ANNO SECUNDO

GULIELMI IV. REGIS.

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and Visitors resorting to the said Town, it would be of great Advantage to the Inhabitants of the said Town, and to all Persons resorting thereto, if the Roads, Streets, Lanes, Ways, and other Public Passages and Places now made and hereafter to be made within the said Town were properly paved, cleansed, lighted, watched, watered, repaired, improved, and regulated, and the Nuisances, Obstructions, and Annoyances therein were removed and prevented, and if a Market for the Sale of Butcher's Meat, Fish, Poultry, Vegetables, and other Articles were established therein, and proper Regulations were made for the Management thereof: And whereas it is expedient, for the Purpose of carrying this Act more effectually into execution, that a Duty should be imposed and levied on all Coal, Coke, and Culm brought by Sea or otherwise into the said Town, and that proper Directions and Authority should be given for that Purpose: And whereas the said *James Burton* has incurred considerable Expences in forming Reservoirs and in laying down Pipes, and otherwise, for the Supply of Water to the Houses and Inhabitants of the said Town, and certain Rights are intended to be reserved to him in respect thereof: And whereas the above-mentioned Objects cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Limits and Jurisdiction of this Act shall be deemed to be co-extensive with the District and within the Boundaries herein described; (that is to say,) bounded on the South by the Sea, and on the North, East, and West by Lands forming Part of the *Eversfield* Estate, and extending from the Lodge or Archway forming the Eastern Entrance to the said Town in a Western Direction along the Sea Beach, in front of a certain Road or Place called the *Marina*, One thousand two hundred and sixty Yards or thereabouts; then extending in a Northern Direction to the *Eversfield* Estate aforesaid; then running Eastward along Part of the Northern Side of the said Town; then extending again in a Northern Direction to the North-westernmost Extremity of the said Town; then extending further Eastward along the Northern Side of such Town; then extending in a curved Line and North-western Direction along the South-western Side of a certain excavated Roadway called *Quarry Hill*, leading from the Assembly Rooms towards a certain Tenement called the *Thatched Cottage*, and along the South-western Side of certain Coach-houses, Stables, Gardens, and Premises; then extending in a North-eastern Direction to and along the North-western Side of the Gardens held with certain Premises called the *North Lodge*, or Northern Entrance to the said Town; then extending in a curved Line and Southern Direction along the Eastern Side of the Yards or Gardens attached to the said *North Lodge*, and to Houses erected on the Eastern Side of a certain other Road called *Maze Hill*, leading from the said Assembly Rooms towards the *North Lodge* aforesaid, and also along the Eastern Side of vacant Ground on the East Side of *Maze Hill* aforesaid; then extending in an Eastern Direction along the Northern Side of certain Stables, Buildings, and Premises; then extending in a Southern Direction along the Eastern Side of certain other Buildings and Premises; then extending again Eastward along the Northern Side of Yards attached to and in the Rear of Houses numbered from 1 to 8 inclusive in a Place called *Undercliff*; and then extending Southward along the Eastern Side of certain

Limits and Jurisdiction of this Act.

other Buildings and Premises, and along the Eastern Side of the said Lodge or Archway forming the Eastern Entrance to the said Town, to the Sea, and including also the Esplanades, Slopes, and Ways which have been formed on the Beach or Sea-shore in front of any Part or Parts of the said Town; and that the District within the aforesaid Boundaries shall be called "The Town of *St. Leonard*."

Commissioners appointed.

II. And be it further enacted, That *James Burton*, *William Ford Burton*, *George Bellas Greenough*, *Edward Chapman Bradford*, *Herbert Curteis*, *Frederick North*, *John Ashley Warre*, *De Lacy Evans*, *Joseph Planta*, *Hugh William Brown*, *Howard Elphinstone*, *Capel Molyneux*, *George Miles Cooper*, *Marlow Sidney*, *Musgrave Briscoe*, *Wastell Briscoe*, *Edward Parratt*, *Henry Burton*, *Joseph Jeffries*, *Nathaniel Barwell*, *John Peter Fearon*, *John Spink*, *William Fraser*, *John Harwood*, *William Goodenough Hayter*, *Jelf Sharpe*, *Decimus Burton*, *Samuel Shepherd*, *Thomas Walker Wood*, *Richard Robert Madden*, *Alfred Burton*, *Charles Dyneley*, *James Currie*, *Henry Luard*, *Thomas James Breeds*, *Broome Pinnager Smith*, *Edward Farncomb*, *Robert Deudney*, *Charles Deudney*, *Benjamin Homan*, *George Scott*, *James Homan*, *Tom Leave*, *Stephen Milsted*, *Edward Honiss*, *John Bryan*, *John Carey*, *Charles Heyward Southall*, *Edward Minister*, *James George Hodgson*, *John Mollard*, *Henry Edlin*, *Robert Shepherd*, *Thomas Brown*, *John Jolley*, *Stephen Putland*, *Joseph Woods*, *Henry Wingfield*, *John Smith*, *Edward Stevens*, *William Norsworthy*, *William Waghorne*, *Joseph Wells*, *Henry Rock*, *Robert Thomas Noakes*, *Edward Smith*, *Thomas Thorne*, *Thomas Burgess*, *John Bryant*, *John Gill*, *Henry Stapledon*, *George Ditch*, *William Furner Ditch*, *Henry Hook*, and *John Bowers*, and their Successors, to be elected in manner herein-after mentioned, shall be and they are hereby appointed Commissioners for carrying this Act into execution, and shall be called "The Commissioners for the Improvement of the Town of *Saint Leonard*."

No Person hereby appointed to act until he has taken the following Oath.

III. Provided always, and be it further enacted, That no Person hereinbefore appointed a Commissioner, except the said *James Burton*, shall be capable of acting as a Commissioner in the Execution of this Act (except in administering the Oath or Affirmation herein-after mentioned) until he shall, at a Meeting to be held by virtue of this Act, have taken and subscribed an Oath, or made and subscribed an Affirmation, in the Form or to the Effect following; (that is to say,)

'I *A. B.* do swear [*or being a Quaker*, do solemnly affirm], That I will not at any Time during the Period I shall remain a Commissioner under an Act passed in the Second Year of the Reign of King *William* the Fourth, intituled [*here set forth the Title of this Act*], directly or indirectly be concerned or interested in or derive any pecuniary or other Advantage from any Contract which by virtue of this Act shall, during such Time as I am a Commissioner, be entered into; and that I will impartially and honestly, according to the best of my Skill and Knowledge, execute the several Trusts, Powers, and Authorities reposed in me as a Commissioner by virtue of the said Act. So help me GOD.'

[*Or being a Quaker, omit the Words* 'So help me God.']

Commissioners hereafter to be elected to take the following Oath.

IV. And be it further enacted, That no Person hereafter to be elected or appointed a Commissioner shall be capable of acting as a Commissioner in the Execution of this Act, except to administer the Oath or Affirmation herein-

herein-after mentioned, unless he shall at the Time of his acting be an Inhabitant residing within the Limits of this Act, and unless he shall be at such Time, in his own Right or in Right of his Wife, in the actual Possession or the Receipt of the Rents and Profits of Freehold Lands, Tenements, or Hereditaments, or of Leasehold Lands, Tenements, or Hereditaments granted originally for a Term of Sixty Years at the least, of which Thirty Years at the least shall be unexpired, situate within the Limits of this Act, of the clear yearly Value of Fifty Pounds above Reprizes, or of both Species of Property amounting together to the clear yearly Value of Fifty Pounds above Reprizes, nor unless he shall have taken and subscribed an Oath, or, being one of the People called *Quakers*, made and subscribed an Affirmation, to the following Effect; that is to say,

Oath.

'I *A. B.* do swear, [*or, being one of the People called Quakers*, do solemnly affirm,] 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 for an Estate of Freehold [*or being Leasehold*, for a Leasehold Estate, *or if consisting of both Species of Property*, for an Estate of Freehold, with a Leasehold Estate granted originally for a Term of Sixty Years at the least, of which Thirty Years at the least are now unexpired,] of and in Lands, Tenements, or Hereditaments situate within the Limits of an Act passed in the Second Year of the Reign of King *William* the Fourth, intituled [*here set forth the Title of this Act*], of the clear yearly Value of Fifty Pounds above Reprizes; and that I will not, at any Time during the Period I shall remain a Commissioner under the said Act of Parliament, directly or indirectly, be concerned or interested in or derive any pecuniary or other Advantage from any Contract which by virtue of the said Act shall during such Time as I am a Commissioner be entered into; and that I will impartially and honestly, according to the best of my Skill and Knowledge, execute the several Trusts, Powers, and Authorities reposed in me as a Commissioner by virtue of the said Act.

'So help me GOD.'

[*Or being a Quaker, omit the Words* 'So help me God.']

Penalty on acting if not qualified.

V. And be it further enacted, That if any Person (except the said *James Burton*), not being qualified as aforesaid, or being disqualified for any of the Reasons herein mentioned, or not having taken or subscribed the Oath herein-before required to be taken and subscribed, or not having subscribed or made the Affirmation herein-before required to be made and subscribed, shall presume to act as a Commissioner in the Execution of this Act, except in administering the Oath or Affirmation herein-before mentioned, to administer which Oath or Affirmation he is hereby authorized, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same; and the Person so sued shall prove that he was at the Time of acting qualified as aforesaid, or that he was not, for any of the Causes herein mentioned, disqualified, or otherwise shall pay the said Penalty, without any other Proof or Evidence being given on the Part of the Plaintiff than that such Person had acted as a Commissioner in the Execution of this Act: Provided nevertheless, that all Acts and Proceedings of any Person acting as such Commissioner, although not duly qualified as aforesaid, or, although disqualified as herein mentioned, previously to a Verdict being obtained against him for so acting, shall, notwithstanding such subsequent

Acts of Commissioners good before Conviction.

sequent Conviction, be as valid and effectual as if such Person had been duly qualified: Provided also, that it shall be lawful for any Justice of the Peace for the County of *Sussex*, or of the Town and Port of *Hastings*, to act as such in or relating to the Execution of this Act, notwithstanding he may be a Commissioner under the same, and may have previously acted as such Commissioner, in any Case or Question which may be or may be liable afterwards to be brought or heard before him as such Justice; and that nothing herein contained shall prevent any Person from acting as a Commissioner, or to make such Person liable to a Penalty for so acting, in consequence of his being a Creditor on the Rents, Rates, Assessments, or Duties authorized to be levied by this Act, or in case of being a Shareholder in any Company or Concern engaged in the Manufacture or Supply of Gas: Provided also, that no Person holding the Office of Treasurer, Clerk, Surveyor, Receiver, or Collector, or any other Office or Place of Profit, or being concerned as a Contractor, either directly or indirectly, under this Act, or under the Commissioners for executing the same, or being a Licensed Victualler, shall act as Commissioner in the Execution of this Act during the Time in which such Person shall hold such Office or Place of Profit, or be such Licensed Victualler, or concerned as such Contractor as aforesaid; and no Person shall be capable of taking or entering into any Contract under this Act during the Time he shall be such Commissioner.

Commissioners being Justices may act as such.

Certain Persons not to be Commissioners.

VI. And be it further enacted, That if any Commissioner herein-before named (except as aforesaid), or hereafter to be appointed under the Authority of this Act, shall neglect to take and subscribe the Oath herein-before mentioned, or to make and subscribe the Affirmation herein-before mentioned, for the Space of Twelve Calendar Months next after the passing of this Act, or for the Space of Twelve Calendar Months after his Appointment; or if any of the said Commissioners herein named, or to be appointed in pursuance of this Act, shall neglect to attend the Meetings of the said Commissioners for the Space of Twelve Calendar Months, or shall die, or refuse to act, or become disqualified or incapable of acting as a Commissioner, it shall be lawful for the surviving or remaining Commissioners, and they are hereby required, from Time to Time, within Three Calendar Months after such Neglect, Death, Refusal, Disqualification, or Incapacity to act shall be known, to cause Notice to be given by Writing, to be affixed on the Chapel within the said Town, of a Meeting of the Inhabitants who shall occupy Houses respectively assessed to the Poor's Rate, in respect of Property within the said Town, of the Rent or actual annual Value of Twenty Pounds or upwards (without Reference to the Scale of rating to the Poor adopted in the said respective Parishes), within a Period of not less than Ten Days, for the Purpose of electing and appointing new Commissioners or a new Commissioner (as the Case may be), in the Room of such Commissioners or Commissioner so dying, or becoming disqualified, or refusing to act as aforesaid; and the Inhabitants present at any such Meeting shall and may elect and appoint One other fit Person possessing the Qualification herein-before set forth to be a Commissioner in the Place of every such Commissioner so dying, or becoming disqualified, or refusing to act as aforesaid; and at every such Meeting every Inhabitant so assessed to the Poor's Rate in respect of Property of the Rent or actual annual Value of Twenty Pounds shall be entitled to One Vote, and every Inhabitant so assessed in respect of

Election of Commissioners to supply Vacancies.

Property of the Rent or actual annual Value of Fifty Pounds shall be entitled to Two Votes, and every Inhabitant so assessed in respect of Property of the Rent or actual annual Value of Seventy-five Pounds shall be entitled to Three Votes, and every Inhabitant so assessed in respect of Property of the Rent or actual annual Value of One hundred Pounds shall be entitled to Four Votes, and every Inhabitant so assessed in respect of Property of the Rent or actual annual Value of One hundred and twenty-five Pounds shall be entitled to Five Votes, and every Inhabitant so assessed in respect of Property of the Rent or actual annual Value of One hundred and fifty Pounds or upwards shall be entitled to Six Votes; and every Commissioner so from Time to Time to be elected and appointed shall, when he shall have been duly qualified according to the Directions herein contained, have the same Power and Authority to act in the Execution of this Act as the Commissioner in whose Place and Stead he shall be so elected and appointed would have had if he lived and continued to act as a Commissioner; but no Election shall be void by reason of the same taking place after the Expiration of Three Calendar Months limited for that Purpose as aforesaid.

Regulating Proceedings at Elections of Commissioners.

VII. And be it enacted, That at every Meeting to be held under this Act for the Purpose of any such Election of Commissioners as aforesaid a Chairman shall be appointed by the Inhabitants present to preside thereat, and in case of an Equality of Votes the Chairman shall have the casting or decisive Vote; and the Chairman shall at such Meeting declare the Name or Names of the Person or Persons who shall have been elected a Commissioner or Commissioners, and shall return the Name or Names of such Person or Persons to the said Commissioners at their next Meeting to be held after such Election.

Meetings of Commissioners.

VIII. And be it further enacted, That the Commissioners appointed by this Act, or any Five or more of them, shall meet at the House known by the Name of the *Conqueror Hotel*, or at some other convenient Place, on the Fourth *Monday* after the passing of this Act, between the Hours of Ten of the Clock in the Forenoon and Two of the Clock in the Afternoon, and proceed to put this Act into execution, and shall then and from Time to Time afterwards adjourn to any Place within or near the Limits of this Act; and if at any Time there shall not be Five Commissioners present at any such Meeting, any One of the said Commissioners present may adjourn the Meeting to another Day; and in case of any Neglect or Omission to adjourn to a future Day, any Three of the said Commissioners or their Clerk may call a Meeting at the Place where the last Meeting was appointed to be held or was held, by Notice or Summons, to be delivered at the usual Places of Abode of such of the said Commissioners as shall be resident within the Limits of this Act or within One Mile thereof, Four Days at least before such Meeting; and at all Meetings to be held in pursuance of this Act the Commissioners shall defray their own Expences (except for the Use of the Room or Apartment where such Meetings shall be held, which shall be paid out of the Monies to be received by virtue of this Act); and no Act of the said Commissioners shall be valid unless made or done at some Meeting to be held by virtue of this Act (except the calling of Meetings as aforesaid); and all the Powers and Authorities by this Act granted to or vested in the Commissioners appointed or to be appointed by virtue hereof shall and

may from Time to Time be exercised by the major Part of them present at Meetings to be holden as aforesaid, the Number of Commissioners present at any such Meeting not being less than Five (unless herein otherwise particularly provided); and in all Cases where the Number of Votes upon any Question shall be equal (including the Chairman's Vote) the Chairman shall have the casting Vote; and at every Meeting to be held under or in pursuance of this Act the first Business shall be the Election of a Chairman to preside at the same: Provided nevertheless, that it shall be lawful for the Commissioners appointed and to be appointed by or by virtue of this Act and they are hereby authorized to hold any Special Meeting between their then last Meeting and the Day to which any subsequent Meeting shall have been adjourned, so that such Meeting shall be required by Three or more of the said Commissioners, and Notice thereof in Writing given to or left with the Clerk to the said Commissioners, who shall thereupon give Forty-eight Hours Notice at least to such of the said Commissioners as shall be resident within the Limits of this Act, or within One Mile thereof, of such Special Meeting, and shall specify in such Notice the Cause or Causes of such Special Meeting; and at all such Meetings the Commissioners shall pay their own Expences; and all Meetings of the said Commissioners shall be held between the Hours of Ten of the Clock of the Forenoon and Two of the Clock of the Afternoon.

Special Meetings may be held.

IX. And be it further enacted, That all Orders, Rules, Regulations, Acts, and Proceedings of the said Commissioners at any of their Meetings, and the Names of the Commissioners present thereat respectively, shall be entered in a Book or Books to be kept by their Clerk for the Time being for that Purpose, and shall be signed by the Chairman of such Meetings respectively, and all such Orders, Rules, Regulations, Acts, and Proceedings shall then be deemed and taken to be original Orders, Rules, Regulations, Acts, and Proceedings; and all such Books, and the Entries therein, signed as aforesaid, shall be admitted in Evidence in all Courts and Places, and by and before all Judges, Justices, and others, in all Causes, Suits, Actions, and Proceedings whatsoever; and such Books shall at all seasonable Times be open to the Inspection of the said Commissioners and of all other Persons rated or assessed for the Purposes of this Act.

Proceedings to be entered in Books.

X. And be it further enacted, That no Order made by the Commissioners appointed or to be appointed by virtue of this Act shall be revoked, altered, or suspended unless at some subsequent Special Meeting to be called as aforesaid, of which Seven Days Notice at the least shall be given in the Manner herein-before required for calling Special Meetings, expressing the Occasion of such Meeting, nor unless at such subsequent Meeting a greater Number of Commissioners by Three at least shall attend than were present when such Order was made.

Restriction as to revoking Orders.

XI. And be it further enacted, That the said Commissioners shall from Time to Time, by Writing under their Hands, appoint a Treasurer, Clerk, Surveyor or Surveyors, and also a Collector or Collectors of the Rates to be made as herein-after mentioned, and such other Officers and Persons as they shall think necessary for the Execution of this Act; and may remove any such Officers and other Persons as they may think proper, and appoint

Commissioners to appoint Officers.

or

or not appoint others in their Stead, and pay such Salaries and make such Allowances to all such Officers and Persons, out of the Monies to be received by virtue of this Act, as they the said Commissioners shall think reasonable; and the said Commissioners are hereby authorized and required to take sufficient Security from every Treasurer, Receiver, or Collector, for the faithful Execution of his Office, and may also take such Security from every other Officer and Person, for the due Execution of their respective Offices or Duties, as they the said Commissioners shall think proper.

Treasurer and Clerk not to be the same Person.

XII. And be it further enacted, That it shall not be lawful for the said Commissioners to 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 of his Partner, to be the Treasurer for the Purposes of this Act, 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 of his Partner, to be the Clerk to the said Commissioners; and if any Person shall act in 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 of his Partner, shall act as Treasurer, or shall act as Deputy of such Treasurer, or in any Manner officiate for the 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 of his Partner, shall act as Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate as 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 His Majesty's Courts of Record at *Westminster* or elsewhere, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Officers to account.

