



ANNO PRIMO

# GEORGI IV. REGIS.

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## *Cap. xii.*

An Act for repealing an Act of His late Majesty's Reign, for paving and improving the Parish of *Saint Clement*, in the Town and Port of *Hastings*, in the County of *Sussex*, and for granting other and more effectual Powers in lieu thereof, for paving and otherwise improving the Streets, Lanes, and other public Passages and Places ; and for repairing the Highways within the said Parish and the Parish of *All Saints*, and that Part of the Parish of *Saint Mary in the Castle* which is situate within the Liberties of the said Town and Port,

[22d June 1820.]

**W**HEREAS an Act was passed in the Twenty-ninth Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for paving, cleansing, lighting, improving and regulating the Streets, Lanes, and other public Passages and Places, and for repairing the Highways, within the Parish of Saint Clement, in the Town and Port of Hasting, in the County of Sussex, and for removing and preventing Nuisances, Annoyances, Obstructions, and Encroachments within the said Town and Port*, whereby certain Powers were given and granted to certain Persons therein named Commissioners, for the Purposes contained in the said Act: And whereas for the Purpose of carrying the said Act into Execution, several Sums of Money, amounting in the whole to the Sum of One thousand five hundred Pounds, were borrowed by the Commissioners

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sioners appointed by or under the said Act, upon the Credit of the Rates or Assessments thereby granted or authorized to be levied, collected, or received; and the said Sum of One thousand five hundred Pounds now remains due and owing on Mortgage of such Rates or Assessments: And whereas the Commissioners appointed by or under the said recited Act have found the Powers therein granted defective and insufficient, owing to the same being confined to the said Parish of *Saint Clement*; it is therefore expedient that the said Act should be repealed, and further, better, and more effectual Powers granted for paving and otherwise improving the Streets, Lanes, and other public Passages and Places; and for repairing the Highways within the said Parish of *Saint Clement*, and the Parish of *All Saints*, and that Part of the Parish of *Saint Mary in the Castle* as is situate within the Liberties of the said Town and Port: And whereas from the great Increase of the Buildings, and of the Inhabitants 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 or hereafter to be made within the said Town, and situate in the Parishes of *Saint Clement* and *All Saints*, and in that Part of the Parish of *Saint Mary in the Castle* which is situate within the Liberties of the said Town and Port, were properly paved, cleansed, lighted, watched, watered, repaired, improved, and regulated, and the Nuisances, Annoyances, Obstructions and Encroachments therein were removed and prevented for the future: But as the Objects aforesaid 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 from and after the passing of this Act, the said recited Act, and all Matters and Things therein contained, shall be and the same is and are hereby repealed and declared null and void, to all Intents and Purposes whatsoever.

Repeal of former Act.

Limits of this Act.

II. And be it further enacted, That the Limits of this Act shall, for all the Purposes thereof, be deemed and taken to comprise the whole of the Parishes of *Saint Clement* and *All Saints*, and that Part of the Parish of *Saint Mary in the Castle*, which is situate within the Limits of the said Town and Port of *Hasting*, in the said County of *Sussex*.

Appointment of Commissioners.

III. And be it further enacted, That *Edward Milward, John Goldsworthy Shorter, Charles Stevens Crouch, William Lucas Shadwell, Frederick Fountain North, William Offley, Wastel Brisco, Webster Whistler Clerk, William Horn Clerk, William Bishop, William Thorp, William Gill, Samuel Satterley, James Wenham, Thomas Manington, William Scrivens, William Duke, John Tompsett, George Strickland, Benjamin Bossom, Edward Wenham, Thomas Breeds, John Cossum, Thomas James Breeds, William Amore, Solomon Bevill, William Woodroffe, Benjamin Standen, William Standen, William Whatford, William Edwards, John Manington, Thomas Daniel, John Russell, William Ball, Benjamin Coffrett, George Jackson, Thomas Thwaites, Mark Boykett Breeds, Walter Crouch, Henry Sindall, Jonathan Mose, Nathaniel Crouch, James Lock, William Ellis, Abraham Wood the younger, John Williams the younger, Edmund Weeks, Rowe Carswell, Humphrey Wickham, George Robinson, Nicholas Harrison Wimble,*



*Wimble, John Adams, Thomas Phillips, Joseph Hannay, John Hadden, Stephen Welfare, George Carpenter, John Coussens the younger, William Stanford, Richard Harman, John Hide, Robert Kent, William Phillips, William Phillips the younger, Richard Tutt, George Wenham, Charles Lavendar, Edward Burchatt, John Lulham, John Phillips, John Strong, George Kent, William Campbell, George Tutt, Thomas Thwaites the younger, William Ransom, William Ridley, John Tree, William Tree, John Plummer, William Longley, Thomas Hutchinson, William Marden, James Cramp, John Thwaites, William Winter, William Noon, Thomas Mann, Richard Chandler, John Longley, Henry Thwaites, James Barry, John Knight, John Inskipp, Daniel Gill, John Eaton, John Smith, Francis Henbrey, James Fermor, William Wellard,* and their Successors, to be elected and appointed in Manner herein-after mentioned, shall be, and they are hereby constituted and appointed Commissioners for the putting this Act into Execution.

