act or in the Schedule hereto shall extend or be construed to extend in any Manner to affect, prejudice, or interfere with the Royal Harbour of *Ramsgate*, or the Trustees for the Time being of the said Harbour, or their Trust Property, Rights, Privileges, or Powers, any thing herein or in the said Schedule contained to the contrary in anywise notwithstanding.

This Act not to extend to the Estate of Sir William Curtis.

CXCI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to the Estate and Hereditaments of Sir *William Curtis* Baronet in the said Parish of *Ramsgate*, without the Consent of the said Sir *William Curtis*, his Heirs or Assigns, in Writing, for that Purpose first had and

and obtained, except so far as regards the Rates and Assessments by this Act authorized to be made, and the Collection and Recovery thereof.

Public Act. CXCII. And be it further enacted, That this Act shall be deemed to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

The

The SCHEDULE to which the foregoing Act refers.

Description of Property.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
Storehouse adjoining the Engine-house and near the Market.	Richard Wilson Page	- - -	Richard Wilson Page and his Son Richard Page.
House near the Market - -	Ditto - -	- - -	Thomas Weller.
House and Ground near the Market.	Ditto - -	- - -	Edward Lewis.
House near the Market -	Ditto - -	Mary Kingsford	Mary Kingsford.
House near the Market called Harbour Street Cottage, with the Yard and Ground belonging thereto.	Jeremiah Sackett -	- - -	George Danton.
Stable near the Market - -	Ditto - -	- - -	Thomas Jell.
Ditto - - -	Ditto - -	- - -	Thomas Sawyer.
Stable, Yard, and Land near the Market, and extending to New Stables of Jeremiah Sackett towards the East or South-east.	Ditto - -	- - -	Jeremiah Sackett.
Stable near the Market -	Ditto - -	- - -	Richard Clunn.
Yard between Harbour Street and York Street, and adjoining to Premises of Nicholas William Commerford towards the South-west, with the Buildings thereon.	Richard Wilson Page	- - -	Richard Wilson Page.
Yard in York Street - -	Nicholas William Commerford.	- - -	Isaac Catt, John Edney.
House in York Street -	Ditto - -	- - -	John Edney.
Three Houses in York Street	Ditto - -	- - -	Isaac Catt.
Road on the South-west Side of York Street.	Nicholas William Commerford.	- - -	John Rose.
House in York Street -	Ditto - -	- - -	William Reading.
Garden Ground in York Street	Ditto - -	- - -	William Gammage.
House and Garden Ground in York Street.	Mary Friend - -	- - -	Mary Friend.
Passage in York Street -	Sophia Strivens -	- - -	Sophia Strivens.
Passage in York Street -	Israel Abraham -	- - -	Israel Abraham.
Bakehouse and Passage in York Street.	Charlotte Swinnock -	- - -	Charlotte Swinnock.
House and Shop in York Street	Thomas Bayly -	- - -	Ditto.
House and Shop in York Street and at the Corner of Queen Street.	Ditto - -	- - -	Lawrence Elgar.
Ditto - - -	Michael Henry -	- - -	John Foat.
House and Passage in York Street.	Thomas Bayly -	- - -	John Christian.
House in York Street - -	Michael Henry -	- - -	Maria Coleman.
House and Premises in York Street.	William Pitchley -	- - -	Henry Ward.

Description of Property.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
House in York Street -	William Pitchley -	- - -	William Pitchley.
The Baths and Buildings over and at the South-east Side of Passage near the Waterside, with Passage under the said Baths.	Roger Dyason -	- - -	Roger Dyason.
Counting-house near the Waterside.	Charles Turmine -	- - -	Charles Turmine and Roger Dyason.
House at the Corner of Albion Hill.	George Stevens, senior	- - -	John Baker.
Ground in High Street -	Robert Eason and Edward Eason.	- - -	Unoccupied.
House and Garden Ground in High Street.	Ditto - -	- - -	Jane Elizabeth Wheatley.
Ditto - - -	William Holman -	- - -	William Holman.
Garden Ground in Chatham Street.	Catherine Small -	- - -	Catherine Small.
House and Ground in Chatham Street.	Kemp Joad - -	- - -	Susanna Southwell.
Ground in Chatham Street -	Henry Gisby - -	- - -	Henry Gisby.
Houses and Land in Chatham Street.	Gervas Bradberry, Thomas Bradberry, Dorothy Calvert, Sarah Bradberry.	- - -	Jane Burnham, John Knott, John Kember.
House, Field, and Ground -	Mary Townley, George Townley, and Charles Gostling Townley, Trustees under the Will of James Townley, Esquire, deceased.	- - -	Thomas Whitehead.
House in Chatham Street -	Latham Osborn the elder.	- - -	Elizabeth Cox.
Three Houses adjoining in High Street and Chatham Street.	Richard Tomson the younger.	- - -	Richard Taylor.
House in High Street - -	Jane Foat, Samuel Foat, Henry Foat, George Foat, and Frederick Foat.	- - -	—— Solly.
Ditto - - -	Ditto - -	- - -	—— Roland.
House, Workshop, and Ground in Chatham Street.	John Peake - -	- - -	John Peake.
House in Chatham Street -	Ditto - - -	- - -	Charles Fegan.
Ditto - - - - -	Ditto - -	- - -	Nanny Matthews.
Ditto - - -	Ditto - - -	- - -	Jane Hummer.
Ditto - - - -	Robert Eason, Edward Eason.	- - -	Mary Livick.
House in King Street -	Ann Woodland -	- - -	Charles Nairne.
Garden Ground near Mount Pleasant.	William Farley -	- - -	George Farley.

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