XIII. And be it further enacted, That every Treasurer, Clerk, Surveyor, Collector, and ~~other Officer~~ and Person appointed by virtue of this Act, shall, under his respective Hand, and at such Time or 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 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, 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 in Writing from any One or more of the said Com-

Commissioners, given to or left at the usual or last Place of Abode of such Officer or Person, requiring him so to do, refuse or wilfully neglect to make and render such Account, or to produce and deliver up the Vouchers relating to the same, 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 of the Town and Port of *Hastings*, or for the County, City, 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 the said 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 by the Testimony of any credible Witness upon Oath, which Oath such Justice is hereby empowered to administer, 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, 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 shall and he is hereby required to commit such Offender to any Common Gaol or House of Correction of the said Town and Port of *Hastings*, 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 Six Calendar Months: Provided nevertheless, that if any Money shall be due from such Officer or Person, his Prosecution or Commitment to Prison as aforesaid shall not (without the Consent of the said Commissioners) be deemed a Discharge for the same, nor exonerate the Surety or Sureties for such Officer or Person; but such Officer or Person, and his Surety or Sureties, shall

Proceedings in case of Default of Officers.

Prosecution of Officers not to exonerate 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.

XIV. 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 apportioned by this Act, or shall be apportioned, allowed, and 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 whatsoever relative to his or their 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 besides forfeit and pay any Sum not exceeding One hundred Pounds for each Offence to any Person or Persons who shall sue for the same.

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

XV. And be it further enacted, That the said Commissioners may sue and be sued in the Name of their Clerk or Treasurer for the Time being, or in the Name of any one of the said Commissioners who shall be resident within the Limits of this Act; and all Actions and Suits that may be brought for the Recovery of any Penalty or Sum of Money due or payable by virtue of this Act, or for or in respect of any other Matter or Thing relating to this Act, may be brought in the Name of their Clerk or Treasurer, or Commissioner or Commissioners; and no Action or Suit which may be brought, commenced, or prosecuted by or against the said Commissioners or any of them, by virtue or on account of this Act, shall abate or be discontinued by his or their Death, Suspension, or Removal, or by any Act or Default of such Clerk or Treasurer, or Commissioner or Commissioners, done or suffered without the Consent and Direction of the said Commissioners, but the Clerk or Treasurer to the said Commissioners for the Time being, or the said Commissioner or Commissioners, shall be deemed Plaintiff or Defendant, or Plaintiffs or Defendants, in any such Action or Suit (as the Case may be), except such Action or Actions as shall be prosecuted between the said Commissioners and their Clerk or Treasurer for the Time being: Provided also, that in all Cases in which the Clerk or Treasurer for the Time being, or the said Commissioner or Commissioners, shall, in pursuance of this Act, be the Plaintiff or Defendant or Plaintiffs or Defendants on the Record in any Action or Actions, Suit or Suits, and which in effect the said Commissioners shall be suing or sued in the Name of such Clerk or Treasurer, or Commissioner or Commissioners, such Clerk or Treasurer, or Commissioner or Commissioners, (although appearing as the Plaintiff or Defendant, or Plaintiffs or Defendants, on the Record,) may and shall nevertheless (if not otherwise interested or objectionable) be a good examinable and competent Witness or Witnesses in every Action or Suit either for or against the said Commissioners, and all Affidavits of Debts or Service which may be to be made preparatory to or in the Prosecution or Defence of any and every such Action, Suit, and Proceeding, shall and may be lawfully made by such Clerk or Treasurer, or Commissioner or Com-

Commissioners (as the Case may be), notwithstanding he or they shall be nominal Plaintiff or Defendant or Plaintiffs or Defendants on the Record as aforesaid: Provided also, that every or any such Clerk or Treasurer, or Commissioner or Commissioners, in whose Name or Names any Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act, shall always be reimbursed and paid, out of the Monies to arise by virtue of this Act, all such Costs, Charges, and Expences as he or they shall be put to or become chargeable with by reason of his being so made Plaintiff or Defendant or Plaintiffs or Defendants therein, and shall not be personally answerable or liable for the Payment of the same or any Part of them, unless such Action or Suit shall arise in consequence of his or their own wilful Neglect or Default, or have been brought or commenced, or be defended, without the Order or Direction of the said Commissioners.

Accounts to be kept.

XVI. And be it further enacted, That the said Commissioners shall and they are hereby required from Time to Time to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books the said Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, and expended for or on account of the Purposes of this Act, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed and paid; and such Book or Books shall at all reasonable Times be open to the Inspection of the said Commissioners, and of every Creditor on the Rates hereby authorized to be made, and of any Person paying any Rate or Assessment hereby authorized to be made or otherwise affected thereby, 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 Books, or any Part 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, or any of them, 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 Default.

Accounts to be made out annually.

XVII. And be it further enacted, That in the Month of *February* in every 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 a Copy or Duplicate of such Account shall be deposited with the Clerk of the said Commissioners, and shall be open to the Inspection of all Persons interested.

Committees may be appointed.

XVIII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time, at any General or Special Meeting, to appoint any Five or more of the said Commissioners to be a Committee or Committees for superintending the making of any Rate or Rates, or for ascertaining the Value of Property to be rated, or for executing or superintending the Execution of any Works, Proceedings, or Matters relating to the Execution of this Act; and every such Committee shall or may be altered, removed, or discontinued when and as the Commissioners for the executing this Act, at any General or Special Meeting, shall from Time to Time order or direct; but no such Committee shall continue to act for any longer Space of Time than Six Calendar Months from the Time of their

their Appointment, unless such Committee shall be re-appointed by the said Commissioners at a General or Special Meeting to be held at the Expiration of that Period: Provided always, that any Three of the Members of any such Committee shall be sufficient to act at the Meetings of such Committee; and at every Meeting of any such Committee One of the Members present shall be elected Chairman; and all Questions, Matters, and Things which shall be proposed, discussed, or considered at any such Meeting shall be decided by the Majority then present, except in Cases where there shall be an Equality of Votes, when the Chairman (in addition to his own Vote as a Member of such Committee) shall have a casting Vote: Provided always nevertheless, that the Acts of such Committee shall, before the same shall have been adopted and carried into execution, be confirmed by some subsequent General or Special Meeting of the said Commissioners held according to the Provisions of this Act.

Reimbursement to James Burton Esq. in respect of Expenditure by him in making Walls, Roads, &c.

XIX. And whereas the said *James Burton* hath expended and disbursed very considerable Sums of Money in constructing Sewers and Drains for the Drainage and Sewage of the said Town, and in erecting a Sea Wall for the better Protection thereof, and in forming Esplanades, and in making and paving such of the several Roads, Streets, and Ways within the said Town as have been already made and paved, and in making Walls for the Support of some of such Streets, and in erecting Lamp Posts and Lamp Irons therein; be it enacted, That such several Sums, the total Amount thereof to be ascertained in manner herein-after mentioned, together with lawful Interest thereon from the passing of this Act, shall from the passing of this Act be charged upon the consolidated Rates, Assessments, Duties, and Impositions to be raised and levied under and by virtue of this Act; and the said Commissioners are hereby authorized and empowered, out of the Sum so authorized to be raised as herein-before is mentioned, to repay and reimburse the said *James Burton* the several Sums of Money so expended and disbursed by him as aforesaid, and are hereby required, within the Space of One Calendar Month after the passing of this Act, either by actual Payment, or by Mortgage of the said consolidated Rates, Assessments, Tolls, Duties, and Impositions, to pay or satisfy the same accordingly.

To ascertain the Amount due and to be reimbursed to James Burton Esq.

XX. And for the Purpose of ascertaining the Amount of the several Sums of Money so disbursed by the said *James Burton* as herein-before mentioned, be it enacted, and the said Commissioners are hereby authorized and required to inspect and investigate the Documents, Accounts, and Vouchers of the said *James Burton* relating to the Matters of such Disbursements, which Documents, Accounts, and Vouchers the said *James Burton* is for that Purpose required to produce and shew forth; and whatever Sum shall in and by such Documents, Accounts, and Vouchers appear to have been expended and disbursed by the said *James Burton* in respect of the Matters aforesaid shall be the Sum so to be charged and reimbursed as herein-before mentioned.

Difference, if any arise, to be settled by Arbitration.

XXI. And be it further enacted, That if any Difference shall arise between the said Commissioners and the said *James Burton*, touching the Construction of this Act, or any Account or Valuation to be produced by the said *James Burton*, or any Sum claimed by him, such Difference shall, upon the Request either of them the said Commissioners or the said *James Burton*, be reduced into Writing, and be referred to the Award and Arbitrament of

of Three indifferent Persons, One of them to be chosen by the said Commissioners, and One of them by the said *James Burton*, and a Third by the Persons first chosen from Time to Time, which Three indifferent Persons shall accordingly be chosen for that Purpose from Time to Time within the Space of Fourteen Days next after such Request; and the Award and Determination of the said Three Persons to be chosen as aforesaid, or any Two of them, in the Matters or Matter so referred to them, shall be binding and conclusive upon the said Persons so differing, and shall be performed and kept by them accordingly, without any further Suit or Trouble whatsoever, so as such Award or Determination be made and set down in Writing, under the Hands and Seals of such Three Persons or any Two of them, within the Space of Twenty-one Days after the said Three Persons shall be so elected as aforesaid; and if either of them the said Commissioners or the said *James Burton* shall by any Writing under their or his Hands or Hand request the other of them to refer the Matter in dispute to Arbitration, and to nominate some fit Person to be an Arbitrator thereupon on their or his Behalf as aforesaid, and the Person or Persons to whom such Request shall be made shall for the Space of Fourteen Days after such Request refuse or neglect so to do, or in case either of the Persons so to be elected as aforesaid shall refuse or neglect or be unable to act, then and in such Case it shall and may be lawful to and for the other Person or Persons so chosen an Arbitrator or Arbitrators as aforesaid, by any Writing under his or their Hand or Hands, to choose some Person to act as an Arbitrator on the Part of the Party so refusing or neglecting as aforesaid, or in the Place of the Person so neglecting, refusing, or being unable to act; and the Arbitrament and Umpirage of the Person so chosen as last herein-before is mentioned shall, to all Intents, Effects, Constructions, and Purposes, be as valid, effectual, binding, and conclusive as if the Person so last chosen had been actually chosen by the Person or Persons to whom such Request shall have been made, or had been originally chosen Arbitrator.

Pavements to be made and repaired at the Charges of Commissioners.

XXII. And it is hereby further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby required, at any General Meeting to be by them held under this Act, to cause all and every the Pavements now being in any of the Streets, Lanes, and Places within the said Town, as well Foot Ways as Horse or Carriage Ways, to be repaired, amended, raised, lowered, altered, or placed in such Manner, with such Materials, and with such Drains, Gutters, Sinks, or Watercourses, and with such Grate or Gratings, on, from, or out of such Ways, over and into such Gutters, Sinks, Drains, or Watercourses, as the said Commissioners shall think proper to direct, and also to cause all other Streets, Lanes, and Places within the said Town which are now built, but not paved, and such other Streets, Lanes, and Places within the said Town, which are now making or building, or hereafter may be made or built upon, to be paved, in such Manner, and with such Gutters, Sinks, Drains, or Watercourses as to them the said Commissioners shall seem meet and necessary; and all Costs and Charges of making and repairing all such Pavements, and of doing or causing to be done all such other Matters and Things as aforesaid, shall be defrayed by the said Commissioners out of the Money to arise by virtue of this Act.

No Alteration of the Pavements with-

XXIII. And be it further enacted, That no Person or Persons whomsoever shall at any Time make, or cause or permit or suffer to be made, any

out the Consent of the Commissioners.

any Alteration whatever in the Pavement, or in the Foot, Horse, or Carriage Ways, Gutters, Sinks, Drains, or Watercourses, within the said Town, or any or either of them, for any Purpose whatever, without the Consent of the said Commissioners, assembled at a General Meeting under this Act, first had and obtained for that Purpose, and subject to such Terms and Conditions as the said Commissioners at such Meeting shall think proper to prescribe, order, or direct, concerning the same: Provided always, that where such Alteration shall be made with such Consent as aforesaid, such Alteration shall from Time to Time and at all Times hereafter be made at the Expence, Costs, and Charges of the Person or Persons requiring the same, and to whom such Consent shall be so given as aforesaid; but in case any such Person or Persons shall cause such Alteration to be made without such Consent, or, after obtaining such Consent, shall cause such Alteration to be made in any Manner contrary thereto, then and in every such Case the said Commissioners shall and may and they are hereby authorized to abate, take away, or remove such Alteration, and to restore the Pavement, Way, Gutter, Sink, Drain, or Watercourse to the State and Condition in which it was before such Alteration was so made therein as aforesaid, and the Charges and Expences attending the Restoration thereof shall be paid by the Person or Persons who so caused such Alterations to be made as aforesaid, and shall be recovered by Distress and Sale of the Goods and Chattels of such Person or Persons, in like Manner as the Rates herein-after directed and required to be raised and levied are directed to be recovered, the Overplus (if any) of the Monies to arise thereby, after deducting such Charges and Expences as aforesaid, and the Costs and Expences attending such Distress and Sale, being returned to such Person or Persons.

Commissioners to repair and keep in repair the Foot and Carriage Ways, Esplanades, and Walks.

XXIV. And be it further enacted, That it shall and may be lawful for the said Commissioners, and they are hereby authorized and empowered, from Time to Time to alter and vary the Levels of the several Footways, Carriageways, Esplanades, and Walks within the Limits of this Act, and to make such Alterations and Improvements in the same respectively as the said Commissioners shall think proper, and are hereby also authorized and required to cause the same Footways, Carriageways, Esplanades, and Walks respectively to be properly amended and kept in good Repair, with paving or other Stone or Stones, Gravel, or such other Materials as they the said Commissioners shall judge proper, and also to cause the said Roads, Streets, Esplanades, and Walks, and other Places within the Limits of this Act, to be drained, scraped, cleansed, watered, lighted, and watched, in such Manner as they the said Commissioners shall think proper: Provided always, that in case it shall be necessary or expedient, in making any such Improvement or Alteration as aforesaid, to alter the Level of or otherwise to affect any Pipe or Aqueduct now or hereafter to be laid down or used for the Supply of Water to any Part of the said Town, such Pipe or Aqueduct shall be replaced by the said Commissioners at their Expence, and made as effectual for the Conveyance and Supply of Water as the same theretofore subsisted, otherwise such Improvement or Alteration shall not be effected.

Commissioners to replace Pipes, Aqueducts, &c. removed by them.

Commissioners may purchase or rent

XXV. And be it further enacted, That the said Commissioners may and they are hereby authorized and empowered to treat with the Owner or Owners and Occupier or Occupiers of any Houses, Buildings, Lands,

and Grounds, for the Purpose of pulling down and laying open the same respectively, in order to widen, alter, or improve any of the Streets, Lanes, or other public Ways, Passages, or Places within the Limits of this Act, and either to purchase, take, or hire any Piece or Pieces of Ground, for the Purpose of digging Gravel, for the better making or gravelling, or paving or repairing such Streets, Roads, and Places as aforesaid, and for the Purpose of depositing Materials thereon, for or on account of such paving, gravelling, or repairing, or for breaking Stone for the same, or for the Purpose of erecting a Committee Room or Place of Meeting, or a Town Pound, or a Watch-house or Watch-houses thereon, and also for the Purpose of providing a proper Place or Places of Confinement for any Persons being Prisoners within the said Town, or to rent, or take a Lease for Years, or erect any Building or Buildings, to be made use of as or for any of the Purposes of this Act, as shall appear to them to be necessary, for such Sum or Sums of Money, yearly Rent or Rents, or for such Time as to them shall appear reasonable, (which Sum or Sums of Money, yearly Rent or Rents, shall be respectively paid out of the Monies to arise by virtue of this Act,) in such Place or Places as they may think proper; and likewise to buy or hire such Horses, Carts, Teams, and Carriages as may be necessary for the Purpose of carting or conveying such Gravel or Materials, or for cleansing or watering such Roads, Streets, and Places as aforesaid, or for any Purpose directed by this Act; and also to hire such Persons, buy such Materials, and make such Regulations for the better Execution of any such Purposes as they the said Commissioners shall in their Discretion think proper.

or hire Ground or Buildings.

XXVI. And be it further enacted, That the said Commissioners shall and they are hereby authorized and required to cause all or any of the said Roads, Streets, and public Places to be scraped, cleansed, and watered, when they or any of their Surveyors for the Time being shall think proper; and, for the Purpose of watering, to cause such a Number of Wells, Pipes, and Pumps to be dug, sunk, laid down, or set up in any of the said Roads, Streets, or Places as they shall think necessary, and from Time to Time to alter and repair the same as there shall be Occasion; and also to defray the Expences thereof out of the Monies to be raised by virtue of this Act: Provided that no such Well, Pipe, or Pump shall be sunk, laid down, or set up so as to injure any House or other Building in, or any Vault or Cellar made under, any of the said Roads, Streets, or other Places, nor so as in any Manner to interfere with or obstruct the Pipes now laid or hereafter to be laid down by the said *James Burton*, his Heirs and Assigns, for the Supply of Water to the said Town.

Commissioners may water the Streets, dig Wells, place Pumps, &c.

XXVII. 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 put or fixed upon or against the Walls or Palisadoes of any Houses, Tenements, Buildings, or Inclosures (doing no Damage or Injury thereto), or to be put up and erected in such other Manner, within all or any of the said Roads, Streets, and Places, as they shall think proper; and also to cause such Number of Lamps, of such Sizes and Sorts, to be provided and affixed upon such Lamp Irons and Lamp Posts, as they shall think necessary for lighting all or any of such Roads, Streets, and Places, and cause the same to be lighted with Gas, Oil, or otherwise, for such Number of

Lamp Irons to be put up, and Names of Streets to be affixed at the Entrances.

of Hours in every Twenty-four Hours as they shall think necessary; and also to cause such a Number of Watch-houses or Watchboxes to be provided, erected, or affixed as they shall think necessary for watching all or any of the Streets, Roads, and Places within the Limits of this Act; and also to cause the said Lamp Irons, Lamp Posts, and Watchboxes, and also the several Houses and other Buildings within the several Streets, Roads, and Places, to be numbered; and also to cause to be affixed, on a conspicuous Part of One or more House or Houses, Building or Buildings, at or near such End, Corner, or Entrance of such Streets, Roads, and Places respectively, the Names by which the same respectively are to be called or known, in such Manner as they shall judge most proper for distinguishing the same: Provided always, that nothing herein contained shall empower or authorize the said Commissioners to change any Name or Names, Number or Numbers, by which any Street, Road, Court, House, Pile of Buildings, or other Place within the said Town is now known or described.

Proviso.

Property of Carriageways, Materials, Lamps, &c. vested in the Commissioners.

XXVIII. And be it further enacted, That the Property of and in the Pavements of the Carriageways, Footways, Esplanades, and Walks within the Limits of this Act, (save and except of and in the Pavements of the Market hereafter authorized to be established, and of and in the Pavements of the Passages leading thereto,) and of and in the Gravel or Materials to be brought or laid on the Roads, Streets, and other Places within the Limits of this Act, and of and in all the Lamps, Lamp Irons, Lamp Posts, Watch-houses, Watchboxes, Pumps, Wells, Posts, Chains, Pales, Rails, and Fences, in, about, and belonging to the said Roads, Streets, and Places, or any of them, and of and in all the Iron, Timber, Stone, Bricks, and other Materials and Furniture, and Things, of, in, and belonging thereto (except when the same shall be otherwise regulated by Contracts with the said Commissioners), shall be and the same are hereby vested in the said Commissioners, and may be sold and disposed of from Time to Time as they shall think proper, and the Money arising by such Sale or Sales shall be applied towards the Purposes of this Act; and the said Commissioners are hereby authorized and empowered to bring or cause to be brought any Action or Actions, in such Name or Names or Manner as herein is provided, or to prefer or order and direct the preferring any Bill or Bills of Indictment against any Person or Persons who shall steal, take, or carry away (as the Case may be) all or any Part of such Pavements, Lamps, Lamp Irons, and Lamp Posts, Watch-houses, Watchboxes, Iron, Timber, Stone, Bricks, Furniture, Pumps, Posts, Chains, Rails, or other Materials and Things as aforesaid; and in all such Actions or Bills of Indictment it shall be and be deemed and taken to be sufficient to state generally that the Article or Articles, Thing or Things, for or on account of which such Action or Actions shall be brought, or such Bill or Bills of Indictment preferred, is or are the Property of the Commissioners of the Town of *Saint Leonard*, without particularly stating or specifying the Name or Names of all or any of the said Commissioners.