IV. Provided always, and be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act, unless he shall have previously taken the Oath, or Affirmation, if one of the people called *Quakers*, next following, before any Two or more of the said Commissioners, who are hereby authorized and required to administer the same, before he takes upon himself to act in the Trusts and Authorities by this Act granted; which Oath or Affirmation shall be in the Words or to the Effect following; (that is to say),

Commissioners to take an Oath.

‘ I *A. B.* do swear, [*or affirm, as the Case may be,*] That I am in my own Right, or in the Right of my Wife, in the actual Possession or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, within the Parish of *Saint Clement* or *All Saints*, or that Part of the Parish of *Saint Mary in the Castle* which lies within the Liberties of the Town and Port of *Hasting*, in the County of *Sussex*, of the yearly Value of Twenty Pounds, or am Tenant or Occupier of Lands, Tenements, or Hereditaments, within the said Parishes or one of them, of the yearly Value of Twenty Pounds, or, am possessed of a Personal Estate of the Value of Three hundred Pounds, and that I will truly and impartially, according to the best of my Skill and Judgment, execute and perform the several Powers and Authorities reposed in me, as a Commissioner, by virtue of an Act passed in the First Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act, &c.* [*here insert the Title of this Act.*]

Oath.

So help me GOD.’

And if any Person or Persons, not being so qualified, shall nevertheless presume to act in the Execution hereof, 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, to be recovered in any of His Majesty’s Courts of Record at *Westminster*, by Action of Debt, Bill, Plaint, or Information, wherein no Essoign, Protection, Wager of Law, or more than one Imparlance shall be allowed; and every Person so sued or prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty; without any other Proof or Evidence being given on the Part of the Plaintiff or Prosecutor, than that such Person hath acted as a Commissioner in the Execution of this Act: Provided nevertheless, that all Acts and Proceedings of any Person or Persons acting as a Com-

Penalty on acting, if not qualified.

All Acts of Commissioners.



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Commission-  
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act as such.

Election of  
Commis-  
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a Commissioner or Commissioners in the Execution of this Act, though not duly qualified as aforesaid previous to his or their being convicted of the said Offence, shall, notwithstanding such Conviction, be as good, valid, and effectual, as if such Person or Persons had been duly qualified to act as a Commissioner or Commissioners according to the Directions of this Act: Provided always nevertheless, that it shall be lawful for such of the said Commissioners who are or shall be a Justice or Justices of the Peace for the Town and Port of *Hasting*, to act as Justices of the Peace in or relating to the Execution of this Act, notwithstanding their being Commissioners under this Act.

V. And be it further enacted, That when any of the Commissioners herein named, or to be elected in pursuance of this Act, shall die, refuse, or neglect to act, or remove out of the Jurisdiction of this Act, or be rendered incapable of acting, it shall be lawful for the surviving or remaining Commissioners, at any Meeting to be held in pursuance of this Act, or any Seven or more of them, to elect and appoint another Commissioner, being a Proprietor or Owner of Lands, Tenements, or Hereditaments, or an Inhabitant or Resident within the said Parishes, and qualified as herein-before is mentioned, in the Room of such Commissioner so dying, removing, refusing, or neglecting to act, or rendered incapable of acting; and every Person so elected and appointed is hereby vested with the same Powers for putting this Act in Execution, and shall and may, and is hereby authorized and empowered to act, to all Intents and Purposes, in as full, large, and ample Manner as the Person in whose Stead or Place he shall be so elected and appointed.

VI. And be it further enacted, That the said Commissioners, or any Seven or more of them, shall, on the Second *Monday* next after the passing of this Act, meet together, between the Hours of Ten of the Clock in the Morning and Twelve of the Clock at Noon of that Day, at the House commonly called or known by the Name of the *Swan Inn*, if then open, and if not, then at some other convenient House or Place within the said Town and Port, when, if Seven or more of the said Commissioners shall be there assembled, but not otherwise, it shall and may be lawful for them, and they are hereby required to proceed in the Execution of this Act, and that afterwards a General Meeting of the Commissioners shall be held for the same Purpose, on the First *Monday* in every Month, between the Hours and at the Place aforesaid, unless some other Time or Place within the said Town shall be appointed by the said Commissioners or any Seven or more of them; and if at the Time when any such Meeting shall be appointed as aforesaid, there shall not be Seven or more Commissioners then and there present, then each and every such Meeting, unless expressly adjourned to any other Time or Place within the said Town, as herein-after mentioned, shall stand and be adjourned to the First *Monday* in the following Month, on which a Meeting in pursuance of this Act would otherwise have been held.

VII. And be it further enacted, That all the Powers or Authorities by this Act granted to or vested in the said Commissioners, shall and may from Time to Time be exercised by the Majority of them present at any Public Meeting to be holden in pursuance of this Act, such Majority not being less than Four Commissioners; and that a Chairman shall and may be



be appointed at every such Meeting, and that in all Cases the said Commissioners shall vote by Ballot, in case the same shall be desired by any Four or more of the said Commissioners then present, and in case of an equal Number of Voters upon any Occasion, including the Chairman's Vote, the Chairman shall have the casting or decisive Vote, and that at every such Meeting the Commissioners then and there attending shall pay and defray their own Expences.

