ANNO QUADRAGESIMO TERTIO

GEORGII III. REGIS.

Cap. 89.

An Act for repealing so much of an Act, passed in the Forty-first Year of His present Majesty, for building a Pier at *Sheerness* in the Isle of *Sheppy*, in the County of *Kent*, and for other Purposes, as authorizes the taking or carrying away any Gravel, Stones, Ballast, Sand, or other Materials, from the Sea Beach belonging to *William Alston*, Lord of the Manor of *Minster*, in the said Isle of *Sheppy*, without paying any Thing for the same. [24th *June* 1803.]

WHEREAS by an Act, passed in the Forty-first Year of the Reign of His present Majesty, intituled, *An Act for building a Pier at* Sheerness, *in the Isle of* Sheppy *in the County of* Kent; *for ascertaining, imposing, and recovering certain Duties, for the supporting, maintaining, and keeping in Repair the said Pier; for paving, repairing, cleansing, lighting, watching, watering, and improving the Highways, Streets, Lanes, and other publick Passages and Places within that Part of the Parish of* Minster *in the said Isle of* Sheppy (*which lieth near His Majesty's Dock Yard and Garrison of* Sheerness), *called* Blue Town *and* Mile Town; *and for preventing Nuisances, Annoyances, and Obstructions therein*; it was amongst other Things enacted, that the Commissioners therein named, or their Surveyor, or such other Person or Persons as they, or as such Surveyor, from Time to Time should employ and appoint, might and were thereby authorized and empowered to dig, cut, gather, and take away any Gravel, Stones, Ballast, Sand, Chalk, Flint, or other Materials, out of or from any Common or Waste Ground, Clift or River, or from the Sea Beach, being within or near the Limits of the said Act, for the Purposes thereof, without paying any Thing for the same (such Surveyor or other Persons 41 Geo. 3.

filling up or railing the Pits, levelling the Ground, or ſloping the Banks where ſuch Materials ſhould be taken, ſo as the ſame might not be dangerous to Paſſengers or Cattle), and convey ſuch Gravel, Stones, Ballaſt, Sand, Chalk, Flint, or other Materials, over the Lands or Grounds of any Perſon or Perſons whomſoever (not being a Yard, Garden, or Orchard), paying or tendering to the Owners or Occupiers of ſuch private Lands for the Damage which ſhould be done thereto in conſequence of carrying the ſaid Materials over his or their Lands, ſuch Equivalent in Money as the ſaid Commiſſioners ſhould adjudge reaſonable; and in caſe of any Difference or Diſagreement between the ſaid Commiſſioners, Surveyor, or other Perſon or Perſons appointed and employed as aforeſaid, and the ſaid Owners or Occupiers, any Two or more Juſtices of the Peace for the County of *Kent* ſhould in a ſummary Way hear, ſettle, and determine the Matter of ſuch Damages; and the Judgement or Order of the ſaid Juſtices ſhould be final and concluſive to the Parties: And whereas *William Alſton* of *Rocheſter*, in the County of *Kent*, Butcher, is Lord of the Manor of *Minſter*, in the ſaid Iſle of *Sheppy*: And whereas it is expedient that ſo much of the ſaid recited Act, as enables the ſaid Commiſſioners, or their Surveyor, or ſuch other Perſon or Perſons as they, or as ſuch Surveyor from Time to Time ſhall employ and appoint, to take away any Gravel, Stones, Ballaſt, Sand, Chalk, Flint or other Materials, out of or from any Common or Waſte Ground, Cliſt or River, or from the Sea Beach being within the Manor of *Minſter*, in the ſaid Iſle of *Sheppy*, for the Purpoſes thereof, without paying any Thing for the ſame, ſhould be repealed; be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That ſo much of the ſaid recited Act as enables the ſaid Commiſſioners, or any other Perſon or Perſons, as they or as ſuch Surveyor from Time to Time ſhall employ and appoint, to take away any Gravel, Stones, Ballaſt, Sand, Chalk, Flint, or other Materials, out of or from any Common or Waſte Ground, Cliſt or River, or from the Sea Beach being within the Manor of *Minſter* aforeſaid, for the Purpoſes thereof, without paying any Thing for the ſame, ſhall, from and after the paſſing of this Act, be, and the ſame is hereby repealed.

For repealing a certain Part of the Act.

For compenſating the Lord of the Manor for Materials taken from the Sea Beach.

II. Provided always, and be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or their Succeſſors, or any Perſon or Perſons authorized or empowered by them, to dig, gather, take, cart, and carry away, any Stones, Ballaſt, Sand, or other Materials, out of and from the Sea Beach lying and being within the ſaid Manor of *Minſter* in the Iſle of *Sheppy*, for the Purpoſes of the ſaid recited Act, tendering or paying to the Lord of the Manor of *Minſter* for the Time being, at and after the Rate or Sum of One Shilling for every Cart Load of ſuch Materials drawn by Two Horſes, that may be ſo dug, taken, carted, and carried away.

Publick Act.

III. And be it further enacted, That this Act ſhall be deemed, adjudged, and taken to be a publick Act, and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons, without ſpecially pleading the ſame.

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