Penalty for wilfully destroying or injuring Lamps, or

XXIX. And be it further enacted, That if any Person shall wilfully break, throw down, spoil, or damage any Watch-house or Watchbox, or Lamp, Lamp Iron, Lamp Post, Pump, Pale, Rail, Chain, or other Furniture thereof, or wilfully extinguish the Light of any such Lamp, or deface

deface or obliterate any such Name or Number, or any Part thereof, it shall be lawful for any Person who shall see the Offence committed to apprehend, and also for any other Person to assist in apprehending, the Offender or Offenders, and by the Authority of this Act, and without any other Warrant, to keep him, her, or them in safe Custody, and with all reasonable Dispatch to convey him, her, or them before any Justice of the Peace for the said Town and Port of *Hastings;* and such Justice shall examine upon Oath any Witness or Witnesses who shall appear or be produced to give Evidence touching such Offence; and if the Party accused shall be convicted of any such Offence, either by his, her, or their Confession, or upon such Evidence as aforesaid, he, she, or they shall forfeit or pay any Sum not exceeding Forty Shillings for every Lamp, Lamp Iron, or Lamp Post so broken, thrown down, or damaged, and shall also make full Satisfaction for the Damage which shall have been done thereby, and not exceeding Five Pounds for any other such Offence as aforesaid, and shall also make full Satisfaction for the Damage which shall have been done thereby; and one Moiety of such Forfeiture shall be paid to the Person or Persons apprehending such Offender, and the other Moiety shall be applied for the Purposes of this Act; and in case any such Offender shall not on Conviction pay the said Forfeiture and Satisfaction, such Justice is hereby required to commit him, her, or them to the Common Gaol or House of Correction of the said Town and Port of *Hastings*, there to be kept to hard Labour, if such Justice shall so order, for any Time not exceeding Three Calendar Months, unless such Forfeiture and Satisfaction shall be sooner paid.

defacing Numbers.

XXX. And be it further enacted, That if any Person shall carelessly or accidentally break any of the said Lamps, Lamp Posts, or Lamp Irons, or do any other such Damage or Injury as herein-before is mentioned, and shall not upon Demand make Satisfaction to the said Commissioners for the Damage or Injury so done, it shall and may be lawful for any Justice of the Peace, upon any Complaint thereof made to him on Oath, to summon the Party complained of, and upon hearing the Parties upon both Sides, or on the Non-appearance 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 for such Damage, as such Justice shall think reasonable; and in case of Neglect or Refusal forthwith to pay such Money, then the same, and all Expences attending the Recovery thereof, may be levied and recovered as any Penalty or Forfeiture is by this Act directed to be levied and recovered in other Cases.

How Persons accidentally breaking Lamps are to be dealt with.

XXXI. And be it further enacted, That all and singular the Carriageways, Footways, and other public Ways within the Limits of this Act (save as aforesaid), and subject to the free Use and Enjoyment thereof by all the Inhabitants within the same Limits, and by all other His Majesty's Subjects, to be used as and for public Ways only, and also all Groyns, Sea Walls, and other Works already erected and built, or hereafter to be erected and built, within the Limits of the said Town, for preventing the Encroachments of the Sea, shall respectively, from and immediately after the passing of this Act, be and remain vested in the Commissioners for the Time being for carrying this Act into execution: Provided always, that nothing herein contained shall be deemed to vest in the said Commissioners any Right, Property, or Interest in any Part of

Carriageways, Footways, &c. vested in the Commissioners, subject to the Use and Enjoyment thereof by the Inhabitants.

the Beach or Strand in front of the said Town, within Three hundred and five Yards Eastward of the South-western Extremity of the said Town.

Nothing herein to prevent the laying down or repairing of Water Pipes.

XXXII. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend so as to hinder or prevent the said *James Burton*, his Heirs or Assigns, or the Proprietors for the Time being of the Reservoirs, Waterworks, Pipes or other Aqueducts for the Supply of Water to the said Town or the Inhabitants thereof, from laying down, repairing, taking up, or continuing, at such Places within the Limits of this Act, and in such Manner, as he and they shall find necessary or expedient, any Water Pipes, Aqueducts, or other Works for supplying the Inhabitants, or any Houses or Buildings within the said Town, with Water, or so as to hinder or prevent the said *James Burton*, his Heirs or Assigns, or such Proprietors for the Time being as aforesaid, from breaking up any Part of the said Carriageways or Footways for all or any of such Purposes, subject to the Directions and Provisions in this Act contained.

Commissioners may make Public Drains, &c.

XXXIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, at any Time or Times 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 public Places within the said Limits, any new Common Sewers, Tunnels, Gutters, Drains, Sinks, Ditches, or Watercourses, for the more effectually draining and cleansing the District comprised within the said Limits, 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 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 such Common Sewers, Tunnels, Gutters, Sinks, Drains, Ditches, or Watercourses, shall be borne by the whole District, without any separate Apportionment, and shall be paid by the said Commissioners out of the Rates herein-after authorized to be raised.

Private Drains to be repaired and cleansed at the Expence of Owners.

XXXIV. And be it further enacted, That all private Drains which now are or by Permission of the said Commissioners shall hereafter be made, within or into any of the said Streets, Lanes, Ways, Passages, or public Places, and which do or shall issue into or communicate with any of the Common Sewers, or public Tunnels, Gutters, Sinks, Drains, Ditches, or Watercourses, shall be repaired and cleansed under the Inspection and Direction of the Surveyor or Surveyors, or other proper Officer for the Time being of the said Commissioners, at the Costs and Charges of the Owner or Owners, Occupier or Occupiers of the Houses, Lands, or Tenements to which such private Drains do or shall respectively belong.

In case of Neglect, Surveyor may cleanse and make

XXXV. 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 public Places, or the Channels thereof, and in case the Owner or Owners, Occupier or Occupiers of the Messuages, Buildings, Lands, or Tenements from or in 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 Ten Days next after he, she, or they 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 or Places of Abode of such Owners or Occupiers, and in case such Owners or Occupiers shall not reside within the Limits of this Act, or within the Distance of One Mile therefrom, then at the Messuage, Building, Land, or Tenement to which such Sink or Cesspool belongs, it shall and may be lawful to and for the said Commissioners, or their Surveyor or Surveyors for the Time being, or any other Person or Persons 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 upon any of the present or future Streets, Ways, Lanes, Passages, or public Places within the said Limits, 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 within the said Limits, 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 Owners, Occupier or Occupiers, within Seven Days next after Demand made; and in case of Nonpayment of such Costs, Charges, and Expences, the same shall be levied by Distress and Sale of the Goods and Chattels of such Owner or Owners or Occupier or Occupiers, under the Authority of a Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace acting for the said Town and Port of *Hastings*: Provided always, that in case the Costs, Charges, and Expences 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 or Occupiers, it shall be lawful for him, her, or them to deduct or retain the same out of his, her, or their Rent; and the Proprietor or Proprietors, Landlord or Landlords, is and are hereby required to allow the same accordingly to such Occupier or Occupiers.

private Drains, and charge the Costs thereof to the Owners.

XXXVI. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby fully authorized, in Law, if they should think right and proper, from Time to Time to adopt any Agreement or Agreements heretofore entered into by the said *James Burton* with any Person or Persons, Company or Companies whatsoever, for lighting the Streets, Roads, Passages, and other Places in the said Town of *Saint Leonard*, or for forming or repairing any Footways, Carriageways,

Power for Commissioners to adopt Agreements, and to contract for the Works directed to be done by this Act.

ways, Esplanades, or Sea Walls within the Limits of this Act, and to accept a Transfer and Assignment of all the Estate, Right, and Interest of the said *James Burton* in and under such Agreements respectively, subject to the Clauses and Conditions respectively contained therein, and to indemnify him therefrom; and also from Time to Time to enter into any Contract or Contracts with any Person or Persons, Company or Companies whatsoever, for paving, making, or repairing the Footways, Carriageways, Esplanades, or Walks within the Limits of this Act, or any of them, with Stone, Gravel, or other Materials; or for draining or cleansing, or for watering the said District, and the said Streets, Roads, and Ways, and other Places therein, or any of them; or for taking away, collecting, and removing the Dirt, Dust, Cinders, and Ashes within the Limits of this Act; or for lighting the same Streets, Roads, and other Places, or any of them, or any Part thereof, either with Oil or with Gas, or with any other Material, or in any other Manner whatsoever; or for furnishing Lamps, Lamp Irons, Lamp Posts, Watchboxes, Posts, Chains, Pales, Rails, and other Things necessary for the Purposes aforesaid, or any Materials for the same, or for doing and performing all or any of the Works by this Act authorized or directed to be done and performed by them, or for supplying any of the Materials for the same; which Contract or Contracts shall specify the several Works to be done and the Prices to be paid for the same, and the Time or Times when the same Works shall be completed, and the Penalties to be suffered in case of Nonperformance thereof, and shall be signed by Five or more of the said Commissioners, and also by the Person or Persons contracting to perform such Works respectively; which Contract or Contracts, or a Copy or Copies thereof, shall be entered in a Book to be kept for that Purpose by the said Commissioners; but no Contract above the Value of Fifty Pounds shall be entered into unless previous to the making of any such Contract Fourteen Days Notice at the least shall be given in One or more of the Public Newspapers published in the County of *Sussex*, expressing the Intent of entering into such Contract, in order that any Person or Persons willing to undertake the same may make Proposals for that Purpose, to be offered and presented to the said Commissioners at a certain Time and Place in such Notice to be mentioned: Provided always, that if the said Commissioners shall be of opinion that it will not be advantageous to contract with the Person or Persons offering the lowest Price, it shall be lawful for the said Commissioners to contract with such other Person or Persons as they shall think proper: Provided always, that where any Work or Business, or Materials, to be done, found, or provided for the Purposes of this Act, shall be reasonably supposed to amount to or exceed the Sum of Fifty Pounds, the said Commissioners shall and they are hereby required to enter into a Contract or Contracts for the Performance or Delivery thereof.

Surveyors to inspect Works contracted for.

XXXVII. And be it further enacted, That the said Commissioners shall cause all and every the Works to be done in pursuance of this Act to be inspected by the Surveyor or Surveyors, or by such other Person or Persons as they shall for that Purpose appoint; and in case the same shall not be well and sufficiently performed, according to the Terms, Intent, and Meaning of such Contract or Contracts, or shall not be finished or completed at or within the Time or Times specified in such Contract or Contracts, then the said Commissioners may cause an Action to be brought

brought in any of His Majesty's Courts of Law at *Westminster*, against any such Contractor or Contractors, for any Penalty contained in his or their Contract or Contracts; and on Proof of his or their signing the said Contract or Contracts, or Nonperformance thereof, at the Time or Times for that Purpose to be therein mentioned, the said Commissioners shall be entitled to and shall recover the full Penalty contained in any such Contract or Contracts, which, when recovered, shall be applied for the Purposes of this Act: Provided always, that it shall be lawful for the said Commissioners (if they think fit) to compound and agree with any Contractor or Contractors for any Penalty incurred by him or them for the Breach or Nonperformance of any such Contract or Contracts, for such Sum or Sums of Money as the said Commissioners shall think proper, not being less than the Injury or Damage sustained by the Breach or Nonperformance of such Contract or Contracts, and all Costs, Charges, and Expences which shall be occasioned thereby; and it shall be lawful for the said Commissioners to cancel or make void any Contract or Contracts with any Person or Persons whomsoever, by mutual Consent, if they shall think proper.

Gas Pipes not to be laid on private Premises without Consent.

XXXVIII. And be it further enacted, That nothing herein contained shall extend or be construed to extend to authorize or empower the said Commissioners, or any Body or Bodies Politic or Corporate, or Person or Persons contracting with the said Commissioners for lighting with Gas such Roads, Streets, and public Places, to carry or lay any Pipe or Pipes, Cocks or Branches from any Mains or Pipes, against, into, or through any Dwelling House or Dwelling Houses, public or private Buildings, or to continue the same, without the Consent in Writing of the Owner or Owners and Occupier or Occupiers for the Time being of such Dwelling House or Dwelling Houses, public or private Buildings respectively, nor to enable any Body or Bodies Politic or Corporate, or Person or Persons, contracting with the said Commissioners for lighting such Streets and public Places, to enter into or upon any private Lands or Grounds, without the Consent in Writing of the Owner or Owners, Occupier or Occupiers of such Lands or Grounds for that Purpose first had and obtained.

For stopping the Escape of Gas.

XXXIX. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up by Order of the said Commissioners in pursuance of this Act, the Body or Bodies Politic or Corporate, or Person or Persons whomsoever, making, furnishing, or supplying any Gas used or burnt for lighting any Highway, Street, or Place, or any Houses, Buildings, or other Premises within the Limits of this Act, shall, at their own Expence, immediately after receiving Notice by Parol or in Writing, to be given or left at their Office or usual Place of transacting their Business, of any such Escape of Gas, from any Person or Persons, cause the most speedy and effectual Measures to be taken to stop or prevent such Gas from escaping; and in case the said Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, shall not, within Twenty-four Hours next after such Notice by Parol or in Writing being given of any such Escape of Gas, effectually stop and prevent the Gas from escaping, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the said Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Five

Pounds for each and every Day after the Expiration of Twenty-four Hours from the Time of giving any such Notice during which the Gas shall be suffered to escape as aforesaid; which Penalty shall from Time to Time be recoverable in a summary Way on the Oath or Affirmation of One or more credible Witness or Witnesses, before One or more Justice or Justices of the Peace for the said Town and Port of *Hastings*; and shall and may be recovered, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of any such Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, by the Warrant of any Justice or Justices of the Peace as aforesaid, to be granted in like Manner and subject to the like Provisions as are herein directed touching other Penalties to be recovered by virtue of this Act.

Penalty for conveying Washings into any Stream, &c.

XL. And be it further enacted, That if any Body or Bodies Politic or Corporate, Company or Companies of Proprietors, or any other Person or Persons whomsoever, making, furnishing, or supplying any Gas used or burnt for lighting any Highway, Street, or Place, or any House, Building, or other Premises within the Limits of this Act, 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 made in the Prosecution of the said Gas Works, into any running Stream, Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, or Spring Head, or into any Drain, Sewer, or Ditch communicating with any of them, or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any of them, whereby the Water contained therein, or any Part thereof, shall or may be spoiled, fouled, or corrupted, then and in every such Case any such Body or Bodies Politic or Corporate, Company or Companies of Proprietors, or other Person or Persons as aforesaid, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than One Imparlance, shall be allowed; and such Penalty shall be paid to the Person or Persons who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Six Calendar Months after the Time when such Annoyance, Injury, Damage, Act, or Thing shall have ceased; provided also, that over and above and in addition to the said Penalty of Two hundred Pounds (and whether such Penalty shall or shall not be sued for or recovered), in case any of the said Washings or other waste 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 running Stream, or any Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, or Spring Head, or into any Drain, Sewer, or Ditch communicating with any of them, or any such Annoyance, Nuisance, Injury, Damage, 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 or Persons whomsoever to the said Body or Bodies Politic or Corporate, Company or Companies of Proprietors, or any of them, or other Person or Persons making, furnishing, or supplying any Gas used or burnt for lighting any Highway, Street, or Place, or any

House, Building, or other Premises within the Limits of this Act, and such Body or Bodies Politic or Corporate, Company or Companies of Proprietors, or other Person or Persons, shall not, within Twenty-four Hours after such Notice given, stop and prevent all and every such Washings, waste Liquids, noisome or offensive Liquids, Substances, or Things, from being drained, conducted, or conveyed, or from running or flowing in manner aforesaid, and every such other Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case the said Body or Bodies Politic or Corporate, Company or Companies of Proprietors, or other Person or Persons, so offending, shall forfeit and pay the Sum of Twenty Pounds for each and every 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, Nuisance, Injury, or Damage, Act or Thing, shall be so done or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered and levied in like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered and levied, and shall be paid to the Informer or Informers, or to the Person or Persons who in the Judgment of the Justice or Justices before whom the Conviction shall take place shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed.

Gas Pipes to be laid Two Feet from Water Pipes, and in a particular Manner.

XLI. And be it further enacted, That all and every the Pipes or other Conduits hereafter to be laid for the Conveyance in, under, through, along, across, or round any Road, Street, or other Place within the Limits of this Act shall be so laid at the greatest practicable Distance, and whenever the Width of the Carriageway in such Street 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 Roads, Streets, or other Places within the Limits of this Act, 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 Cases the said Gas Pipes so crossing the said Water Pipes shall be at least Seven 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 Three Feet at least; and in laying down the said Gas Pipes the said Contractor or Contractors, or other Person or Persons supplying Gas, shall in no Case join Two 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 properly form the Jointing with the other Pipes to be added thereto with proper and sufficient Materials, and shall also make and keep all and every such Pipes, and all Pipes connected or communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively, air-tight, and in all and every respect prevent the said Gas from escaping therefrom and from every Part thereof, upon pain of forfeiting for every Offence the Sum of Twenty Pounds.

XLII. And

To prevent Escape of Gas and Contamination of Water.

XLII. And be it further enacted, That whenever the Water used for supplying the Inhabitants of any Houses within the Limits of this Act shall be contaminated by any Gas used or burnt for lighting any Highway, Street, or Place, or any House, Building, or other Premises within the Limits of this Act, the Body or Bodies Politic or Corporate, or Person or Persons, making, furnishing, or supplying such Gas, shall forfeit and pay the Sum of Twenty Pounds, to be sued for and recovered as any Penalty is hereby directed to be sued for and recovered, and shall be applied to and for the Use and Benefit of the Company, Person, or Persons supplying Water as aforesaid; 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 Body or Bodies Politic or Corporate, Company or Companies of Proprietors, or other Person or Persons, making, furnishing, or supplying such Gas, shall within Twenty-four Hours next after the Notice thereof in Writing, signed by the Person or Persons supplying such Water, or by any Person making use of such Water, to be left at the usual Office or Place of transacting Business of the said Body or Bodies Politic or Corporate, or other Person or Persons, 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 so supplied as aforesaid; and in case the said Body or Bodies Politic or Corporate, or other Person or Persons, making, furnishing, or supplying Gas, shall not, within Twenty-four Hours next after each and every such Notice so left as aforesaid, effectually stop and prevent the Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent all and every such Contamination whereof Notice shall be given as aforesaid, then the said Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, shall on each and every Complaint forfeit and pay to the Person or Persons so supplying Water as aforesaid, for the Use and Benefit of such Person or Persons, over and above the before-mentioned Penalty of Twenty Pounds, the Sum of Ten Pounds for each and every Day during which the Water so supplied as aforesaid shall be and remain contaminated or affected by such Gas; and in default of Payment thereof as aforesaid such Penalty or Penalties shall and may be recovered by Information, to be exhibited on the Oath of One credible Witness by and in the Name of such Person or Persons so supplying Water as aforesaid, at the Option of the Parties prosecuting such Information, against the said Body or Bodies Politic or Corporate, or other Person or Persons, making, furnishing, or supplying Gas, before any Justice of the Peace for the said Town and Port of *Hastings*, with Costs, to be assessed by such Justice, and to be levied by Distress and Sale of the Goods and Chattels of the said Body or Bodies Politic or Corporate, or other Person or Persons, making, furnishing, or supplying such Gas, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of such Justice, which Warrant such Justice is hereby empowered to grant; and such Penalty or Penalties, when so levied, shall be paid to the Person or Persons so supplying Water as aforesaid, for the Use of such Person or Persons.

For ascertaining if the Water be contaminated.