VIII. And be it further enacted, That no Act of the said Commissioners shall be legal or valid, unless the same be done at some General or Special Meeting to be held in pursuance of this Act, and unless at every such Meeting there shall be at least Seven Commissioners present (except as herein-after mentioned); and all Acts, Orders, and Directions of the Majority of such Commissioners present at such Meetings as aforesaid, shall have the same Force, Power and Effect, as if the same were made or done by all the Commissioners for the Time being: Provided always, that any Two of the said Commissioners assembled at any General or Special Meeting held in pursuance of this Act, may, if necessary, adjourn such Meeting from Time to Time, to the same or any other Place within the said Town, which they shall think convenient.

No Act valid unless Seven Commissioners present at a Meeting.

IX. And be it further enacted, That if at any Time hereafter it shall or may be necessary to hold a Special Meeting, before the Time at which a General Meeting is herein-before appointed and required to be held as aforesaid, that then and in any such Case it shall and may be lawful to and for the Clerk to the said Commissioners, at the Request of any Five or more of them, to direct such Special Meeting to be held, giving at least Seven Days Notice, by the Town Crier proclaiming the same through the Town, and affixing a Notice in Writing on the Market House, of the Time, Place, and Purport thereof.

Special Meeting to be called by the Clerk, at the Request of Five Commissioners.

X. Provided also, and be it further enacted, That no Person appointed a Commissioner by virtue of this Act, shall act or be capable of acting as a Commissioner, or of attending any Meeting to be held in pursuance and in Execution of this Act, during such Time as he shall hold or enjoy any Office or Place of Profit under the same, or shall be directly or indirectly concerned or interested in any Manner whatsoever, or shall in anywise be personally or beneficially interested in any Contract made, done, or executed under or by virtue of this Act, in any Manner whatsoever other than as a Creditor on the Rates, Tolls, or Assessments, as herein-after mentioned; but every such Commissioner shall, in any or either of such Cases, be disqualified to act as a Commissioner, or to attend any Meeting, until he shall have relinquished such Office or Place of Profit, or completed such Contract or Work, and until the next General Meeting after his Account for the same shall have been examined and allowed at a Meeting held in pursuance of this Act, upon pain of forfeiting for every such Offence the Sum of Fifty Pounds, to be recovered by Action at Law in any of His Majesty's Courts of Record at *Westminster* or elsewhere, in which Action no Essoign, Protection, or Wager of Law, or more than One Imparlance shall be allowed.

Commissioners to be disqualified during such Time as they are concerned in Contracts, &c.

XI. And be it further enacted, That no Order, Rule, Resolution, Regulation, Act or Proceeding made, done, allowed, or carried into Effect,

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No Resolutions of a former Meeting to be at



rescinded,  
unless at a  
Special  
Meeting.

at any Meeting held in pursuance of this Act, shall be altered or suspended, revoked, rescinded, disannulled or disallowed, in any Manner whatsoever, unless at some subsequent Meeting of the said Commissioners to be held for that particular Purpose, of which Seven Days Notice in Writing of the Time, Place, and Purport of such Meeting shall have been given by the Clerk to the said Commissioners in Manner aforesaid, and unless a greater Number of the said Commissioners by Seven at least than were present at the Meeting at which such Order, Rule, Resolution, Regulation, Act or Proceeding so proposed to be altered or suspended, revoked, rescinded, disannulled, or disallowed, was made, shall be present, and the Majority of the Commissioners present shall concur therein.

Officers to be  
appointed.

XII. And be it further enacted, That the said Commissioners shall and may from Time to Time whenever they shall think necessary, by Writing under their Hands, appoint and employ a Treasurer or Treasurers, Clerk, Collector or Collectors, Receiver or Receivers of the Rates, Assessments, and Monies to be raised by them or by their Order, and also a Surveyor or Surveyors, and such other Officer and Officers, Person and Persons, for the Execution of this Act, as they the said Commissioners shall think proper; which respective Officers, if the said Commissioners shall see Occasion, shall be by them sworn to the due and faithful Discharge of their several Offices, in such Form of Oath as the said Commissioners shall appoint, according to the Nature of their respective Offices; and the said Commissioners shall and may from Time to Time remove them or any of them, and in like Manner appoint others in the Room of those removed, and out of the Monies to be raised by virtue of this Act by the said Commissioners, pay such Salaries, Wages, or Allowances to the said Officers and other Persons, as they the said Commissioners shall think reasonable; and the said Commissioners shall and they are hereby required to take such Security from every such Treasurer, Collector, and other Officers, as they the said Commissioners shall think reasonable; and all such Officers so to be appointed shall, under their Hands (at such Time and Times and in such Manner as the said Commissioners shall direct), deliver to the said Commissioners or to such Person or Persons as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge, and of all Monies which shall have been received by such Officers and Persons respectively by virtue of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the Vouchers for such Payments; and shall pay all such Money as shall remain due from them respectively to the said Commissioners, or to such Person or Persons as they shall appoint; and if any such Officer or Person shall refuse or wilfully neglect to make and render any such Accounts, or to produce or deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall refuse or neglect to deliver to the said Commissioners, or to such Person or Persons as they shall appoint, within Fourteen Days after being thereunto required by the said Commissioners, by Notice in Writing to be given to or left at the last or usual Place of Abode of such Officer or Person, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, and to give Information and Satisfaction to the said Commissioners respecting the same, then and in every such Case, upon Complaint made by the said Commissioners, or any Five or more of them, or by any Person or Persons whom they shall appoint for that Purpose, of any Neglect or