XLIII. And be it further enacted, That in any Case in which it shall be or become a Question upon such Complaint as aforesaid whether the said Water be contaminated or affected by the Gas of the said Body or Bodies Politic or Corporate, or other Person or Persons, making, furnishing,

nishing, or supplying any Gas used or burnt for lighting any Highway, Street, or Place, or any House, Building, or other Premises within the Limits of this Act, it shall be lawful for the Owners or Proprietors of any Waterworks, or other Works or Reservoirs for the Supply of Water to the said Town, to dig to and about and search and examine the Mains, Pipes, Conduits, and Apparatus of the said Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, for the Purpose of ascertaining whether such Contamination proceed or be occasioned by the Gas of the said Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid; and if it shall appear that the said Water has been contaminated by any Escape of Gas as aforesaid, the Costs and Expences of the said digging, searching, and Examination, and of the Repair of the Pavement of the Roads, Street or Streets, or other Place which shall be taken up or disturbed, shall be borne and paid by the said Body or Bodies Politic or Corporate, or Person or Persons as aforesaid; which Costs and Expences of digging, Search, and Examination shall be ascertained and determined, if necessary, by such Justice as aforesaid, and be recovered in like Manner as any Penalty 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 such Escape of Gas from any of the Mains, Pipes, or Conduits of the said Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, then and in such Case the Owners or Proprietors of such Waterworks or Reservoirs shall bear and pay all the Costs and Expences of such Search, Examination, and Repair as aforesaid, and shall also make good to the said Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, any Loss, Injury, or Damage which may be occasioned to the said Mains, Pipes, Conduits, or Apparatus of the said Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, in and by such Search and Examination; the Amount of such Injury, Loss, or Damage to be ascertained and determined by such Justice or Justices of the Peace as aforesaid.

Persons supplying Gas liable to be indicted for a Nuisance.

XLIV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent any Person from proceeding by Indictment or otherwise against any of the Officers, Servants, or Workmen of the Body or Bodies Politic or Corporate, or other Person or Persons whomsoever, making, furnishing, or supplying any Gas used or burnt for lighting any Highway, Street, or Place, or any House, Building, or other Premises within the Limit of this Act, in respect of any Works or other Means which shall be employed by them or any of them in making the said Gas, and using the same in furnishing such Light as aforesaid, as a public or private Nuisance, or from bringing any Action against the said Body or Bodies Politic or Corporate, Company of Proprietors, or Person or Persons as aforesaid, or any of their Officers, Servants, or Workmen, for any Injury sustained by reason of any such Works, or the Use of the said Gas, or the Method of lighting therewith, whether such Injury shall proceed from the Preparation or the Use of the same Gas, or Method of lighting, or the Carelessness or Want of Skill of any of the Persons employed therein, or from any other Cause whatsoever.

Restrictions as to Owners of Water-works or Gas Companies breaking up Streets.

XLV. And be it further enacted, That so often as any Main or Pipe belonging to any Person, Persons, or Company who shall supply the Houses and Inhabitants of the said Town with Water, or belonging to any Gas Company, or Owners of Gas Works within any of the Streets or other public Places within the Limits of this Act, shall require to be repaired, the Surveyor or Clerk of the said Commissioners shall forthwith give Notice thereof in Writing to the Company or other Person to whom he apprehends the same to belong, which Notice shall be delivered at the Office or Counting-house of such Company or Person; and such Company or Person is hereby required within Twenty-four Hours to take up the Pavement and open the Ground where any such Repairs shall appear to be wanted; and if it shall appear that such Main or Pipe does not belong to the Company or Person to whom such Notice shall have been given, then the Company or Person so opening the Ground shall, within Twenty-four Hours after the Notice from the said Surveyor or Clerk of the said Commissioners shall have been given or left as aforesaid, give Notice thereof in Writing to the Company or other Persons to whom the said Main or Pipe shall appear to belong; and such last-mentioned Company or other Persons are hereby required, upon Demand, to make Satisfaction for the reasonable Costs and Charges of taking up such Pavement and opening such Ground, to the Company or Person giving Notice as aforesaid; and the Company or other Persons to whom the said Main or Pipe shall belong shall and are hereby required to cause the said Main or Pipe to be, within Forty-eight Hours, or with all convenient Expedition, effectually repaired; and as soon as the said Main or Pipe shall be so repaired, the said Company or other Persons to whom the Main or Pipe belonged shall immediately give Notice of such Repairs having been finished to the Inspector or Surveyor to be appointed by the said Commissioners, by Writing, to be delivered to him or left at his usual Place of Abode, and the said Commissioners shall and they are hereby required thereupon to fill in and ram down the Ground, and relay and reinstate the Pavement which shall have been opened and taken up for the Purpose of effecting such Repairs; and if any Pavement within any of the said Streets or other public Places shall be taken up for the Purpose of making or altering any Vault or Drain, or for any other Purpose, the Person causing the Pavement so to be taken up shall, as soon as the Purpose shall have been effected, immediately give Notice thereof in manner aforesaid to the Inspector or Surveyor to the said Commissioners; and the said Commissioners shall, upon such Notice being given, forthwith fill in and ram down the Ground, and relay and reinstate the Pavement which shall have been opened or taken up for the Purposes last mentioned; and unless the said Works shall be completed during the Day on which the said Works shall be commenced, the Person causing the Pavement to be so taken up shall and he is hereby required to cause any such Place where such Work shall remain unfinished to be properly fenced in, and lighted in the Night-time, so as to prevent any Accidents happening in consequence of such Works; and in case any Company or Person shall make Default in any of the Matters aforesaid, he shall for every such Default forfeit and pay any Sum not exceeding Five Pounds; and the Surveyor to the said Commissioners shall forthwith, upon receiving any such Notice as aforesaid, transmit the same to the Pavior or Person contracting with the said Commissioners to repair the Pavements within the said Streets and other public Places.

XLVI. And be it further enacted, That the Charges and Expences of filling in and ramming down such Ground as shall have been so opened as aforesaid, and of relaying, reinstating, and repairing the Pavement which shall have been so broken or taken up for the Purpose of repairing and amending any such Main or Pipe, or of altering any such Vault or Drain as aforesaid, or for any other Purpose, shall be reimbursed and paid to the said Commissioners, or to such Person as they shall appoint to receive the same, by the Company, or by the Treasurer or Clerk of the Company, or by the Person to whom such Main or Pipe shall belong, or by the Person causing any Pavement to be taken up as aforesaid, or by such other Person as is herein-before directed to bear and pay such Charges and Expences in case the Water so supplied as aforesaid shall be found to be contaminated with Gas as aforesaid, within Ten Days next after Demand made thereof in Writing signed by the Clerk of the said Commissioners, and delivered to or left at the last or usual Place or Places of Abode of the Person liable to pay the same; all which said Costs and Charges shall and may be recovered from the Person liable to pay the same in like Manner as any Penalty may be recovered by virtue of this Act.

Expences of relaying the Pavement to be borne by the Persons supplying Gas and Water.

XLVII. And be it further enacted, That the said Commissioners shall and they are hereby required to provide, either by Contract or otherwise, sufficient Numbers of Scavengers or Persons for the Purpose of cleansing the Streets, Roads, Lanes, Ways, Passages, and Places of and within the Limits of this Act; and the Scavengers or Persons employed in cleansing or who shall contract to cleanse the said Streets and Places shall, on such Days, and at or between such Hours as the said Commissioners shall from Time to Time appoint, sweep and collect together, and as soon as possible afterwards take, carry away, and remove, all Dirt, Dung, Dust, Cinders, Ashes, Filth, or Rubbish (except the Soil of or from any Privy) in and from such Streets and Places respectively, and from any House and Premises within the said Town, if required so to do by the Owner or Occupier thereof, and shall, by Sound of Bell or such other Means as the said Commissioners shall direct, give Notice of his or their Approach for the Purpose of taking away the Dirt, Dust, Dung, Cinders, Ashes, Filth, and Rubbish (except as aforesaid) from their respective Houses and Premises; all which Dirt, Dust, Dung, Cinders, Ashes, Filth, and Rubbish, as well as all such as may be swept up and collected together as aforesaid, the said Scavengers or other Persons shall 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 Neglect; and if any such Scavenger, or Person acting or employed as such, shall not cause the Words "Scavenger's Cart" to be painted in large Roman Letters on some conspicuous Part of the Carts or Carriages which he shall use for the Purposes aforesaid, or shall wilfully sweep, put, or throw Dust, Dirt, Ashes, Filth, or Rubbish into any of the Sewers, Drains, Sinks, or Watercourses within the said Town, every such Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Commissioners to appoint Scavengers; their Duty.

XLVIII. And be it further enacted, That if any Person other than the Person employed by or contracting with the said Commissioners for cleansing the Streets and Places within the said Town, or those employed under

Persons unauthorized not to take Ashes, &c.

under the Person so employed in 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 Place, or any Dust, Dirt, Cinders, or Ashes from any House or other Premises, save as aforesaid, within the said Town, he shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

No offensive Materials to be thrown into the Streets, &c.

XLIX. And be it enacted, That no Person shall throw, sweep, cast, deposit, place, lay, or leave, or cause to be thrown, swept, cast, deposited, placed, laid, or left, any Night Soil, Offal, Muck, Entrails of Fish, putrid Fish, Oyster Shells, Bones, broken Glass, China, or Earthenware, Dust, Dirt, Dung, Ashes, Refuse of Vegetables, Soap Suds, Filth, or any putrid, unwholesome, or offensive Matter or Materials whatsoever, in or into or upon any of the Streets, Roads, Lanes, Ways, Passages, or Place (or in or into any open Place within Twenty Feet therefrom) within the said Town, or on the Sea Beach above Low-water Mark, or into the Sewers, Channels, Drains, Sinks, or Watercourses within the said Town, on pain of forfeiting for every such Offence any Sum not exceeding Forty Shillings.

Exceptions as to Ashes during Frost, building Rubbish, &c.

L. Provided always, and be it enacted, That no Person shall be liable to the said Penalty for or on account of placing, laying, or leaving in the said Streets or Places any Sand or Ashes in the Time of Frost to prevent Accidents, or Dung or Straw or other proper Material in the Time of Frost to prevent the Water Pipes from freezing, or Straw or other proper Material, under the Controul or Direction of the said Commissioners or their Surveyor, in case of Illness, to prevent Noise; or on account of any Rubbish or Dirt necessarily occasioned by the building, pulling down, altering, or repairing of any House or Building, in case there be sufficient Space left in the Street or Place where such Rubbish or Dirt shall or may be placed for Carriages to pass and repass with Ease and Safety, and a sufficient Way kept clean for Foot Passengers to pass and repass at all Times, and so as a sufficient Light be kept and maintained at the Place between the Hours of Sunset and Sunrise, and so as the same be inclosed in such Manner as the said Commissioners or their Surveyor shall direct, and so as such Rubbish and Dirt be removed at the Expence of the Person so laying or causing the same to be laid, within ~~such Time as shall be~~ expressed in any Notice to be given by the Commissioners or their Surveyor for that Purpose.

Foot Pavements to be swept.

LI. And be it enacted, That every Owner or Occupier of any House, Tenement, Warehouse, Shop, Shed, Yard, Coalhouse, Stable, or other public or private Building, in any of the Streets and Places within the said Town, shall and he is hereby required to cause the Footways or Pavements adjoining his or her Premises to be well and sufficiently swept, scraped, and cleansed every Morning in the Year, between the Hours of Six and Ten of the Clock of every Day, and shall also cause the Dirt, Dust, and Soil therefrom to be left on the Road clear of the Water Channel, upon pain of forfeiting and paying for every Neglect therein any Sum not exceeding Twenty Shillings; and the Footways or Foot Pavements adjoining unoccupied Premises within the said Town shall be swept and cleansed by the Scavengers to be employed as aforesaid, and every such Scavenger shall forfeit and pay the like Sum for every Neglect therein: Provided always, that in case it may appear expedient to the said Com-

Commissioners may

missioners

missioners to take the Charge of sweeping and cleansing the said Foot-ways or Foot Pavements upon themselves, it shall be lawful for them to employ the public Scavengers to sweep and clean the same.

Commissioners to cause the Foot Pavements to be swept.

LII. And be it further enacted, That if any Person shall empty or begin to empty any Privy or Water Closet, or to take away any Night Soil, Offal, Muck, Entrails of Fish, putrid Fish, or other noisome or offensive Materials, Matters, or Things (except Horse and Cow Dung), from any House, Building, or Place within the said Town, or shall carry or convey, or cause to be carried or conveyed, any such Night Soil, or other noisome or offensive Materials, Matters, or Things, in or through any of the said Streets, Roads, Lanes, Ways, Passages, or Places, except between the Hours of Twelve o'Clock in the Night and Five o'Clock in the Morning from *Lady Day* to *Michaelmas Day* in every Year, and between Eleven o'Clock at Night and Six o'Clock in the Morning from *Michaelmas Day* to *Lady Day* in every Year, or such other Time as the said Commissioners shall direct or appoint, or if any Person shall wilfully or negligently put or cast or spill, or cause or suffer to be put or cast or spilled, any such Night Soil, or other noisome or offensive Materials, Matters, or Things, in or on any of the said Streets or Places, or into any of the Sewers, Sinks, Drains, Gratings, or Watercourses within the same, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Time appointed for emptying Privies, &c.

LIII. And be it enacted, That in case any Slaughter House, Hogsty, Boiling House for Offal, Melting House for Fat or Tallow, Soap House, Necessary House, or Manure Heap, Dung Heap, open Sewer, Cesspool, or other noisome or offensive Building, Place, or Matter whatsoever, in or near any of the said Streets, Roads, Lanes, Ways, Passages, or Places within the said Town, shall by the said Commissioners be deemed a Nuisance to any One or more of the Inhabitants or Persons residing within the same, it shall be lawful for the said Commissioners, upon Complaint thereof made to them by any such Inhabitant or other Person, and after due Investigation of such Complaint, by a Notice under the Hand of any Five of the Commissioners or of their Clerk, to order that every such noisome or offensive Building, Place, or Matter be remedied or removed; and in case the same be not remedied or removed within Five Days after such Notice shall have been given to the Owner or Occupier of the Premises wherein such Nuisance or Annoyance shall be situate or arise, or to the Person who ought to abate or remove the same, then every such Owner, Occupier, or other Person 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, unless an Appeal, as herein-after mentioned, shall be prosecuted with Effect against such Order of the said Commissioners; and in case Notice of any such Appeal shall be given, the said Penalty shall not be inflicted until after the said Appeal has been decided.

Slaughter Houses or other offensive Places may be removed.

LIV. And be it further enacted, That the several Owners or Occupiers of Houses, Buildings, and Premises situate in the several Streets, Roads, Lanes, Ways, and other public Passages or Places within the said Town, and every of them, are hereby authorized and required, at their Expence respectively, within Thirty Days next after their respectively receiving

Projections to be removed by Occupiers.

Notice in Writing from the said Commissioners, to cause all and every the Penthouses, Porches, Sheds, projecting Windows, Palisades, Rails, Posts, Fences, Steps, Cellar Windows, Cellar Doors, Hatchways, Signs, Sign Posts, Shewboards, and other Obstructions and Projections whatsoever, which shall hereafter be erected, affixed, set up, laid down, 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 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 forthwith done, and the Costs and Charges attending the same 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 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; provided further, that nothing herein contained shall extend to any Bay Window, Balconies, or Verandas of and belonging to any Houses already erected or hereafter to be erected within the said Town, not projecting beyond the Areas of the respective Houses to which they may respectively belong.

Water from the Roofs of Houses to be carried off by Pipes.

LV. And be it further enacted, That the Owner or Occupier of every House or other Building in the said several Streets, Roads, Lanes, Ways, Passages, or Places, shall, within Twenty-one Days next after Notice from the said Commissioners, given to him for the Purpose, put up and place, and for ever afterwards keep in repair, a Shoot 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 down to the Ground, so as to carry off or conduct the Water from the Roof of such House or Building upon or underneath the Foot Pavement, as the said Commissioners shall think proper, into the common Channel, and so as to prevent the Water from falling upon or incommoding Foot Passengers; and if any such Owner or Occupier shall neglect or refuse to put up or place, or neglect to repair, any Shoot, Trough, Pipe, or Trunk as aforesaid, then and in every such Case the said Commissioners may cause the same to be forthwith put up, placed, or repaired, and may recover the Expence thereof from the Owner or Occupier of such House or Building; and the Occupier of any such House or Building holding the same at Rack Rent, having either paid the Expence of putting up, placing, or repairing any such Shoot, Trough, Pipe, or Trunk in the first instance, or having repaid the said Commissioners for so doing, shall and may deduct and

retain the same Amount thereof out of his Rent, and the Proprietor or Person entitled to the Rent is hereby required to allow the same accordingly.

Buildings may be advanced so as to improve Streets.

LVI. Provided always, and be it enacted, That it shall be lawful for the said Commissioners to admit any Buildings to be advanced for the Purpose of improving and conforming to the general Line of the Street or Place in which such Building shall be situate, or of the Buildings adjacent thereto.

Power to compensate Owners of Buildings set back to improve Streets.

LVII. And be it enacted, That where any House or Building shall be in the whole or in part altered, amended, or rebuilt, pursuant to the Provisions herein contained, and by reason whereof the Owner or Proprietor of such House or Building shall have suffered Loss or Damage, it shall be lawful for the said Commissioners and they are hereby required to make such reasonable Compensation to such Owner or Proprietor for such Loss or Damage as to them the said Commissioners shall seem reasonable and proper; and if any such Owner or Proprietor shall be dissatisfied with the Compensation so awarded to him by the said Commissioners, the same shall be ascertained by the Determination of not less than Two Justices at any Petty Sessions to be held in or for the said Town and Port of *Hastings*.

Houses building or repairing to be fenced in.

LVIII. And be it enacted, That when at any Time hereafter, by reason of the erecting, building, altering, repairing, or enlarging any House, Wall, or Building within the said Town, 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, or 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 House, Wall, or Building shall refuse or neglect to fence in and inclose the same according to such Orders and Directions, 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.

No Vaults or Drains under the Footways, &c. without the Consent of the Commissioners.

LIX. And be it enacted, That no Person shall make or build any Vault or Drain upon or under any of the 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 Town, without Leave of the said Commissioners first obtained for that Purpose, nor 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

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 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 Penalty, repay all the Charges and Expences thereof to the said Commissioners.

Gratings to be kept over Openings in the Pavements.

LX. And be it enacted, That where any Opening is now or shall hereafter be made in the Foot or Carriage Ways of any of the Streets or Places within the said Town, for the Purpose of conveying Coals or other Things into any Vault, Cellar, or Place, or for the Purpose of admitting Light into any Room, Cellar, or Place, or for any other Purpose, the Covering or Grating to such Opening shall be made at the Expence of the Person requiring the same, or of the Occupier of the Premises for the Use of which the same was made or required, of Iron or such other Materials, of such Dimensions and in such Manner and Form as the said Commissioners shall direct; and such Grating and Covering shall from Time to Time be repaired and altered at the like Expence of the Person requiring the same, or of the Occupier of the Premises for the Use of which the same shall be made or continued, and in such Manner and Form as the said Commissioners shall direct; and in case any Person shall neglect or refuse to make, repair, or alter such Grating or Covering according to such Direction, or shall cause or permit the same to be or remain not sufficiently secured or fastened, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, and also the further Sum of Twenty Shillings for every Day the said Offence shall be continued.

Penalty on leaving Apertures in Pavements open.

LXI. And be it enacted, That if any Door, Hatchway, Grate, Stone Plate, Coal Plate, Board, or other Covering giving Light or Air, or securing any Cellar, Coal Hole, Vault, Office, or other underground Room or Apartment, or any Area, Sewer, or other Aperture in or adjoining to any of the said Streets or Places, shall be left open, or without being properly secured, after Sunset and before Sunrise, without being sufficiently lighted and guarded in order to prevent Accidents happening therefrom, the Occupier of the Premises to which the same shall belong, or the Person who shall be guilty of any such Offence, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Power to stop up Drains from

LXII. And be it enacted, That it shall be lawful for the said Commissioners and they are hereby authorized and required to cause any Privy, or Drain from any Privy, Watercloset, or Cesspool, within the said Town, from

from or out of which any Water or Soil shall be suffered to run upon the Surface of the Beach, or the Surface of any other Part of the said Town, to be altered, diverted, stopped up, or removed, in such Manner as to them shall seem expedient, and to pay the Expences attending the same; and if any Water or Soil from or out of any Privy or Watercloset, or Drain from any Privy or Watercloset or Cesspool, shall hereafter be suffered to run on the Surface of the Beach, or on the Surface of any other Part of the said Town, the Owner or Occupier of the House or Premises to which such Privy, Watercloset, or Cesspool shall belong shall forfeit and pay for every Day the same shall continue any Sum not exceeding Forty Shillings: Provided always, that nothing herein contained shall authorize or empower the said Commissioners to stop up, obstruct, or remove any Common Drain or Sewer through or by means of which any Soil or Water now flows upon the said Beach, nor shall any Penalty be incurred by reason of any Soil or Water being permitted to flow through or be discharged by means of such Common Drain or Sewer.

any Privy communicating with the Common Sewers.

LXIII. And be it enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized, from and out of the Money to be raised by virtue of this Act, to purchase or provide Fire Engines, Pipes, Buckets, and other necessary Apparatus for extinguishing Fires, and to hire or purchase and keep 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 Horses, and to hire and employ during Pleasure a proper Number of Persons as Firemen to attend the same, and with such Wages or Salaries, and also to give to such Firemen or other Persons such Rewards for their Exertions in Cases 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 provide Fire Engines.

LXIV. And be it enacted, That if any Person shall run, draw, drive, carry, or take any Truck, Wheel Sledge, Wheelbarrow, Bier, Hand Barrow, Sedan Chair, or Carriage, or other Vehicle whatsoever, or any Ladder, Scaffolding Pole, Plank, Timber, or Bar of Iron, upon, over, or along any of the Footways or Foot Pavements within the said Town, except only for the Purpose of crossing the same, or drag thereon any Timber or Log of Wood, or any Stone or Metal, or roll thereon any Cask or Tub, except for the necessary loading or unloading thereof; or shall, in or upon any of the Esplanades, Footways, or Foot Pavements, public Streets, Roads, Lanes, Ways, Passages, or Places within the said Town, without the Consent of the said Commissioners, fix or use any Stall, Tent, Shed, or standing Place for the Exhibition or Sale of any Goods, Wares, or Merchandize, or shall therein or thereon unpack any Goods, Wares, or Merchandize; or shall hang out, place, or expose to Sale or Show, or for any other Purpose, any Meat, Vegetable, Clothes, Provisions, Goods, Wares, or other Commodities, or erect any Stall or Stallboard, or place any Showglasses or Showboards, in or upon or so as to project over or upon any Esplanade, Footway, or Carriageway, or beyond the Line of or on the Outside of the Window or Windows of the House, Shop, Building, or Premises at which the same shall be so hung out, placed, or exposed, or erected as aforesaid; or shall shoot or cast any Coals, Wood, or other Articles upon the said Esplanades,

For preventing Obstructions and Nuisances in the Streets.

nades, Footways, or Pavements, or Carriageways, and shall suffer the same to remain longer than is necessary for the Removal or housing the same; or shall beat, shake, or dust any Carpet, Cloth, Mat, or Rug in any of the said Streets or Places, or in any Manner obstruct the Passage of the said Esplanades, Footways, or Foot Pavements, by loitering thereon; or shall tie or fasten any Horse or other Beast, Swine, or Cattle to any House, Outhouse, Wall, Fence, Post, Tree, or Railing whatsoever, across any of the said Esplanades, Footways, or Foot Pavements; or shall set any Cask, Tub, Pail, Bucket, Stool, Bench, or Stall or other Thing on or in the said Esplanades, Footways, or Foot Pavements, or Carriageways; or shall erect, set up, put, or place any Blind, Shade, Coverlid, or Awning, or any other Matter or Thing, so as in any way to cause any Obstruction or Impediment in any such Esplanade, Footway, or Carriageway; or shall wilfully ride, drive, or lead any Horse or other Beast, Swine, or Cattle whatsoever on any of the said Esplanades, Footways, or Foot Pavements; or shall, in any of the said Streets or Places, burn, fire, scald, wash, dress, cleanse, or hoop any Cask, Pail, or Tub, or empty all or any of the Contents, Dregs, or Refuse of any Cask, Pail, or Tub; or shall, in any of the said Streets or Places, hew, saw, cut, or bore any Stone, Lead, Wood, or Timber, except for the Purpose of rebuilding, altering, or repairing some adjoining House or Building or wash, clean, make, or repair any Carriage whatsoever (Cases of Accident only excepted); or shoe, bleed, dress, clean, drive, turn, or leave loose and uncontrolled any Horse or other Beast, Swine, or Cattle, or cause or permit or suffer the same to be done; or if the Driver of any Carriage whatsoever shall, within any Part of the said Town, ride on the Shafts or in or upon any Part of such Carriage, or on any of the Horses or Cattle drawing the same, without guiding the same by Reins in his Hands; or if any Person shall drive any Cattle, or ride or drive any Horse or other Beast or Animal, or any Carriage whatsoever, in any Part of the said Town, in a violent, furious, dangerous, and improper Manner; or shall not, in riding or driving any such Horse or other Beast or Animal, or any Carriage whatsoever, keep the proper and customary Side of the Road, or otherwise wilfully or carelessly prevent other Persons from passing; or shall in any of the said Streets or Places show or expose for Sale or for Exhibition any Stallion, or any Horse or other Beast, Swine, or Cattle, or ride, drive, or lead the same in any Carriage or otherwise, for the Purpose of Exercise, or for the Purpose of breaking in the same (except in going out of or returning into the said Town); or shall therein or thereon sift, screen, wet, slack, or mix any Lime, or wet, mix, or make any Mortar, Plaster, or Cement (except with the Consent of the said Commissioners or their Surveyor); or shall therein play at the Game of Cricket, Trap Ball, Foot Ball, Fives, driving Hoops, Toss, Pitch, and Hustle, or any other Game; or shall therein or thereon wilfully and wantonly throw any Stone or other Missile, or make any Bonfire, or let off or fire any Crackers, Squibs, or other Fireworks or combustible Materials, or wantonly fire or let off any Gun or Pistol; or shall suffer any Mastiff, Bull Dog, or other ferocious Dog to go unmuzzled in any of the said Streets or Places; or if any Person shall wilfully or improperly impede or prevent any other Person from passing on any of the Footways or Foot Pavements in any of the said Streets or Places, or wilfully slide thereon during Frost, or commit any other Nuisance or Annoyance upon the same; or if any Person shall kill any Animal, or singe, scald,

dress, or cut up any Carcass, either wholly or in part, in or on any of such Streets or Places; or cause or permit any Blood, Soap Suds, Filth, or Soil, Gas, or any other unwholesome, noxious, or offensive Matter to flow, run, escape, or be cast or thrown from or out of any House, Outhouse, Building, Yard, or other Place, into or upon any of the said Footways or Foot Pavements, Streets, or Places; or shall hang out or expose, or cause or suffer to be hung out or exposed, any Linen, Clothes, or other Articles or Things whatsoever, to dry or air, in or on any Part of the said public Streets or Places, or on the Sea Shore; or if any Person shall affix any Posting Bill or other Paper to or against any Lamp Post, Column, or Pillar, or against any Dwelling House, Wall, Paling, Fence, or Building, without the Consent of the Owner or Occupier thereof, or write upon or otherwise deface or mark the same by means of Chalk, Paint, or any other Material; or make, excite, or join in any Brawl, or otherwise disturb the public Peace; or use any obscene, profane, or abusive Language in any of the said Streets or Places, or commit any public Nuisance or Annoyance whatsoever within the said Town; every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and it shall be lawful for any of the said Commissioners, or any Officer appointed by virtue of this Act, or for any Constable, to take away and remove any of the before-mentioned Obstructions, Nuisances, or Annoyances, in case the Person occasioning the same shall not remove the same within a reasonable Time, upon being requested so to do by any Person whomsoever: Provided nevertheless, that nothing in this Act contained shall extend to prevent any Person from spreading or laying down any Linen or Clothes, Sails or Net, or any other Article of Cloth or Linen, to dry or air on the Beach or Sea Shore to the Westward of a Line drawn at a Right Angle in a Southern Direction from the South-westernmost Extremity of the said Market towards the Sea; nor to prevent the said *James Burton*, his Heirs or Assigns, or any Person or Persons authorized by him or them, from drawing or causing to be drawn any Bathing Machine from the Sea Beach across the Esplanade now or hereafter to be formed in front of the said Town, and into the High Road there, or to prevent any or either of them from drawing up or permitting any such Bathing Machine to remain temporarily upon any Part of such Esplanade, when the Safety of such Bathing Machine would be endangered by Spring Tides or boisterous Weather, if the same were left on the Sea Beach; but the Proprietor for the Time being of every such Bathing Machine is hereby required, within Forty-eight Hours after Notice signed by any Three or more of the said Commissioners for that Purpose shall have been given to him, or left at his last known or usual Place of Abode, to remove the same off the said Esplanade; and in case such Bathing Machine shall not be removed accordingly, it shall be lawful for any of the said Commissioners, or any Officer appointed by virtue of this Act, or for any Constable, to take away and remove the same; and the Proprietor for the Time being of every such Bathing Machine who shall after such Notice neglect or refuse to remove his said Bathing Machine shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Not to prevent Persons from drying Clothes on the Beach to the Westward of a Line drawn Southward from the Market.

LXV. And be it enacted, That if any Waggon, Cart, Carriage, Coach, Sledge, Dray, Wheelbarrow, Truck, or any other Carriage or Vehicle, shall at any Time be left or suffered to be or remain, stay, stand, or

Carriages not to remain in the Streets

longer than necessary.

or continue, either with or without a Horse or Horses or other Cattle, in any of the Streets or Places within the said Town, for any longer Time than shall be necessary or reasonable for taking up or setting down Passengers or other Persons, or the loading or unloading thereof, or in case the same shall not during such Time be standing as near to that Side of the Street or Place at which the loading or unloading is to be performed as conveniently may be, or shall be set, placed, left, or be upon any Part of the Footways, Foot Pavements, or Crossing of any such Street or Place, or shall stand, be set, or placed athwart or across (although for the Purpose of loading or unloading the same) any Part of any such Street or Place, so that there shall not be sufficient Room left for another Carriage to pass; or if any Timber, Stone, or other weighty or heavy Article or Material whatsoever shall be drawn in or over any such Street or Place without being placed upon or suspended from a Sledge or Carriage for that Purpose; or if any Tree or Piece of Timber shall be hauled or drawn upon any Part of such Street or Place otherwise than upon or suspended from a Wheel Carriage, and without being attended by some Person beside the Carter, in order to prevent such Tree or Timber doing any Injury or Damage; or if any Goods, Wares, or Merchandize, Materials, or Things whatsoever shall be or remain in such Street or Place for a greater Space of Time than shall be necessary for housing or removing thereof; then and in every such Case the Owner or the Driver of every such Carriage as aforesaid, and the Owner of such Goods, Wares, or Merchandizes, Materials, or Things as aforesaid, or the Person causing such Annoyance, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; and any One of the said Commissioners or their Surveyor, or other their Officer, shall and may, either in the Day or by Night, seize or cause to be seized any such Carriage so suffered to be or remain, stay, stand, or continue as aforesaid, together with the Horses or Cattle in or drawing the same, or the Goods, Wares, or Merchandize, Materials, or other Things as aforesaid, and remove or cause the same to be removed, together with the Person having the Custody thereof, if he shall refuse to quit the same, to such secure Pound or other Place as shall be appointed by the said Commissioners for that Purpose, and the same shall be kept and detained until the Owner thereof shall pay or cause to be paid, to the Person in whose Custody the same shall then be, the Penalty in which such Person shall be convicted for the said Offence, together with the Costs and Charges of seizing, removing, and keeping the same; and in case the Carriage, Cattle, or other Articles so seized shall not be claimed, and the said Forfeiture, Costs, and Charges paid, within the Space of Twenty-four Hours next after such Penalty shall have been adjudged, the same shall be sold; and the Money arising from such Sale, after deducting the said Penalty, Costs, and Charges, and the Expences of such Sale, shall be paid to the Owner, on Demand.

Beasts wandering in the Streets to be impounded.

LXVI. And be it enacted, That if any Horse, Ass, or other Beast, Swine, or Cattle whatsoever shall at any Time be found loose or wandering about any of the Streets or Places within the said Town, it shall be lawful for any Person to seize, take, and impound the same in any Pound within the said Town, or in such other Place as the said Commissioners shall appoint, and the same there to detain until the Owner thereof shall, for a single Beast or Swine so taken and impounded at One Time, pay a Sum of Five Shillings to the Person impounding the same, and for any greater

greater Number than One Beast or Swine taken and impounded at One Time, One Shilling for every Beast or Swine beyond the first, in addition to the Sum of Five Shillings for the first Beast or Swine, over and besides the reasonable Charges and Expences of impounding and keeping the same; and in case the said Sums, Charges, and Expences shall not be paid within Three Days next after such impounding as aforesaid, it shall be lawful for the Pound Keeper, or such other Person as shall be appointed by the said Commissioners for that Purpose, on giving Twelve Hours previous public Notice of the intended Sale by the Public Crier of the said Town, to sell or cause the same to be sold; and the Money arising from such Sale, after deducting the said Sums, Charges, and Expences, and also the Expences of such Sale, shall be paid to the Owner of the Beast or Swine so sold, on Demand.

Penalty for Pound Breach or Rescue.

LXVII. And be it further enacted, That in case any Person shall release or attempt to release any Waggon, Cart, or other Carriage or Vehicle herein-before mentioned, or any Horse, Ass, Beast, Swine, or Cattle, which shall be seized for the Purpose of being impounded under the Authority of this Act, from the Pound or Place where the same shall be so impounded, or shall pull down, damage, or destroy the same Pound or Place, or any Part thereof, or any Lock, Bolt, or Fastening belonging thereto, or with which the same shall be fastened, or shall rescue or release, or shall attempt to rescue or release, any Distress or Levy which shall be made under the Authority of this Act, until or before such Waggon, Cart, or other Carriage or Vehicle, Horse, Ass, Beast, Swine, or Cattle seized or impounded, or such Distress or Levy so made, shall be discharged by due Course of Law, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

For preventing the spreading of Canine Madness.

LXVIII. And be it enacted, That it shall be lawful for any Two Justices, in case of Suspicion of the Existence or Prevalence of Canine Madness in the said Town or the Neighbourhood thereof, by an Order under their Hands and Seals to order or authorize any Person or Persons to be named in such Order, and such Person or Persons shall be and are hereby authorized accordingly, to destroy all Dogs which shall be found at large in any of the Streets or Places within the said Town, on the Expiration of Twelve Hours after Notice thereof shall have been given by the Public Crier in the said Town, and after a Notice shall have been posted up in the said Town, 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 Forty Shillings.

Power to appoint Watchmen and other Officers.

LXIX. And be it 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 Town, 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 the Nature of those Services shall to the said Commissioners appear to require; and also 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 Town 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 Town, 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 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 Town, and to arrest, apprehend, and detain in some convenient Place of Security within the said Town, 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 Justices of the Peace to be examined and dealt with according to Law; and in case any such Watchman, Beadle, or other Officer or Person shall misbehave himself or neglect his Duty, the Clerk for the Time being to the said Commissioners is hereby authorized to suspend such Watchman, Beadle, or other Officer or Person from the Execution of his Office, and appoint another Person to officiate therein until the next Meeting of the Commissioners, who shall examine into the Matter, and in case the said Commissioners shall confirm such Suspension, such Watchman, Beadle, or other Person shall moreover be liable to such Penalty for Misbehaviour as is herein-after expressed.

Penalty on Watchmen, &c. misbehaving.

LXX. 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 Power of Constables.

LXXI. And be it further enacted, That all Watchmen, Serjeants of the Night, and Patrols shall be sworn in as Constables before any Justice or Justices of the Peace for the said Town and Port of *Hastings*, and act as such while in execution of the Powers and Authorities of this Act; and they are hereby invested with and shall have and enjoy the like Powers and Authorities, Privileges and Immunities, and shall be subject and liable to such and the like Penalties and Forfeitures as any Constable or Constables is or are invested with, or shall or may have and enjoy, or is or are or shall be subject or liable to, by Law.

Penalty on Publicans harbouring

LXXII. And be it enacted, That if any Victualler, Publican, Retailer of Beer, or other Person selling Spirituous or other Liquors, shall knowingly entertain

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.

Watchmen during the Time of Duty.

LXXIII. And be it enacted, That if any Person shall assault, obstruct, hinder, or molest any of the said Commissioners, or any Treasurer, Clerk, Surveyor, or Collector, Inspector, Watchman, Beadle, or other Officer, Workman, or Person whomsoever 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 to such Watchmen, Beadles, or other Officers or Persons who may be disabled or wounded in the Execution of their Duty, as the said Commissioners shall think reasonable.

Penalty for assaulting or obstructing Watchmen or other Officers.

LXXIV. And be it enacted, That it shall be lawful for the said Commissioners from Time to Time to license and authorize such Number of Pleasure Boats, 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 Town, or on the Beach or Coasts thereof respectively, as the said Commissioners shall in their Judgment think fit.

Power to license Hackney Coaches, &c.

LXXV. And be it enacted, That it shall be lawful for the said Commissioners and they are hereby authorized and empowered, from Time to Time as 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 all Boats let to Hire or used by or for any Person going out to Sea for the Purpose of sailing or rowing for Pleasure, and the Persons attending the same, and to ascertain and fix what Rates and Prices shall be paid and received by the Watermen or Sailors conducting or rowing any such Boat, and for punishing the Misconduct or Misbehaviour of any of such Watermen or Sailors; and also for 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, 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 Behaviour 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,

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

or

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, go, or come in and about the said Town or the Neighbourhood thereof, not exceeding Seven Miles from the Chapel of *Saint Leonard* in the said Town; 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, repeal, alter, or amend such Bye Laws, Rules, Orders, and Regulations, or any of them, and shall 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 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 Town 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.

LXXVI. And be it enacted, That if the Owner of or Person attending any Pleasure Boat, or 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 Town, without a Licence from the said Commissioners, or having such Licence shall be found plying for Hire or using the same 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 Pleasure Boat, 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.

Limiting the Power of Commissioners with respect to Bathing Machines.

LXXVII. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend so as to give the said Commissioners any Power or Authority to make any Rules, Orders, or Regulations concerning any Bathing Machines to be used within the Limits of this Act, unless requested so to do by the Owner or Proprietor, Owners or Proprietors for the Time being of the greater Number of such Bathing Machines, or so as to hinder or prevent the said *James Burton*, his Heirs or Assigns, from exercising all or any Rights or Privileges which he or they could or might have exercised relating to such Bathing Machines if this Act had not been made.

LXXVIII. And

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

LXXVIII. 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 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.

LXXIX. And be it enacted, That every Licence to be granted as herein mentioned shall be signed by Five 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 Pleasure Boat, 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 Pleasure Boat, 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 Pleasure Boat, 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 Pleasure Boat, 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 Five Shillings; for each Licence for a Horse, Ass, or Mule, the Sum of Two Shillings and Sixpence; and for each Licence for a Pleasure Boat or Bathing Machine, the Sum of Two Shillings and Sixpence; and every Owner of such Pleasure Boat, 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 Pleasure Boat, 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

LXXX. And be it further enacted, That if any Person shall refuse or neglect to pay, on Demand, to any licensed Boatman, Hackney Coachman, Flyman,

Coachmen, &c. their Fare, or damaging Carriage, &c. to be compelled by a Justice to make good the Damage.

Flyman, Sedan Chairman, or Person attending such Bathing Machine, Horse, Ass, or Mule, the regular Fare or Money due to him or her for the Hire or Service thereof respectively, or shall cut, deface, break, or injure any such licensed Pleasure Boat, or the Tackling thereof, or 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, upon Complaint thereof made to him, to summon the Person complained of to appear before him to answer the said Complaint, and on Proof upon Oath of the Service thereof 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 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 if no Distress can be found, then to commit the Person against whom such Order shall be made to the Common Gaol or House of Correction of the said Town and Port of *Hastings* 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.