Refusal as aforesaid, to any Justice of the Peace for the said Town and Port of *Hasting*, or for the County, City, Town Corporate, or Place wherein such Officer or Person so neglecting or refusing shall reside or be, such Justice may and is hereby authorized and required, by a Warrant under his Hand and Seal, to cause the Officer or Person so refusing or neglecting, to be brought before him, and upon his appearing, or having been summoned and not appearing or not being to be found, to hear and determine the Matter in a summary Way; and if upon the Confession of the Party, or by the Testimony of any credible Witness or Witnesses upon Oath (which Oath such Justice is empowered to administer), it shall appear to such Justice that any of the Money which shall have been collected or raised by the said Commissioners by virtue of this Act shall be in the Hands of such Officer or Persons, such Justice may and is hereby authorized and required, upon Non-payment 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 and Person; and if no Goods or Chattels of such Officer or Person can be found sufficient to answer and satisfy the said Money, and the Charges of distraining and selling the same, or if it shall appear to such Justice that such Officer or Person shall have refused or wilfully neglected to render or give such Account, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relative to the Execution of this Act, shall be in the Custody or Power of such Officer or Person, and he shall have refused or wilfully neglected to deliver up or give Satisfaction respecting the same as aforesaid; then and in any of the Cases aforesaid such Justice shall and may commit such Offender to the Common Gaol or House of Correction for the County where such Offender shall be or reside, there to remain without Bail or Mainprize, until he shall have made and given a true and perfect Account and Payment as aforesaid, or until he shall compound with the Commissioners for such Money, and shall have paid such Composition in such Manner as they shall appoint (which Composition the said Commissioners are hereby empowered to make and receive), and until he shall have delivered up such Books, Papers, and Writings as aforesaid, or have given Satisfaction in respect thereof to the said Commissioners: Provided always, that no Person who shall be committed by virtue of this Act on account of his not having sufficient Goods or Chattels, shall be detained in Prison for any longer Term than Three Calendar Months: Provided also, that if any Money shall remain due from such Officer or Person, Officers or Persons, the Commitment of him or them to Prison shall not be deemed a Discharge for the same, nor exonerate his or their Surety or Sureties, but such Officer or Officers, or Persons, and his and their Surety or Sureties, shall remain liable to the Payment thereof in the same Manner as if such Officer or Person had not been committed to Prison.

XIII. And be it further enacted, That the said Commissioners shall and they are hereby required 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 such Clerk shall enter or cause to be entered, true and regular Accounts of all Sums of Money received, paid, laid out and expended, for or on account of this Act, and of the several Articles, Matters, and Things, for which such Sums of Money shall have been disbursed, laid out and paid, which Book or Books shall at all seasonable Times be open to the Inspection of the said Commissioners, or any Creditor or Creditors

Accounts to be kept of Receipts and Disbursements, which shall be open to Inspection.

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on the Rates or Assessments hereby granted, without Fee or Reward, and the said Commissioners and Creditors, or any of them, shall or may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and in case the said Clerk shall refuse to permit or shall not permit the said Commissioners or such Creditors to inspect the same, or take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum of Money not exceeding Twenty Pounds, to be levied and recovered in Manner hereinafter mentioned.

Offices of Clerk and Treasurer not to be held by one Person.

XIV. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to continue or appoint the Person who may be appointed to act as their Clerk, or the Partner of any such Clerk, the Treasurer for the Purpose of this Act, or to continue or appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Commissioners; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, shall act as Treasurer, or being the Partner of such Treasurer shall act as Clerk in the Execution of this Act, every Person so offending shall for every such Offence forfeit and pay the Sum of Twenty Pounds to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparance shall be allowed.

Executors of Officers dying to account.

XV. And be it further enacted, That in case of the Death of any of the said Officers, before he shall have paid and fully satisfied all the Monies which he shall have received by virtue of this Act, then and in every such Case the Executors or Administrators of such Officer so dying, shall pay and satisfy the same out of the Estate and Effects of such Officer, unto the said Commissioners, or any Person appointed by them in that Behalf, and also shall deliver up all Books, Papers, Writings, and other Things concerning his Office, or relating to the Execution of this Act, which shall have come to the Hands of such Executors or Administrators, who shall or may plead such Payment, in any Action or Suit that may be brought against them, on account of the said Estate and Effects, and give the same in Evidence; and in case of the Non-payment of such Monies, or the Non-delivery of such Books, Papers, Writings and Things, for the Space of Fourteen Days next after Demand made thereof in Writing, by or on the Behalf of the said Commissioners, it shall be lawful for the said Commissioners to commence and prosecute any Action or Actions in any of His Majesty's Courts of Record at *Westminster*, against such Executors or Administrators, for Recovery of the said Monies, or for the Recovery of Damages for the Detention of such Books, Papers, Writings, and Things; in which Action or Actions full Costs of Suit shall be recoverable by the said Commissioners.

Penalty on Officers taking Fees, &c.