LXXXI. 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 opposite any Part of the Town of *Saint Leonard*, or within the Limits of this Act, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Power to regulate Bathing Machines if required so to do.

LXXXII. And whereas the said *James Burton* hath incurred considerable Expences in erecting certain Baths on the said Esplanade, and in providing Bathing Machines and Attendants for the Accommodation of the Inhabitants of the said Town; be it therefore enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, from Time to Time, upon the Request in Writing of the Owner or Proprietor, Owners or Proprietors for the Time being of the greater Number of the Bathing Machines which may from Time to Time be permitted to ply for Hire within the Limits of this Act, to make, ordain, constitute, and appoint such Rules, Orders, and Regulations as shall be deemed necessary or expedient by the said Commissioners for better regulating and ordering all Bathing Machines to be used within the said Town, or on the Beach or Coast in front thereof, and how and in what Manner the Owners, Attendants, and Drivers 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 such Bathing Machines shall be furnished, kept, and numbered; and also for fixing and altering the Stands of the same from Time to Time; and punishing the Misconduct of Persons attending such Bathing Machines, or any Imposition by demanding and

receiving more than the regular Fare, or otherwise; and for fixing and defining what Prices or Fares shall be allowed, paid, or received by such Owners of or Persons attending such Bathing Machines; and also for the Regulation of Persons bathing in the Sea opposite the said Town; such 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, upon the Request in Writing of the said Owner or Proprietor, Owners or Proprietors, for the Time being, of the greater Number of such Bathing Machines, for that Purpose, repeal, alter, or amend such Rules, Orders, and Regulations, or any of them, and may 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 shall exceed the Sum of Five Pounds for any Offence: Provided always, that the said several Rules, Orders, and Regulations, and the Alterations therein, shall from Time to Time be printed or written in a large and conspicuous Manner, and a Copy thereof, signed by the said Commissioners or any Three of them, shall be fixed up in the Office of the Clerk to the said Commissioners, 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 placed or affixed in such conspicuous Places in the said Town 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 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 Board, and affixed.

Power for James Burton to establish a Market;

LXXXIII. And be it further enacted, That it shall be lawful for the said *James Burton*, his Heirs and Assigns, and he and they are hereby authorized and empowered, to erect, build, establish, and hold, within the Limits of this Act, a Market for the Sale of any manner of Flesh Meat and other raw Victuals, Fish, live and dead Poultry or Pigeons, Game, Sucking Pigs, Eggs, Butter, Fruit, Herbs, Roots, Vegetables, and other Provisions, China, Glass, and Earthenware, Hardware, Cutlery, and such other Things as are usually sold in public Markets, and to erect, constitute, and maintain all such Buildings, Rooms, Warehouses, Cellars, Stands, Stalls, Shambles, Drains, Watercourses, and other Conveniences, with proper and sufficient Approaches to the same, as shall be necessary or convenient for the Purposes of the said Market, or of the Persons resorting thereto; and such Market shall be held on such Days or Times, and in such Manner, and subject to such Regulations, as the said *James Burton*, his Heirs and Assigns, shall from Time to Time order and direct.

and erect public Weighing Houses, &c.

LXXXIV. And be it enacted, That it shall be lawful for the said *James Burton*, his Heirs and Assigns, to erect and appoint a Weighing House or Place in or near the said Market, for weighing and measuring any Article bought or sold by Weight or Measure therein, for the Use of such Buyers or Sellers as shall desire to use the same, and to keep proper legal Standard Weights and Measures therein, and to appoint a Person or Persons to attend the same on every Market Day during the Time the Market shall be open, or as he or they shall direct; and all Persons selling

selling Meat or other Things by Weight or Measure in the said Market shall weigh and measure the same in or by the said Weights, Measures, or Scales, if required so to do by the Buyer thereof, on pain of forfeiting for every Refusal so to do the Sum of Forty Shillings.

Penalty on exposing Provisions to Sale, except in Markets.

LXXXV. And be it enacted, That if any Person shall sell or offer or expose to Sale any Manner of Flesh Meat or other raw Victuals, Fish, live or dead Poultry or Pigeons, Game, Sucking Pigs, Butter, Fruit, Herbs, Roots, Vegetables, or other Provisions, China, Glass, or Earthenware, Hardware, Cutlery, or any other Thing usually sold in public Markets, in any other Place within the said Town than the said Market or Markets, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds: Provided always, that nothing herein contained shall extend to prevent any Inhabitant of the said Town from selling any such Provisions or Articles in his private Dwelling House, or in any Shop Part of such Dwelling House, in any Part of the said Town, or from carrying about or hawking for Sale in Baskets, or other Mode of Conveyance carried by Hand, and not otherwise, Fish of any Description free of Toll or Duty, or from selling Red or Dried Herrings, dried or cured in Deezes or Drying Houses within the said Town, from such Deezes or Drying Houses, or to subject, charge, or make liable any Person selling, offering, or exposing to Sale by Wholesale, on any Part of the Sea Beach situate to the Westward of a Line drawn at a Right Angle Southward from the South-westernmost Extremity of the said Market towards the Sea, and below High-water Mark, any Fish which shall or may be brought on shore within the said Town.

Proviso for Provisions sold in Houses, and for Fish.

Power to destroy unwholesome Provisions.

LXXXVI. And be it enacted, That if any Person shall sell or expose to Sale within the said Town any Meat, Fish, or other Provisions which shall be of an unwholesome Nature, or in a State improper for Human Food, it shall be lawful for any Justice, or any Three of the said Commissioners, or any other Person duly authorized by them, without any other Authority than this Act, to seize and destroy, or cause to be seized and destroyed, such Meat, Fish, or other Provisions; and every Person selling or exposing the same to Sale shall for every Offence forfeit and pay any Sum not exceeding Five Pounds, the Seizure and Destruction thereof notwithstanding.

Justices to grant Warrants to search for and seize unwholesome Provisions.

LXXXVII. And be it enacted, That it shall be lawful for any Justice of the Peace, and he is hereby required, upon Information exhibited to him upon Oath that any Meat, Fish, or other Provisions of an unwholesome Nature, or in a State improper for Human Food, is or are concealed or suspected to be concealed for Sale in the said Market, or in any House or other Place within the said Town, to issue his Warrant to search all such Market or Places, and any such Meat, Fish, or other Provisions then and there found to seize and convey before such Justice, who, upon Proof of the unwholesome Nature thereof, or of the same being improper for Human Food, either by One credible Witness or upon his own Inspection, may order the same to be destroyed; and the Person in whose Custody the said unwholesome or improper Meat, Fish, or other Provisions shall have been found shall forfeit and pay any Sum not exceeding Five Pounds, as a Penalty for concealing or having kept the same.

LXXXVIII. And

Market Tolls.

LXXXVIII. And be it enacted, That there shall be paid to the said *James Burton*, his Heirs and Assigns, or to the Collector or Person appointed by him or them to receive the same (which Collector or Person he and they is and are hereby authorized to appoint), by every Person holding, using, or occupying any Stall, Table, or Standing, or selling, or offering or exposing to Sale, any Provisions, Goods, Articles, or Things as aforesaid brought into the said Market for Sale, immediately on the same being so brought in, or on Demand by the said Collector or Person, the several Tolls or Sums following, or such other Tolls or Sums, not exceeding such Tolls or Sums as the said *James Burton*, his Heirs or Assigns, 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 - -	0	1	6
For every Quantity of Butter not exceeding Six Pounds in Weight - - - - - - - - -	0	0	1
For every additional Three Pounds of Ditto - -	0	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	0	0½
For every Turkey or Goose - - - - -	0	0	2
For every Hare, Pheasant, Head of Grouse, Black Heath or Moor Game - - - - - -	0	0	1
For any Number of Pigeons not exceeding One Dozen -	0	0	2
For every additional Half Dozen of Ditto - -	0	0	1
For any Number of Eggs not exceeding One Dozen -	0	0	0½
For every additional Half Dozen of Ditto - -	0	0	0½
For every Quantity of Fish (except Lobsters, Crawfish, Crabs, Prawns, Shrimps, Oysters, Cockles, or Mussels), not exceeding Half a Bushel - - - - -	0	0	3
For every Quantity of Ditto containing more than Half a Bushel and not exceeding One Bushel - - -	0	0	6
For every additional Half Bushel of Ditto - -	0	0	3
For every Quantity of Lobsters or Crawfish not exceeding in Weight Six Pounds - - - - - -	0	0	2
For every additional Three Pounds of Ditto - -	0	0	1
For every Quantity of Crabs not exceeding in Weight Six Pounds - - - - - -	0	0	1
For every additional Three Pounds of Ditto - -	0	0	0½
For every Quantity of Prawns not exceeding One hundred	0	0	2
For every additional Fifty Prawns - - -	0	0	1
For every Quantity of Shrimps not exceeding One Quart -	0	0	0½
For every additional Quart of Ditto - -	0	0	0½
For every Quantity of Oysters or Scallops not exceeding One Bushel - - - - - -	0	0	3
For every additional Half Bushel of Ditto - -	0	0	1½
For every Quantity of Cockles or Mussels, or other Shell Fish not herein-before named, not exceeding Two Gallons -	0	0	0½
For every additional Two Gallons - - -	0	0	0½

	£	s.	d.
For every Quantity of Fruit of any Kind, whether separate or mixed, not exceeding Half a Bushel - -	0	0	3
For every Quantity of Ditto containing more than a Half a Bushel and not exceeding a Bushel - -	0	0	6
For every additional Half a Bushel of Ditto - -	0	0	3
For every Quantity of Herbs, Roots, or Vegetables, whether separate or mixed, not exceeding a Bushel - -	0	0	2
For every additional Half a Bushel of Ditto - -	0	0	1
For every live or dead Pig called a Sucking Pig - -	0	0	2
For every dead Hog or Porker not sold on Stalls or Standings	0	0	6
For every Quantity of fresh Pork or Sausages not exceeding Twelve Pounds in Weight - - - -	0	0	2
For every additional Six Pounds of Ditto -	0	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 - - - - - -	0	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.

Tolls to belong to Burton and his Heirs.

LXXXIX. And be it enacted, That all the Tolls which are by this Act authorized to be levied as Tolls of the said Market shall belong to the said *James Burton*, his Heirs and Assigns for ever.

Tolls may be levied by Distress and Sale.

XC. And be it enacted, That the said *James Burton*, his Heirs and Assigns, shall set up and maintain in some conspicuous Part of the said Market, 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, 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 *James Burton*, his Heirs and Assigns, or the Collector or the Person to be appointed by him or 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 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.

Settling Disputes concerning Tolls, &c.

XCI. And be it further enacted, That in case any Dispute shall arise concerning such Tolls, such Dispute shall be settled and determined by any Justice of the Peace, 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 to 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 such the Money which shall be so awarded, and the Costs of such Warrant, to be immediately levied by Dis-

tress 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.

Power to make Bye Laws for regulating the Market.

XCII. And be it further enacted, That it shall be lawful for the said *James Burton*, his Heirs and Assigns, being Owner or Owners of the said Market, from Time to Time to make, provide, constitute, and ordain such Rules, Orders, and Bye Laws as he and they shall think fit and necessary, for the better governing, protecting, cleansing, letting, occupying, using, and otherwise regulating the said Market, and for appointing what particular Part of the said Market shall be occupied or made use of for the Sale of Butchers Meat, Fish, Poultry, Fruit, Vegetables, and other Articles and Things respectively sold or exposed for Sale therein; and also for regulating, ordering, and governing all Persons, both Sellers and Buyers, resorting or coming thereto, in all Matters which shall or may concern or relate to the said Market; and also for regulating and ordering all Carriers employed in or attending the said Market; and the standing and loading and unloading of Carts and other Carriages, and Horses or Beasts, in the said Market and the Approaches thereto; and for the appointing, trying, adjusting, regulating, and ordering of all Weights and Measures according to the legal Standard used and to be used in the said Market, and the Sale of Provisions and other Articles, Matters, and Things by such Weights and Measures, and for preventing the Sale and exposing to Sale of such Provisions, Articles, Matters, and Things in the said Market by false and deceitful Weights or Measures; and also for preventing the Sale of or exposing to Sale any unwholesome Meat, Fish, or other Provisions in such Market; and likewise for regulating and ordering all other Matters and Things which do or may concern or relate to the said Market or the good Government thereof; and it shall also be lawful for the said *James Burton*, his Heirs and Assigns, being Owner or Owners of the said Market, to ascertain and impose, and in such Rules, Orders, and Bye Laws to set down, any pecuniary and other Penalties, Fines, and Forfeitures to be paid or incurred by Persons breaking or evading such Rules, Orders, and Bye Laws, or any of them, not exceeding Five Pounds for any One Offence, and also from Time to Time, as he or they shall think fit, to repeal, alter, add to, or amend such Rules, Orders, and Bye Laws, or any of them, or such Penalties, Fines, or Forfeitures, or any of them: Provided always, that such Rules, Orders, and Bye Laws shall not be repugnant to the Laws of that Part of the United Kingdom of *Great Britain* called *England*, or to the Provisions of this Act; and all Persons resorting or coming to the said Market are hereby required to observe and keep such 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 shall be signed by the said *James Burton*, his Heirs or Assigns, being Owner or Owners of the said Market, and shall be painted on Boards, and put up or affixed in some conspicuous Place or Places in the said Market, which from Time to Time shall be renewed and replaced when and as often as the same shall be altered, obliterated, or defaced; but no Rule, Order, or Bye Law shall have any Force or Effect until Ten Days 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 herein-after mentioned.

XCIII. And

Power to let the Market Tolls.

XCIII. And be it further enacted, That it shall be lawful for the said *James Burton*, his Heirs or Assigns, being Owner or Owners of the said Market, from Time to Time to demise and let the Tolls or Sums arising from the said Market to any Person who shall be willing to take and farm the same, for any Period or Number of Years, upon such Terms and Conditions, and with such Securities for the Payment of the Rent, as the said *James Burton*, his Heirs or Assigns, being Owner or Owners of the said Market, shall think expedient and fit; and the Persons renting such Tolls or Sums shall have all the same Powers and Authorities for enforcing the Payment thereof as are by this Act vested in the said *James Burton*, his Heirs and Assigns, as such Owner or Owners of the same Market.

Power to let Stalls by the Year, or for any other Period.

XCIV. And be it enacted, That it shall be lawful for the said *James Burton*, his Heirs and Assigns, to let any of the Rooms, Warehouses, Cellars, Stalls, Standings, or Tables within the said Market or Markets, to any Person who shall be willing to take the same, by the Year or for any longer or shorter Period.

No other Market to be erected within the Limits of this Act.

XCV. And be it enacted, That after the said Market for the Sale of Provisions and other Things shall have been erected and opened for public Use, and during such Time as the same shall continue to be used and opened for such Purpose, no other Market or Market Place for the Sale of any such Provisions or other Articles or Things as are herein-before authorized to be sold at the said Market shall be erected or established at any Place within the Limits of this Act.

Power to make Rates or Assessments.

XCVI. 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 *July* One thousand eight hundred and thirty-two, to make One or more equal Rate or Rates, Assessment or Assessments, to be signed by any Five or more of the said Commissioners, upon the Tenants or Occupiers of all Houses, Shops, Warehouses, Coach-houses, Stables, Cellars, Buildings, Gardens, Grounds, Lands, Tenements, or Hereditaments whatsoever within the said Town (save and except *Saint Leonard's* Chapel, and any other Place or Places duly licensed or legally authorized for public Worship, already or hereafter to be erected within the said Town, and the Market, Market Tolls, and Reservoirs for the Supply of Water, and Works connected therewith, and the Water Rents or Rates arising or hereafter to arise or become payable in respect thereof,) so as such Rate or Rates, Assessment or Assessments do not exceed in the whole in any one Year the Sum of Two Shillings in the Pound for Houses, Shops, Warehouses, Coach-houses, Stables, Cellars, Buildings, Gardens, Grounds, Tenements, and Hereditaments, and the Sum of One Shilling in the Pound for Houses or other Buildings *bonâ fide* used for Purposes of Agriculture, and Lands used as Arable, Meadow, or Pasture Ground only, according to the real Rack Rent or full yearly Value of the same respectively, to be ascertained in manner herein-after mentioned; and the Monies to be raised and assessed as aforesaid shall from Time to Time be collected and paid yearly, half-yearly, or oftener, if the said Commissioners shall think proper, in every Year, by the respective Tenants or Occupiers of

of such respective Premises, to the Collector of the said Rates to be appointed by the said Commissioners, and shall be paid over by such Collector into the Hands of the Treasurer to the said Commissioners, or such Person as the said Commissioners shall order or direct for that Purpose; and if any such Tenant or Occupier shall neglect or refuse to pay the Money rated or assessed upon him, or his Proportion or Proportions of the same, to the said Collector, for the Space of Seven Days next after personal Demand made thereof, or Demand thereof in Writing left at the last or usual Place of Abode of such Tenant or Occupier, or on the Premises for which such Tenant or Occupier shall be so rated or assessed, or any Part thereof, the same shall and may be levied and recovered, on and from every such Tenant or Occupier so neglecting or refusing, by Distress and Sale of his, her, or their Goods and Chattels, by Warrant under the Hand and Seal of any One Justice; and the Surplus (if any) of the Monies to be raised by such Distress and Sale shall be paid, on Demand, to the Owner of the Goods or Chattels so distrained and sold, after deducting all Costs, Charges, and Expences attending or preparatory to such Distress and Sale, to be ascertained by such Justice; and in default of such Distress it shall be lawful for such Justice to commit such Tenant or Occupier to the Common Gaol or House of Correction, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, or until Payment of such Sum or Sums of Money as shall have been found to be due and in arrear upon such Rate or Rates, Assessment or Assessments as aforesaid, together with all Costs, Charges and Expences, to be ascertained by the said Justice.

Actions may be brought for Rates.

XCVII. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners, if they shall think it more expedient, to bring or cause to be brought, in the Name of their Treasurer or Clerk, or of any One or more of them the said Commissioners, any Action or Actions of Debt, or any special Action on the Case, in any of His Majesty's Courts of Record at *Westminster*, for the Recovery of Debts above Twenty-five Pounds within the Jurisdiction of which the Person against whom any such Action or Actions or other Proceedings may be brought shall reside, for all or any of the Rates to be made by virtue of this Act; in which Action or Actions it shall be sufficient for the Plaintiff to declare that the Defendant is indebted to the Plaintiff in such Sum of Money as the Plaintiff shall suppose to be due; and if the Plaintiff shall recover such Sum so declared for, or any Part thereof, he shall have his Costs, to be levied and recovered as other Monies upon Judgments are by Law levied and recovered; in which Action or Actions no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed.

Rate Books to be received as Evidence.

XCVIII. And be it further enacted, That the Books of Rates to be delivered by the Collector or Collectors or other Officers to 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.

Commissioners may lessen or excuse Rates

XCIX. Provided always, and be it enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered, upon the Complaint of any Occupier of a Dwelling House or other Hereditaments subject

on account of Poverty.

subject to the Payment of the said Rates or Assessments, to mitigate, reduce, lessen, or wholly remit or excuse, for or on account of his, her, or their Poverty or Inability, or any other good and sufficient Cause, Payment of the said Rates or Assessments or any Part thereof, in such Manner as the said Commissioners shall in their Discretion think just and reasonable.

Commissioners may amend Rates.

C. And be it enacted, That it shall be lawful for the said Commissioners from Time to Time to amend any Rate or Assessment to be 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 under-rated or over-rated, or by making such other Amendments therein as will, in the Judgment of the said Commissioners, make such Rate or Assessment conformable to the true Intent and Meaning of this Act; and no such Amendments so to be made by the said Commissioners in any such Rate or Assessment shall be held to vitiate or invalidate the same.

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

CI. And be it enacted, That it shall be lawful for the said Commissioners, and for the Collector or Collectors of the Rates or Assessments to be made by virtue of this Act, or for any other Person authorized by the said Commissioners, at all reasonable Times to inspect the Books of Assessment made from Time to Time for the Relief of the Poor in the several Parishes within the Limits of this Act, 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 in case any such Collector of the Poor Rate or other Person as aforesaid shall neglect or refuse to permit such Inspection, he shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Landlords, in certain Cases, to be rated as Occupiers.

CII. And be it enacted, That the Lessee, Landlord, or Owner of all Houses, Buildings, or Tenements within the said Town which are or shall or may be let out ready furnished, or in separate Apartments, Rooms, or Floors, or for any less Term than One Year, shall be deemed and taken to be the Tenant or Occupier thereof for the Purposes of this Act, and shall be liable and subject to the Rates or Assessments by this Act directed to be made or levied, according to the real Rack Rent or full yearly Value of the Premises; and every such Lessee, Landlord, or Owner, and every Person renting or occupying any such ready furnished House, or separate Apartments, Rooms, or Floors, or House, Building, or Tenement let for a less Term than a Year as aforesaid, shall be liable and compellable to pay the said Rates and Assessments, to be recovered in manner herein-before directed; and every such Tenant or Occupier who shall pay any such Rates or Assessments, or from whom the same or any Part thereof shall be recovered by virtue of this Act, shall and may deduct the same from and out of the Rent then actually due or next to become due and payable from him or her to such respective Lessee, Landlord, or Owner; and the Receipt for such Payment shall be a sufficient Discharge for such Tenant or Occupier, to his or her Landlord, for so much Money

as he or she shall pay, or as shall be levied on him or her by virtue of this Act; but no such Tenant or Occupier shall at any Time be required to pay, or be subject or liable to pay, any greater Sum for or towards the Discharge of such Rates or Assessments, or any of them, or the Arrears thereof, than the Amount of the Rent actually due and payable by such Tenant or Occupier to the Lessee, Landlord, or Owner of the Premises occupied by him or her: Provided always, that nothing in this Act contained shall be construed, deemed, or taken to impeach, alter, or make void any subsisting or future Lease, Covenant, or Agreement as between Landlords and Tenants.

Persons removing to pay a proportionate Part of the Rates.

CIII. And be it enacted, That in all Cases where any Person shall remove from or quit any House, Tenement, or Hereditaments, the Tenant or Occupier whereof shall be rated or assessed or be liable to be rated or assessed by virtue of this Act, every such Person so removing from or quitting the same shall be liable to pay such Rate or Assessment in proportion to the Time that such Person occupied the same, and in like Manner as if he had not removed from or quitted the Possession of the same; and in all Cases where any Person shall come into or occupy any such House, Tenement, or Hereditaments out of or from which any other Person shall have removed, or which at the Time of making any such Rate or Assessment was or were empty or unoccupied, the Person coming into or occupying the same shall be liable to pay such Rate or Assessment, although his Name may not be inserted in such Rate or Assessment, in proportion to the Time that he shall occupy the same, in like Manner as if he had been originally rated or assessed by Name in such Rate or Assessment; which said Proportions, in case of Dispute, shall be determined by the said Commissioners in such Manner as they shall deem reasonable and just.

Rates may be recovered from Persons removing.

CIV. And be it further enacted, That in case at any Time or Times hereafter any Person or Persons who shall or may be rated and assessed to any Rate or Assessment which shall be made by virtue of this Act shall quit his, her, or their Messuage, Tenement, or Hereditaments (within the Limits of this Act), for or in respect whereof he, she, or they shall be rated or assessed, before he, she, or they shall have paid any such Rate or Assessment, then and in every such Case it shall be lawful for any Person or Persons appointed to collect or receive any such Rate or Assessment (Oath being made by him or them that he or they doth or do suspect that such Person or Persons hath or have removed his, her, or their Goods and Chattels), by Warrant under the Hand and Seal of any Justice of the Peace for the said Town and Port of *Hastings*, and which Warrant such Justice is hereby authorized and required to grant, to distrain and appraise and sell the Goods and Chattels of such Person or Persons who shall have so quitted the said Messuage, Tenement, or Hereditaments before he, she, or they shall have paid any such Rate or Assessment, for the Sum or Sums of Money due from any such Person or Persons by virtue of such Rate or Assessment, or any Part thereof, and for all Costs, Charges, and Expences occasioned by such Warrant, Distress, Appraisement, and Sale, in any County, City, or Place to which such Person or Persons shall have removed, in such and the same Manner as if the same Person or Persons had continued within the Limits of this Act.

CV. And

Persons aggrieved by any Rate may, after applying to the Commissioners, appeal.

CV. And be it enacted, That if any Person shall think himself aggrieved by any Rate or Assessment which shall be made in pursuance of this Act, he may apply to the said Commissioners at their First or Second Meeting to be holden after the demanding of such Rate or Assessment; and the said Commissioners are hereby authorized and empowered, if they shall think such Person aggrieved, to give such Relief in the Premises as to them shall seem reasonable; and if any Person shall be dissatisfied with the Determination of the said Commissioners therein, such Person may appeal in the Manner herein-after mentioned to the Justices of the Peace at any General or Quarter Sessions to be holden in and for the said Town and Port of *Hastings*, whose Determination therein shall be final and conclusive.

Persons assessed under this Act to be exonerated from Statute Duty and Highway Rates.

CVI. And be it further enacted, That all and every Persons and Person who shall be assessed for or in respect of any Messuages, Lands, Tenement, or Hereditaments within the Limits of this Act, shall be and they and he are and is hereby exonerated from the Performance of Statute Duty for the Repairs of the public Highways within the said Town, and from the Payment of any Composition Money in lieu of such Statute Duty, and from all Rates and Assessments for the Repairs of the said Highways.

Commissioners to repair Groyns, and erect new ones.

CVII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and required, from Time to Time, as to them shall seem necessary and expedient, to improve, repair, maintain, or remove the Groyns, Sea Walls, and other Fences and Works already erected and built for the Protection of the said Town from the Encroachments of the Sea; and also from Time to Time, as to them the said Commissioners shall seem necessary and expedient, to erect, set up, build, repair, and maintain such other Groyns, Sea Walls, and other Fences and Works for the better protecting the said Town or any Part of the same, or of the Beach or Shore thereof, from the Encroachments of the Sea, and for facilitating the Approach to the Sea, and the landing of Coals and other Merchandize on the Beach or Shore of the said Town.

Coal Duty.

CVIII. And whereas, in order to raise a sufficient Sum of Money for effecting the Purposes of this Act, it is expedient that a Duty be charged on Coals, Culm, and Coke imported, landed, or brought into the said Town; be it therefore enacted, That from and immediately after the Fourth *Monday* after the passing of this Act there shall be paid to the Commissioners, or to their Collector, or to such Person or 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 Three Shillings for every Chaldron of Thirty-six Imperial Bushels (if sold by Measure), and for every Twenty-five Hundred Weight and the Half of another Hundred Weight (if sold by Weight), of Sea Coal, Culm, or other Coal, and so in proportion for any less Quantity; and for every Chaldron (if sold by Measure), and for every Twenty-five Hundred Weight and the Half of another Hundred Weight (if sold by Weight) of Coke, One Shilling, and so in proportion for any less Quantity which shall or may be imported or landed within the said Town, or otherwise brought or delivered within the Limits of this

this Act; such Rate or Duty to be paid in addition to all other Duties and Impositions payable or to become payable in respect thereof by any Law or Statute whatsoever.

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

CIX. 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 His Majesty's Customs whatsoever, belonging to the said Town and Port of *Hastings* (to which Town and Port the said Town of *Saint Leonard* doth belong and appertain), or to any other Port to which the said Town or the said Town and Port of *Hastings* 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, 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 been laden with Coals, Culm, or Coke liable to the aforesaid Rate or Duty, to sail from, leave, or go out of the said Town, or out of the said Town and Port of *Hastings*, 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 Town, or out of the said Town and Port, 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.

CX. And be it enacted, That in case any Master, Owner, or other Person having the Controul 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 Charges of taking, keeping, and selling such Distress, rendering to the Master, Owner, or other Person having the Controul 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

Damage which may arise or happen by Distress 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 Town by Land Carriage to be paid within 24 Hours, on Penalty of 1*s.* per Bushel.

CXI. And be it enacted, That in case any Coal, Culm, or Coke shall be brought into the said Town 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 said Town, 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 Bushel or Seventy-five Pounds Weight (if sold by 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 Town, 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, 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, nor extend to charge with the said Rate or Duty any such Coal, Culm, or Coke which shall not be discharged or landed from any Ship or Vessel upon any Part of the Coast or Beach within the said Town, or housed, deposited, or delivered within the same, but only passing through the same for or towards any other Place whatsoever.

Power to erect Toll Houses, and appoint Officers to collect the Duty on Coal by Land Carriage.

CXII. And be it enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, to 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 Town, not exceeding One Eighth of an Acre at any One Place, 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 Town by Land Carriage in manner herein-before provided.

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

CXIII. And be it enacted, That for ascertaining the Quantity of such Coal, Culm, or Coke as shall be brought into the said Town by Land Carriage, and collecting the Duty thereon, it shall be lawful for the Collector, or Persons 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 Quantity 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 Quantity 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 Rates 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 Person shall neglect or refuse, on Demand, to deliver such Account, or shall deliver an Account which shall be less than the true Quantity 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 measure Coals brought by Land.

CXIV. 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 Quantity of Coal, Culm, or Coke brought into the said Town 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 measured or 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 admeasure 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 Admeasurement or Weight thereof: Provided that in case it shall appear that the Statement or Account as aforesaid was correct as to the Quantity 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 Admeasurement or weighing having been made, as shall be settled and awarded by any Justice.

CXV. Pro-

Drawback on Coals landed and consumed out of the Town.

CXV. Provided also, and be it enacted, That in every Case where any Coals, Culm, or Coke shall have been imported or landed, brought or delivered, within the said Town, and for which the Rate or Duty hereby imposed shall have been paid, and shall afterwards be forwarded to any other Place out of the said Town, for Sale or Consumption, 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 any other Person on his Behalf, a Drawback of the whole Rate or Duty paid for every Chaldron or Twenty-five Hundred Weight and the Half of another Hundred Weight of such Coals, Culm, or Coke so forwarded to any other Place for Sale or Consumption, and so in proportion for any smaller Quantity, not being less than One Bushel or Seventy-five Pounds; and that if the said Collector or Treasurer shall refuse or neglect to return and pay, on Demand, to any Person entitled to the same, such Drawback, or if any Person shall fraudulently obtain or endeavour to obtain the Allowance of such Drawback, not being legally entitled to the same, every such Collector, Treasurer, or Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Power to appoint Coal Meters and Weighers.

CXVI. 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 Town, 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 measure or 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 Quantity of such Coal, Culm, or Coke; and every Person so appointed shall, before he shall be capable of acting as such Meter or Weigher, take an Oath before some Justice for the due and faithful Performance of his Duty.

Allowance to Coal Meters and Weighers.

CXVII. And be it enacted, That every Coal Meter and Weigher to be appointed under the Authority of this Act shall take or receive from the Owner or Master or other Person having the Rule, Government, or Command of any Ship or Vessel laden with or having on board any Coal, Culm, or Coke liable to the aforesaid Rate or Duty, or the Owner, Carrier, or Person attending with any Waggon, Cart, or other Carriage or Conveyance laden with or carrying such Coal, Culm, or Coke, such Sum for all Coal, Culm, and Coke measured, weighed, or inspected by him as the said Commissioners shall direct, not exceeding the Sum of Four-pence for every Chaldron or Twenty-five Hundred Weight and the Half of another Hundred Weight thereof.

Power for Commissioners to let Tolls on Coal, &c.

CXVIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any Five or more of them, from Time to Time, by public Auction, and not otherwise, to let the Rates or Duties arising from the said Coal, Culm, and Coke, or any of them, to any Person

son or Persons who shall be willing to take or farm the same, for any Period not exceeding One Year, in Possession, and not in Reversion, and not to exceed One Year at any One Letting, and at the best Rent or Consideration in Money that can be obtained at such Auction, with Power for the Commissioners to appoint One Person to bid in their Behalf; and in case no Bidding shall be made beyond the Bidding of such Person, then the Letting shall not take place, but the said Rates and Duties may be again put up, from Time to Time, until a fair and reasonable Rent or Consideration in Money, beyond the Bidding of the said Commissioners Nominee, shall be bid for the same; and it shall and may be lawful for the said Commissioners, or any Five or more of them, at the Expence of the Person who shall be the highest Bidder at such effective Auction, by Writing under their Hands and Seals, to demise and lease such Rates and Duties to the highest Bidder for the same at such effective Auction as aforesaid, or as he shall direct, in consideration of the Rent or Consideration in Money which such Person shall have so bid, and under such Covenants and with such Securities as the said Commissioners shall think fit, and as shall be specified in the Conditions (if any) of such Letting; which Rent or Consideration in Money to be paid for the said Rates and Duties aforesaid shall be applied and disposed of for and towards the Purposes of this Act; and the Person or Persons renting such Rates or Duties as aforesaid shall have and may exercise all the Powers and Authorities for enforcing Payment thereof which are by this Act vested in the said Commissioners, or the Persons to be appointed by them.

Power to borrow Money.

CXIX. And for the more speedy and effectual raising of Money for the several Purposes of this Act, be it enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered, from Time to Time, when they shall judge necessary for the Purposes of this Act, to borrow and take up at Interest any Sum or Sums of Money not exceeding in the whole the Sum of Sixteen thousand Pounds, and by Writing or Writings under the Hands and Seals of any Seven or more of them to mortgage or assign the said consolidated Rates, Assessments, Duties, and Impositions, as the Case may be, or any Part or Parts thereof, to the Person who shall advance or lend such Money thereon respectively, as a Security or Securities for the Money so to be borrowed, together with lawful Interest for the same; and the Charges and Expences of such Security or Securities respectively shall be from Time to Time defrayed by the said Commissioners out of the Money so borrowed; and every such Mortgage or Assignment may be in the Words or to the Effect following; (that is to say,)

Form of Mortgage.

‘ BY virtue of an Act passed in the Year of the
‘ Reign of King *William* the Fourth [*here set forth the Title of this*
‘ *Act*], we, the undersigned, being Seven of the Commissioners acting
‘ in the Execution of the said Act, in consideration of the Sum of
‘ advanced and lent by of
‘ to the said Commissioners, upon the Credit of
‘ the consolidated Rates, Assessments, Tolls, Duties, and Impositions
‘ authorized to be made, raised, and collected by the said Act, do hereby
‘ grant and assign unto the said his Executors,
‘ Administrators, and Assigns, such Proportion of the said consolidated
‘ Rates, Assessments, Tolls, Duties, and Impositions as the said Sum of

‘ doth or shall bear to the whole Sum borrowed or ‘ charged or to be borrowed or charged upon the Credit of the same ‘ Rates and Assessments, Tolls, Duties, and Impositions; to be had and ‘ holden from the Day of the Date of these Presents until the said Sum ‘ of with Interest for the same after the Rate of ‘ *per Centum per Annum*, shall be fully repaid and ‘ satisfied. In witness whereof we have hereunto set our Hands and ‘ Seals the Day of in the Year of our ‘ Lord .’

And every such Mortgage or Assignment shall be good, valid, and effectual in the Law; and every Person to whom such Mortgages or Assignments shall be made, or who shall be entitled to the Money thereby secured, shall be, in proportion to the Sums therein respectively mentioned, Creditors on the said Rates, Assessments, Tolls, Duties, and Impositions, equally one with another, without any Preference in respect of the Priority of advancing any such Money, or the Dates of any such Mortgages or Assignments: Provided always, that, previous to borrowing any Sum or Sums of Money under or by virtue of this Act, an Order for that Purpose shall be made by the said Commissioners, at a Meeting to be specially called for that Purpose, in the Manner directed by this Act for calling Special Meetings, and that no less a Sum than Fifty Pounds shall be borrowed of any Person or Body Politic or Corporate upon the Credit of this Act.

Money may be raised by Annuity.

CXX. And be it further enacted, That in case the said Commissioners, or any Seven or more of them, shall think it advisable or more advantageous to raise any Part of the Monies necessary for the Purposes of this Act by the granting of Annuities on Lives, then it shall be lawful for the said Commissioners or any Seven or more of them, and they are hereby authorized and empowered, by Writing under their Hands and Seals, to grant Annuities out of the Rates or Assessments to be raised as aforesaid to any Person or Persons who shall contribute, advance, and pay into the Hands of the Treasurer to the said Commissioners any Sum or Sums of Money for the Purchase of any Annuity or Annuities, to be paid and payable during the natural Life of every such Contributor, at the Time of the Payment of his or her Contribution or Purchase Money, so as that no such Annuity do exceed the Rates or Amounts directed or provided by any Law or Statute in force at the Time or Times of granting any such Annuity relating to the granting of Life Annuities charged on Government Securities, and so that the whole Money to be raised upon Mortgage and by the granting of Annuities as aforesaid do not exceed the said Sum of Sixteen thousand Pounds; and the Grant of every such Annuity may be in the Words or to the Effect following; (that is to say,)

Form of Grant of Annuity.

‘ WE of the Commissioners appointed by or in ‘ pursuance of an Act passed in the Year of the Reign, ‘ &c. [*here insert the Title of this Act*], in consideration of the Sum of ‘ paid by ‘ to the Treasurer appointed in pursuance of this ‘ Act, do hereby grant unto the said his Exe- ‘ cutors, Administrators, and Assigns, an Annuity or yearly Sum of ‘ out of the Rates or Assessments arising by virtue ‘ of the said Act, which Annuity or yearly Sum of

‘ shall be paid to the said his Executors, Administrators,
‘ and Assigns, upon the Day of in every Year
‘ during the natural Life of ; and the first
‘ Payment thereof shall be made upon the Day of
‘ next ensuing the Date of these Presents. In witness whereof we the
‘ said Commissioners have hereunto set our Hands and Seals, the
‘ Day of .’

And every such Grant shall be good, valid, and effectual in the Law; and every Annuity so to be granted as aforesaid shall be and is hereby charged upon and made payable, and paid, free from all Taxes and Deductions, out of the said Rates and Assessments, and shall be paid and payable at such Places within the said Town of *Saint Leonard*, and on such Days in every Year as shall be mentioned in such Grant.

Securities may be transferred.

CXXI. And be it enacted, That it shall be lawful for the Persons entitled to any of the Securities for the Money to be borrowed on the Credit of this Act, and their respective Executors, Administrators, and Assigns, (as the Case may be,) at any Time by Writing under their respective Hands and Seals, to assign and transfer such Securities to any Person whomsoever, and so *toties quoties*; and every such Assignment or Transfer may be in the Words or to the Effect following; (that is to say,)

Form of Transfer.

‘ I being entitled to the Sum of
‘ [*or* an Annuity of], secured to
‘ Executors, Administrators, and Assigns, by virtue of a Mortgage or
‘ Assignment [*or* Grant of Annuity] 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 His Majesty King *William* the Fourth, intituled
‘ [*here set forth the Title of this Act*], upon the Credit of the con-
‘ solidated Rates, Assessments, Duties, and Impositions authorized to be
‘ made, raised, and collected by the said Act, do hereby transfer all my
‘ Right and Interest in and to the same, and all Interest and other Money
‘ now due and owing thereupon, unto of ,
‘ his Executors, Administrators, and Assigns. Given under my Hand
‘ and Seal, this Day of .’

Mortgages and Transfers to be entered in a Book by the Clerk.