XVI. And be it further enacted, That if any Person who shall be retained or employed by the said Commissioners, as Treasurer; Clerk, Collector, or Surveyor, or in any other Manner acting under or in the Execution of this Act, shall exact, take or receive, directly or indirectly, by himself or any other Person, to his Use, any Fee, Profit, or Reward whatsoever, or any



any Promise or Security whatsoever, by himself or any other Person for his Use, other than such Salaries, Allowances, and Rewards as shall or may be allowed as aforesaid for or on account of any thing done or to be done by virtue of or under this Act; or shall at any Time, directly or indirectly, by himself or others to his own Use, or in Trust for him, be concerned or in any Manner interested in any Sale, Purchase, Bargain, Contract or Benefit made or to be made other than as aforesaid, under or by virtue of this Act, every Person so offending shall not only be forthwith removed from his Office, Place, or Employment under this Act, and be incapable of holding any Office or Place, or be employed in any Manner whatsoever in future under this Act, but shall also forfeit the Sum of Five Pounds, to be recovered as herein mentioned.

XVII. And be it further enacted, That the said Commissioners may sue and be sued in the Name of their Clerk for the Time being, and all Actions and Suits, which may be necessary or expedient to be brought for the Recovery of any Penalty or Sum or Sums of Money due or payable from or to them by virtue of this Act, or for or in respect of any other Matter or Thing done by them, of or relating to this Act, may be brought in the Name of the said Clerk; and that 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, in the Name of their Clerk, shall abate or be discontinued by the Death, Suspension, or Removal of such Clerk, or by any Act or Default of such Clerk, done or suffered without the Consent or Direction of the said Commissioners; but the Clerk to the said Commissioners for the Time being shall always be deemed Plaintiff or Defendant in every such Action or Suit, (as the Case may be), except in such Action or Actions as shall be prosecuted between the said Commissioners and their Clerk for the Time being, in which Action or Suit any One of the said Commissioners shall or may be Plaintiff or Defendant, as the Case may be: Provided always, that every such Clerk or Commissioner, in whose Name 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 Damages, Costs, Charges, and Expences as such Clerk or Commissioner shall be put to or become chargeable with by reason of his being so made Plaintiff or Defendant therein; and no such Clerk or Commissioner shall be personally accountable or liable to the Payment of the same or any Part of the same, unless such Action or Suit shall arise in consequence of his own wilful Neglect or Default, or have been brought or commenced without the Order or Direction of the said Commissioners, or any Seven or more of them.

Provision for bringing and defending Actions in the Name of the Clerk.

XVIII. And be it further enacted, That the said Commissioners shall cause proper Books to be provided and kept, in which shall be fairly written and entered the several Meetings held in pursuance of this Act, and of the Commissioners present thereat respectively, and of the Nomination of all Officers and Persons to act in the Execution thereof, and of all Acts, Orders, Rules, Directions, Resolutions, Proceedings, and of all Rates and Duties to be imposed or raised by virtue of this Act, and of all Contracts to be made in pursuance thereof, and of all other Matters and Things whatsoever relative to or in any Manner concerning the Execution of this Act; and the Chairman of the Commissioners assembled at any

Books to be kept of Proceedings.

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Meeting



Meeting under this Act shall subscribe his Name at the End of their Proceedings at every such Meeting, and all Entries in the said Books of such Proceedings, signed as aforesaid, shall be admitted in Evidence in any Court whatsoever, in all Causes, Suits, or Actions, and upon all Accounts whatsoever, to which the same shall or may in anywise relate; and the same shall at all convenient and seasonable Times, without Fee or Reward, be open to the Inspection of the said Commissioners, and of all other Persons rated and assessed for the Purposes of this Act, or otherwise interested therein.

Property of Pavements, Lamps, &c. vested in Commissioners.

XIX. And be it further enacted, That from and after the passing of this Act, the Property of and in all the present and future Pavements in the Streets, Lanes, Highways, and other Ways and Places within the Limits of this Act, and of and in the Stones, Flags, Bricks, and other Materials thereof, and of all Lamps and Lamp Irons and Posts, with the Appendages already erected and fixed by virtue of the said recited Act, or which shall or may be erected, set up, or fixed by virtue of this Act, and of and in the Materials of all Houses or other Buildings which shall be purchased or pulled down by the said Commissioners in pursuance of this Act, and all the Dirt, Dung, Ashes, and Filth, to be swept, gathered, and collected under or by virtue of this Act, and all Watch-houses, Watchboxes, and all Articles, Materials, Implements, and Things of what Nature or Kind soever, which shall be made use of, or which shall or may be purchased or obtained for the Purposes of this Act, shall belong to and be the Property of and the same, shall be and are hereby vested in the said Commissioners; which Commissioners shall be known by the Name of 'The Commissioners for the Improvement of the Town and Port of *Hasting* in the County of *Sussex*,' who are hereby authorized and empowered to commence any Action or Actions in the Name of their said Clerk for the Time being, or to prefer any Bill or Bills of Indictment, as the Case shall or may require, against any Person or Persons who shall or may withhold, take, or carry away; detain, spoil, injure, or destroy, or feloniously steal or carry away the several Articles or Things hereby vested in the said Commissioners, or any of them, or any Part or Parts thereof; and in all such Actions and Bills of Indictment respectively, it shall be deemed and taken 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 Bill or Bills of Indictment preferred, is or are the Property of the Commissioners for the Improvement of the Town and Port of *Hasting*, in the County of *Sussex*; without particularly stating or specifying the Name or Names of all or any of the said Commissioners; and the said Commissioners shall and hereby have full Power and Authority to sell and dispose of all or any Part of the old or useless Materials, and the Money from the Sale thereof shall be applied to such and the same Purposes, and no other, as the Money to arise from the Rates and Duties hereby authorized are directed to be applied.