CXXII. And be it enacted, That the several Mortgages or Assignments, Grants of Annuities or Securities, which shall be made in pursuance of this Act, shall be numbered in a regular arithmetical Order, and a Copy or an Extract of every such Mortgage, Grant of Annuity, or Security, and of every such Transfer as aforesaid, shall be entered in a Book to be kept for that Purpose by the Clerk to the said Commissioners, which Extract shall specify and contain the Dates and Numbers of such Securities, Names of the Parties, and the Sums of Money thereby secured or transferred, to which Book any Person interested shall at all seasonable Times have Access, and free Liberty to inspect the same, without Fee or Reward; and for the entering of every such Security or Transfer the said Clerk shall be paid by the Person to whom such Security or Transfer shall be made the Sum of Five Shillings, and no more; and every such Transfer, after the entering thereof as aforesaid, shall entitle the Person to whom the same shall be made, and his Executors, Administrators, and Assigns,

to

to the Benefit of the Security thereby transferred: Provided always, that before such Transfer shall be so entered by the Clerk, an Affidavit, taken before some Justice of the Peace or other Person duly authorized to administer Oaths, shall be delivered to the said Clerk, of the due Execution of such Transfer, and the said Clerk is hereby directed to file such Affidavit accordingly.

Securities redeemable.

CXXIII. And be it enacted, That every Security to be made by virtue of this Act for any Sum of Money which shall be borrowed by the said Commissioners on the Credit of the said consolidated Rates, Assessments, Tolls, Duties, or Impositions respectively as herein mentioned, shall be liable and subject to be paid off and redeemed by the said Commissioners at such Time or Times and in such Manner and Proportion as they shall think fit, giving Three Calendar Months previous Notice to the Person entitled thereto of their Intention to redeem or discharge the same, and paying the full Principal Sum so borrowed, and the Interest and Arrears due thereon.

Sinking Fund on the Debt borrowed under this Act.

CXXIV. 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 to appropriate, from the said consolidated Rates, Assessments, and Impositions, 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 Sum and 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, and according to the Priority of the Date of the respective Securities; and in case of even Dates, then by Ballot between the Persons holding Securities of even Dates.

Power to borrow Money at a lower Rate of Interest, to pay off Mortgages bearing a a higher.

CXXV. And be it enacted, That in case the said Commissioners can borrow any Sum or Sums of Money at a lower Rate of Interest than the Money borrowed under this Act shall bear, it shall be lawful for the said Commissioners from Time to Time to charge the said consolidated Rates, Assessments, Duties, or Impositions, as the Case may be, in manner aforesaid, with such Sum or Sums of Money, and Interest, as they shall think proper to borrow, at such lower Rate of Interest, and therewith to pay off and discharge any of the Securities bearing a higher Rate of Interest as aforesaid.

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

CXXVI. Provided always, and be it further enacted, That in case the whole Debt 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 Four thousand Pounds, then it shall be lawful for the said Commissioners, and they

they are hereby authorized and empowered, from Time to Time, when they shall judge necessary for the general Purposes of this Act, to borrow and take up at Interest, 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 Eight thousand Pounds.

Application of the Money raised under this Act.

CXXVII. And be it enacted, That the Monies to be produced from the Duties upon Coals, Culm, and Coke, and from the Rates or Assessments upon Houses, Buildings, Lands, Tenements, and Hereditaments herein-before imposed or directed to be raised and levied, and all the Monies which shall be borrowed on the Credit thereof respectively, and all other Monies to be collected, raised, or received by virtue or under the Authority of this Act, shall be and the same are hereby vested in the said Commissioners, and shall, unless by this Act directed to be otherwise applied, be applied and disposed of, in the first place, in paying and defraying all the Costs, Charges, and Expences of applying for or incident to the obtaining and passing of this Act, with Interest for the Money which shall have been advanced for those Purposes; and, in the next place, in Payment to the said *James Burton* of the Principal Sum and Interest so to be ascertained to be due to him as aforesaid; and next in paying the Interest of the Monies secured by virtue of this Act, and hereafter to be borrowed and secured on the Credit of the said consolidated Rates, Assessments, Duties, and Impositions; and, in the next place, in carrying into execution the several Purposes of this Act; and the Residue thereof shall from Time to Time be applied in paying off the Principal Monies to be borrowed or secured in manner aforesaid.

Penalty for obstructing Collector &c. in the Execution of this Act.

CXXVIII. And be it further enacted, That if any Person shall at any Time obstruct, hinder, or molest any Collector or other Person whomsoever who is or shall be employed to put this Act into execution, in the Performance or Execution of his Duty, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Damages, how to be recovered of the Commissioners.

CXXIX. And be it enacted, That when and as often as any Sum of Money shall be directed or ordered by any Justice or Justices of the Peace to be paid, in pursuance of the Directions of this Act, as or by way of Compensation or Satisfaction for any Matters, Costs, Damages, Spoil, or Injury of any Nature or Kind whatsoever done, incurred, or committed by the said Commissioners, or any Person acting by or under their Authority or Direction, and such Sum or Sums of Money, together with the reasonable Costs and Charges of hearing and determining the same, shall not be paid by the said Commissioners or their Treasurer to the Party entitled to receive the same within Five Days after Demand thereof in Writing shall have been made and delivered to any One or more of the said Commissioners residing within the Limits of this Act, or to the Clerk or Treasurer to the said Commissioners for the Time being, then and in such Case the Amount of such Compensation or Satisfaction and Costs as aforesaid 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, together with the Costs of such Distress and Sale, under 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 upon Application made to him or them for that Purpose by the Party entitled to receive such Compensation or Satisfaction for any such Matters, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Surplus shall be returned, on Demand, to the said Commissioners, or their Treasurer for the Time being, as the Case may be: Provided always, and it shall be lawful for such Treasurer to retain, out of any Monies which shall come to his Hands by virtue of this Act, all such Damages, Costs, Charges, and Expences as he shall have sustained or be put unto by virtue of any such Warrant as aforesaid.

For Recovery of Penalties under 20*l.*

CXXX. And be it enacted, That all Fines, Penalties, and Forfeitures inflicted or imposed by this Act, and all Costs, Charges, Damages, and Expences allowed or directed to be paid by the Authority of this Act, or by or under any Bye Law, Rule, Order, or Regulation to be made in pursuance thereof (the Manner of levying and recovering whereof is not herein-before particularly directed), not amounting to the Sum of Twenty Pounds, shall from Time to Time be ascertained, levied, and recovered upon Summons before any One or more Justice or Justices of the Peace for the said Town and Port of *Hastings*, who is and are hereby authorized and required to examine all necessary Parties upon Oath, and to ascertain and settle the same accordingly; and all such Penalties and Forfeitures, Costs, Charges, Damages, and Expences, shall and may, unless the same shall be paid upon Demand, be levied and recovered by Distress and Sale of the Goods and Chattels of the Offender or respective Offenders or Persons liable to pay the same, by Warrant under the Hand and Seal or Hands and Seals of such One or more Justice or Justices as aforesaid; and in case sufficient Distress cannnot be found, and such Penalties and Forfeitures, Costs, Charges, Damages, and Expences, shall not be forthwith paid, then it shall and may be lawful for such Justice or Justices to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the said Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice or Justices, for his, her, or their Appearance before him or them on such Day as shall be appointed for the Return of such Warrant of Distress, such Day not being more than Seven Days from the Day of taking any such Security, and which Security the said Justice or Justices is and are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had thereupon, or in case it shall appear to the Satisfaction of such Justice or Justices, either by the Confession of the Offender or Offenders, or otherwise, that the Offender or Offenders hath or have not sufficient Goods and Chattels whereon such Penalties, Forfeitures, Costs, Charges, Damages, and Expences may be levied, if a Warrant of Distress were issued, such Justice shall not be required to issue such Warrant of Distress, and thereupon it shall be lawful for such Justice or Justices, and he and they is and are hereby authorized and required, by Warrant under his or their Hand and Seal or Hands and Seals, to

cause the Offender or Offenders to be committed to the Common Gaol or House of Correction of the Town and Port of *Hastings*, there to remain, without Bail or Mainprize, for any Time not exceeding Three Calendar Months nor less than Three Days, unless such Penalties and Forfeitures, Costs, Charges, Damages, and Expences, shall be sooner paid and satisfied to the Person or Persons in whose Custody he, she, or they shall be committed, and to be paid over by him or them to the Parties entitled to the same: Provided, that in all Cases when the Penalty or Forfeiture imposed by this Act shall exceed the Sum of Five Pounds, no Proceeding before Justices shall be had and taken for the Recovery thereof unless Two Justices shall be present at the Hearing and Determination to be thereupon had and made.

If Penalty exceeds 5*l.*, Two Justices to determine.

CXXXI. Provided also, and be it enacted, That all the Penalties and Forfeitures by this Act imposed, and being of the Amount of Fifty Pounds or upwards, shall and may be recovered by Action of Debt in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, Wager of Law, or more than One Imparlance, shall be allowed to the Defendant or Defendants; and the Plaintiff or Plaintiffs, if he or they recover in any such Action, shall have his or their full Costs.

Recovery of Penalties amounting to 50*l.*

CXXXII. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable by Information before any Justice of the Peace, it shall be lawful for the Justice of the Peace before whom Complaint shall be made for any Offence committed against this Act to summon before him the Party complained against, and upon such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him or her to pay the Penalty or Forfeiture incurred, and to proceed in the Recovery of the same, although no Information in Writing shall have been exhibited before such Justice; and all such Proceedings by Summons without Information in Writing shall be as valid and effectual, to all Intents and Purposes, as if an Information in Writing had been exhibited.

Justice may proceed by Summons in the Recovery of Penalties.

CXXXIII. And be it further enacted, That one Half of the Penalties imposed or inflicted by this Act shall be paid to the Informer, and the other Half to the Churchwardens and Overseers for the Time being of the Poor of the Parish in which the Penalty shall have been incurred, to be by them applied in aid of the Poor Rate of such Parish.

Application of Penalties.

CXXXIV. And be it enacted, That for the more easy Conviction of Offenders against this Act, any Justice or Justices before whom any Person shall be convicted of any Offence against this Act, or any Bye Law, Rule, Order, or Regulation made in pursuance thereof, shall and may cause the Conviction to be drawn up in the Form of Words or to the Effect following; (that is to say,)

Form of Conviction.

'Sussex } BE it remembered, That on the Day of
'to wit. } in the Year
'*A. B.* is convicted before me [*or* us, *as the Case may be*], One [*or* Two]
'of His Majesty's Justices of the Peace acting in and for the Town
'and Port of *Hastings*, of [*here specify the Offence, and when and where*
'*committed*], contrary to the Statute made in the

'Year

'Year of the Reign of King *William* the Fourth, intituled [*here set forth* '*the Title of this Act*], for which Offence I [*or* we] do hereby adjudge the 'said *A. B.* to have forfeited the Sum of .
'Given under my Hand and Seal [*or* our Hands and Seals], the Day and 'Year first above written.'

Inhabitants and Officers competent Witnesses.

CXXXV. And be it enacted, That no Inhabitants of the said Town, nor any Commissioner, Treasurer, Clerk, or other Officer acting in execution of this Act, shall be deemed an incompetent Witness in any Action, Suit, or Information, Complaint, Appeal, Prosecution, or Proceeding whatsoever to be had, made, prosecuted, or carried on under the Authority of this Act, by reason of his being rated or assessed or liable to be rated or assessed by virtue of this Act, or by reason of his filling or holding any Office under the same.

Commissioners exempt from personal Liability.

CXXXVI. Provided always, and be it further enacted, That nothing herein contained shall be deemed, construed, or taken to extend to render the said Commissioners personally, or any of their Goods and Chattels (other than such as may be vested in them in pursuance of this Act), liable to the Payment of any Sum or Sums of Money as or by way of Compensation or Satisfaction in the Cases in which such Compensation or Satisfaction is herein directed to be made by the said Commissioners.

Penalty on Witnesses summoned not attending.

CXXXVII. And be it enacted, That if any Person shall be summoned by any Justice or Justices as a Witness to give Evidence before him or them, or any other Justice or Justices, touching any Complaint for any Offence against this Act, or against any Bye Law, Rule, Order, or Regulation made in pursuance thereof, whether on the Part of the Prosecutor or of the Person accused, and shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, after having been paid or tendered a reasonable Sum of Money for his Costs and Expences, without a satisfactory Excuse being given for such Non-appearance, or appearing shall refuse or decline to be examined on Oath (or, being a Quaker, on Affirmation), or to give Evidence touching the Matter in question before such Justice or Justices, then and in all such Cases every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Informations for Offences to be laid within Six Months.

CXXXVIII. Provided always, and be it further enacted, That no Person shall be liable to the Payment of any Fine, Penalty, or Forfeiture imposed by this Act for any Offence against the same, unless Information be given of such Offence within Six Calendar Months next after the committing of such Offence, except where any other Period is mentioned or limited in and by this Act.

Transient Offenders may be detained.

CXXXIX. And be it enacted, That it shall be lawful for any of the said Commissioners, or their Collectors, Surveyors, or other Officers or Servants, and such other Person as they or any of them shall call to their Assistance, without any other Warrant or Authority than this Act, to seize and detain any Person (being unknown to such Commissioners, Collectors, Surveyors, or other Officers, Servants, or Persons,) who shall commit any Offence or Offences against this Act, and take him before any Justice of the Peace, to be dealt with according to this Act; and such Justice is hereby

hereby empowered and directed to proceed immediately to the hearing and determining of the Complaint.

Power to direct Prosecutions at Assizes, &c.

CXL. And be it enacted, That it shall be lawful for the said Commissioners to direct any Prosecution or Prosecutions at the Assizes or Quarter Sessions for the County of *Sussex*, or at the Quarter Sessions of the said Town and Port of *Hastings*, for any public Nuisance which shall be committed or suffered within the said Town, or for or concerning any Resistance to the Execution of the Authorities of this Act, or to the Authority of any Person acting under the same, and to direct and order the Expences of such Prosecution to be paid and borne by and out of the Funds to be raised by virtue of this Act.

Notices to Owners, what to express.

CXLI. And be it enacted, That all Notices by this Act authorized or directed to be given to the Owner or Occupier of any Premises, respecting any Matter or Thing to be done or omitted to be done under this Act, at the Expence of such Owner or Occupier, or otherwise, shall express the Alterations or Matters required to be done, and where such Notice shall be given to the Occupier, it shall require him to give immediate Notice thereof to the Owner; and if such Occupier shall neglect or refuse so to do, he shall be subject to and liable to pay all and every the Penalties and Forfeitures incurred by reason or means of the Non-observance or Non-performance of the Matters and Things required to be done by such Notice as aforesaid, to be recovered as herein-before provided for the Recovery of Penalties.

Serving of Notices, how to be made.

CXLII. And be it further enacted, That in all Cases wherein it may be requisite or necessary for any Person or Persons, or Party or Parties, to serve any Notice or Notices, or any Writ or Writs, or other Proceedings in Law or Equity, upon the said Commissioners, the Service thereof upon the Clerk to the said Commissioners, or leaving the same at the Office of such Clerk, or with some Inmate at his last or usual Place of Abode, or in case the same shall not be found or known, then Service upon any One of the said Commissioners resident within the Limits of this Act, or delivered to some Inmate at his last or usual Place of Abode, or upon any Agent or other Officer employed by the said Commissioners, or delivered to some Inmate at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Commissioners.

Distresses not to be deemed unlawful for Want of Form.

CXLIII. And be it enacted, That where any Distress shall be made for any Money to be levied or raised 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 Proceeding relating thereto, nor shall the Party distraining be deemed a Trespasser *ab initio* on account of any Irregularity which may be afterwards done by the Party distraining; but the Person aggrieved by such Irregularity may maintain an Action on the Case for the special and actual Damage (if any) sustained thereby, but not otherwise.

Proceedings not void for Want of Form, or removable by Certiorari.

CXLIV. And be it enacted, That no Rate, nor any Action, Verdict, Judgment, Conviction, Order, Matter, or Thing, or other Proceeding which shall or may be had, made, done, or taken in pursuance of or under or by virtue of this Act, shall be made void, quashed, or vacated for

for Want of Form, or be removed by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere.

Limitations of Actions, and Notice required.

CXLV. And be it enacted, That no Action or Suit shall be commenced against any Person for any Act or Thing done in pursuance of or under the Authority of or Colour of this Act, until Ten Days Notice thereof shall have been given in Writing to the Person intended to be sued, or to the Clerk to the said Commissioners, as the Case may be, nor after sufficient Satisfaction, or Tender thereof, shall have been made to the Party aggrieved, nor after Six Calendar Months from the Time when the Cause of such Action shall have arisen or been committed, or have ceased and been determined; and every such Action and Suit shall be brought, laid, and tried in the County or Place where the Cause of Action shall have arisen or been committed, and not elsewhere; and the Defendant or Defendants in every such Action or Suit may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial or Trials which shall be had thereupon; and if the Matter or Thing shall appear to have been done in pursuance or under the Authority or Colour of this Act, or if it shall appear that such Action or Suit was brought before Ten Days Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or paid into Court, with the Leave of the Court, either before or after Issue joined in such Action or Suit, or if such Action or Suit shall not be commenced within the Time hereinbefore limited, or shall be brought or laid in any other County or Place than as aforesaid, then the Jury shall find a Verdict for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, Defendant or Defendants, then the Plaintiff or Plaintiffs, Defendant or Defendants, as the Case may be, shall recover Treble Costs, and have such Remedy for the same as any other Plaintiff or Defendant in other Cases by Law.

Persons aggrieved may appeal to the Sessions.

CXLVI. Provided always, and be it enacted, That if any Person or Body Politic or Corporate shall think himself or themselves aggrieved by any Order, Direction, or Appointment of the said Commissioners, or by means of any Rate or Assessment to be made under or in pursuance of this Act, or any Order, Conviction, or Determination of any Justice or Justices, or by any Bye Law, Rule, Order, or Regulation made in pursuance hereof, or by any Matter or Thing done in pursuance of this Act (for which no particular Method of Relief hath been already provided), it shall be lawful for such Person or Body Politic or Corporate to appeal to the Justices of the Peace at any General or Quarter Sessions of the Peace to be held in and for the said Town and Port of *Hastings* within Four Calendar Months next after the Cause of Complaint shall have arisen, such Appellant or Appellants first giving or causing to be given at least Fourteen Days Notice in Writing of his or their Intention to appeal as aforesaid, and of the Matter or Cause thereof, to the Clerk of the said Commissioners, or other the Respondent or Respondents, and within Five Days after such Notice entering into a Recognizance before some Justice, with Two sufficient Sureties, conditioned to try such Appeal, and to abide the Order of and to pay such Costs as shall be awarded by the said

said Justices at such Sessions; and such Justices, upon due Proof of such Notice being given as aforesaid, and of such Recognizance being entered into, shall hear and finally determine the Matter and Cause of such Appeal in a summary Way, and shall and may, according to their Discretion, award such Satisfaction and 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 to and upon all Parties to all Intents and Purposes whatsoever.

Sessions may amend Rates without quashing them.

CXLVII. And be it enacted, That upon any Appeal from any Rate or Assessment made in pursuance of this Act the Justices at any General or Quarter Sessions of the Peace for the said Town and Port of *Hastings* shall and may amend the same in such Manner as may be necessary for giving Relief to the Appellant or Appellants personally, without wholly quashing such Rate or Assessment: Provided always, that if the said Justices shall be of opinion that it is necessary, for the Purpose of giving Relief to the Person appealing, that the Rate or Assessment shall be wholly quashed, then they may quash the same, and order a new one to be made by the said Commissioners.

Defining the Meaning of certain Words.

CXLVIII. And in order to remove Doubts as to the Meaning of certain Words in this Act, be it further enacted, That the Word "Person" throughout this Act shall be deemed to extend to and include any One or more Person or Persons, and of either Sex; and that the Word "Justice," or the Words "Justice of the Peace," shall be deemed to mean Justice of the Peace for the said Town and Port of *Hastings;* and that the Word "Officer" shall be deemed to apply to and include any One or more Person or Persons holding any Office or Appointment, Offices or Appointments, under the said Commissioners, or acting under their Authority by virtue of this Act; and that the Word "Streets" shall be deemed and construed to extend and apply to all and every or any of the present and future Streets, Lanes, Roads, Ways, and other public Passages and Places within the said Town; and that the Word "Penalty" shall be deemed to include any Fine, Penalty, or Forfeiture of a pecuniary Nature.

Public Act.

CXLIX. And be it enacted, That this Act shall commence and take effect from the passing thereof, and shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

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