New Pavements to be made at the Expence of Commissioners.

XX. And be it further enacted, That from and immediately after the passing of this Act, it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and required, at any General Meeting to be by them held under this Act, to alter or change, or cause to be altered or changed, the Foundation or Level of any or either of the Streets, Lanes, and Places, and to cause all and every the Pavements now

being



being in any of the Streets, Lanes, and Places within the said Town, as well Footways as Horse or Carriage Ways, to be levelled, 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 Limits of this Act, being Public Highways, which are now built upon but not paved, and all such other Streets, Lanes, and Places which are now making or building, or may hereafter 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 the Charges and Expences thereof shall be defrayed by the said Commissioners out of the Money arising or to arise by virtue of this Act.

XXI. 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 Alteration whatsoever in the Pavement, or in the Foot, Horse or Carriage Ways, Gutters, Sinks, Drains, or Watercourses, within the Limits of this Act, or in any or either of them, for any Purpose whatsoever, without the Consent in Writing of the said Commissioners assembled at a General Meeting under this Act, under the Hand of the Chairman first 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 also, that where such Alterations shall be made with such Consent as aforesaid, such Alteration, together with the Place or Thing so altered, shall be done by or under the Directions of the said Commissioners, at the Expence, Costs, and Charges of the Person or Persons requiring the same; and if any such Person or Persons shall at any Time neglect or refuse to pay such Charges and Expences, the same shall and may be levied by Distress and Sale of the Goods and Chattels of such Person or Persons, in like Manner as the Rates herein-after directed to be raised and levied are directed to be recovered; and 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, shall be returned to such Person or Persons as aforesaid.

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

XXII. And be it further enacted, That before the said Commissioners shall make any Order for the doing or performing of any Work or Business, the purchasing any Materials, Goods, Wares, or Merchandize, where such Work, or such Materials, Goods, Wares, or Merchandize, shall be reasonably supposed to amount to the Sum of One hundred Pounds; such Work or Materials, Goods, Wares, and Merchandize, shall be advertised to be done or furnished by Contract in the Manner herein-after mentioned; and it shall not be lawful for the said Commissioners to contract or agree with any Person or Persons to do such Work or Business, or furnish such Materials, Goods, Wares, and Merchandize, until the same shall have been so advertised.

Commissioners may advertise for Contracts for the Performance of Works to be done by virtue of this Act, of 100l. or upwards.

XXIII. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Commissioners, at any such General Meeting,

Power for the Commissioners to



contract for  
the Work.

Meeting, to contract and agree with any Person or Persons whatsoever, for the paving, amending, or keeping in Repair the Pavement of and also for cleansing and lighting the said Streets and other Places, or any Part or Parts thereof, and for the doing or performing any other necessary Work, or Business, Matter, or Thing whatsoever, or for the Purchase, Sale, or Delivery of any Materials, Goods, Wares, or Merchandize whatsoever, by this Act authorized or required to be done or performed, purchased, sold, or delivered by or to the said Commissioners, in pursuance of and in the Execution of this Act; which Contract or Contracts, so to be made and entered into as aforesaid, shall be reduced into Writing, and entered in one of the Books of the said Commissioners, and be signed not only by the Commissioners present at such Meeting, or by any Seven or more of them, but also by the Person or Persons contracting with them as aforesaid, or some other Person on his or their Behalf, and shall specify the particular Works, Matters, or Things meant to be contracted for, the Prices to be paid for the same, and at the Time or Times when the same are to be paid, the Kinds or Sorts of Materials, Goods, Wares, or Merchandize, and the Penalties to be incurred in case of any Breach or Non-performance of such Contract: Provided also, that Ten Days Notice at the least, previous to such Meeting for making and entering into such Contract or Contracts as aforesaid, shall be published in one of the Weekly Papers circulated in the County of *Sussex*, or in such other Manner as the said Commissioners shall direct or appoint; in which Notice shall be specified, the Subject or Matter to be contracted for at such Meeting, that Persons may tender Proposals for the same; and the said Commissioners are hereby authorized and required to take of and from every such Person and Persons so contracting sufficient Sureties for the Performance thereof.

If Work be  
not done  
according to  
Contract,  
Actions may  
be com-  
menced.

XXIV. And be it further enacted, That in case such Contract or Contracts shall not be performed, according to the Intent and Meaning thereof, by the Person or Persons contracting with the said Commissioners as aforesaid, the said Commissioners shall and may, in the Name of their said Clerk, commence an Action in either of His Majesty's Courts of Record at *Westminster*, against such Person or Persons, for Breach or Non-performance of such Contract or Contracts; and in case the Plaintiff shall recover therein, he shall, in addition to the Penalty or Damages which he may recover, be entitled to the full Costs of such Action.

Power to  
Commission-  
ers to provide  
Lamps, &c.  
and Penalties  
for breaking  
or injuring  
them.

XXV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and empowered, from Time to Time as Occasion may require, to provide Lamp Irons or Lamp Posts, and set up, or cause the same to be set up or affixed into, upon, or against the Ground adjoining to, or the Walls, Palisadoes or Iron Rails, or any other Part of any of the Houses, Tenements, or Buildings already erected or built, or now building, or which shall at any Time hereafter be built within the Limits of this Act, or in such other Manner and at such Distance as they shall think proper and convenient; and also to cause Lamps of such Sizes and Sorts to be provided and affixed to, in, or upon such Lamp Irons or Lamp Posts, and to alter, take down, and remove any of the present or future Lamp Irons, Posts, or Lamps, which shall or may be purchased, affixed, or provided in virtue of or for the Purposes of this Act, and to do all such Matters and Things as they shall



shall from Time to Time think proper, convenient, and necessary for the well and effectually lighting of the said Town; and also to cause Posts to be set up near or adjoining the Foot Pavements, in such Parts of the Streets or other Places as they shall deem necessary; and to set up Posts and Rails near or adjoining to any vacant Ground, or other exposed or dangerous Place within the Limits of this Act, for preventing Accidents or Casualties; and if any Person or Persons shall wilfully deface, break, throw down, displace, take away, damage, injure, or spoil any of the Lamps, Lamp Irons, or other Furniture thereof, or any other Posts or Rails within the Limits of this Act, already put up or which shall or may be put up by virtue of this Act, within the Limits of this Act, or wilfully damage or injure any of the Posts, Rails, Irons, or other Furniture thereof, or Materials belonging thereto, or extinguish the Lights of any such Lamp or Lamps, it shall and may be lawful to and for any Person whomsoever who shall see such Offence committed, to seize, as also for any other Person or Persons to assist in seizing the Offender or Offenders, and by Authority of this Act, and without any other Warrant, to convey him, her, or them, or to deliver him, her, or them to the Custody of a Peace Officer, in order to be secured and conveyed before some Justice of the Peace for the said Town and Port; and such Justice shall proceed to examine upon Oath any credible Witness or Witnesses who shall appear or be produced to give Information touching such Offence (which Oath the said Justice is hereby authorized and required to administer); and if the Party or Parties accused shall be convicted of such Offence, either by his, her, or their own Confession, or upon such Oath as aforesaid, he, she, or they so convicted shall forfeit and pay any Sum not exceeding Forty Shillings for each such Lamp so broken, or Lamp Iron, Lamp Post, or Furniture thereof, or for every such Post or Rail so broken, defaced, or thrown down, displaced, taken away, or damaged, or for every Light so extinguished as aforesaid, and moreover shall make full Satisfaction to the Commissioners, or to such Persons as they shall appoint to receive the same, for the Damages so done by him, her, or them as aforesaid; and in case such Offender or Offenders shall not on Conviction pay such Forfeiture, and make such Satisfaction as aforesaid, which Satisfaction such Justice is hereby required to ascertain and settle, such Justice is hereby required to commit him, her, or them to the Common Gaol of the said Town and Port, there to be kept to hard Labour for any Space of Time not exceeding Fourteen Days, and such Offender or Offenders shall not be discharged before the Expiration of the Time for which he, she, or they shall be so committed, unless the Forfeiture and Satisfaction shall be sooner paid and given; and in case any Person or Persons shall accidentally break, throw down, or otherwise injure or damage any of the said Posts, Rails, Lamps, or the Irons, Posts, or Furniture thereof, and shall not immediately upon Demand make Satisfaction to the said Commissioners for the Damage done thereto, then and in any of the said Cases it shall and may be lawful for any Justice of the Peace for the said Town and Port, upon Proof thereof made by the Oath (or Affirmation, being a *Quaker*) of One or more credible Witness or Witnesses, or by the Confession of the Party, to award to the said Commissioners, such Sum of Money as a Satisfaction for such Damage; and also for all Expences which shall be incurred by the said Commissioners in obtaining such Sum of Money as such Satisfaction as aforesaid, as such Justice shall think reasonable; and in case of Refusal

[*Local.*]

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or



or Neglect of the Party or Parties to pay the Sum or Sums of Money so awarded within Fourteen Days next after Demand thereof, to cause the same to be levied by Distress and Sale of his, her, or their Goods and Chattels; and the Overplus (if any) arising by such Distress and Sale to be paid to him, her, or them upon Demand.

Commissioners empowered to cause the Streets, &c. to be lighted with Oil or Gas.

XXVI. And be it further enacted, That it shall be lawful for the said Commissioners, or any Seven or more of them, to cause such Part and Parts of the said Parishes as are intended to be lighted by virtue of this Act, to be lighted either with Oil Lamps, or by Means of Gas or Inflammable Air; as the said Commissioners or any Seven or more of them shall think fit; and in case it shall be determined by the said Commissioners or any Seven or more of them, to cause the said Parishes to be lighted by Means of Gas or Inflammable Air, then it shall be lawful for the said Commissioners or any Seven or more of them, from Time to Time to contract and agree with any Body or Bodies Corporate, Company or Companies of Proprietors, or other Person or Persons, to light the same by Means of Gas or Inflammable Air, in such Manner, and upon and under such Terms and Conditions, Stipulations and Agreements, as the said Commissioners or any Seven or more of them shall think proper, and to cause to be erected Gasometers, Pillars, and all other Apparatus, to produce, conduct, supply, and receive such Gas or Inflammable Air, in such Manner as shall be thought expedient and necessary.

Power to break up the Pavement, &c.

XXVII. And be it further enacted, That it shall be lawful for the said Commissioners, or any Seven or more of them, in case it shall be determined to light the said Town and Parishes with Gas, as herein before is mentioned, to cause or authorize to be broken the Soil or Pavement of any of the Footways, Streets, and Public Passages in the said Parishes, and to be dug and sunk, made and constructed, Trenches and Pipes and Stop Cocks, Plugs or Branches therefrom, and all other Works and Machinery to be laid down and made for conveying the Gas or Inflammable Air, for the Purposes of lighting of the said Parishes, and from Time to Time to permit and suffer such Pipes, Stop Cocks, Plugs or Branches, Works and Machinery, to be altered, varied, and repaired.

Ingredients used in manufacturing Gas not to be conveyed into the Bourne, or any River or Pond, &c.

XXVIII. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to carry or convey, or cause to be carried or conveyed, to or into the Watercourse called *The Bourne*, or into any River, Pond, Ditch, Brook, or Canal, any Washings or Liquids, or any Lime, or other Ingredient, Matter, or Thing whatsoever, which shall arise or be produced in the manufacturing or producing the said Gas, or in or by the Prosecution of any of the Gas Works.

This Act not to prevent any Person from proceeding against the Commissioners for a Nuisance, &c.

XXIX. Provided also, and be it further enacted, That nothing herein contained shall extend, or be construed to extend, to prevent any Person or Persons from proceeding, by Indictment or otherwise, against the said Commissioners, or against any of their Officers, Servants, or Workmen, as and for a Nuisance in respect of any Works of the said Commissioners, or the Means which shall be by them used in obtaining, making, or preparing the said Gas or Inflammable Air, or in using the same.

XXX. Pro



XXX. Provided always, and be it further enacted, That the Workmen, in laying Pipes for Gas Lights, to make good the Pavements, employed in laying down, altering, or repairing any such Pipes, Plugs, Cocks, or Branches, shall fill in the Trenches, and make good the Pavements and Roads, and carry away the Rubbish occasioned thereby, and shall repair any Damage arising from any such Works as may be made, without the least Delay, and shall in the meantime guard the Place or Places where any Ground shall be opened, by placing and setting up Lamps or Lights during the Night, and in such Manner as to prevent Accidents to Passengers, Cattle, and Carriages; and as the said Commissioners or any Seven or more of them shall from Time to Time direct, under the Penalty of any Sum not exceeding Ten Pounds, to be recovered and recoverable by such Ways and Means as are by this Act provided for Recovery of the Penalties which shall become payable by virtue hereof.

XXXI. 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 the said Commissioners in pursuance of this Act, the said Commissioners shall, at their own Expence, immediately after receiving Notice, either in Person to any One or more of them, or in Writing, of any such Escape of Gas, signed by the Clerk or Surveyor of the said Commissioners, or by any other Person or Persons residing within the Limits of this Act, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the said Commissioners shall not, within Thirty-six Hours next after such Notice 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, that then and in every such Case the said Commissioners shall for every such Offence forfeit and pay the Penalty or Sum of Five Pounds, for each and every Day after the Expiration of Thirty-six 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 of One or more credible Witness or Witnesses, by Information to be laid and exhibited before some One or more Justice or Justices of the Peace for the said Town and Port, or for the said County of *Sussex*, and shall and may be recovered with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the said Commissioners, by the Warrant of any such 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 by this Act imposed.

XXXII. And be it further enacted, That if any Person or Persons whomsoever shall leave, throw, cast, place, deposit or lay, or cause to be left, thrown, cast, placed, deposited or laid, any Oyster Shells, Bones, broken Glass, China, or Earthenware, Dust, Dirt, Dung, Soapsuds, Ashes, Refuse of Vegetables, Filth, or any unwholesome or offensive Materials or Matter whatsoever, or Sweepings of any Shop, Room, or Warehouse, in or into the Streets, Lanes, or Places already made or built, or hereafter to be made or built within the Limits of this Act, or on the Sea Beach within such Limits (except as herein after mentioned, and except Ashes, in the Time of Frost only, to prevent Accidents), every such Person shall forfeit and pay for every such Offence, any Sum not exceeding Forty Shillings; or if any Person or Persons shall throw, sweep, put



Exception as  
to building  
Rubbish.

put or cast any such offensive Materials or Matter into any of the Sewers, Drains, Sinks, or Watercourses within the same, every such Person shall forfeit and pay for every such last-mentioned Offence, any Sum not exceeding Forty Shillings: Provided always, that no Person shall be subject to any such Penalty or Penalties on Account of any Rubbish or Dirt necessarily occasioned by the building, rebuilding, pulling down, altering or repairing of his or her House or other Building; in case there be sufficient Space left in the Street, Lane, or Place where such Rubbish or Dirt shall be placed, for Carriages to pass and repass with Ease and Safety, and a sufficient Way kept clear for Foot Passengers to pass and repass at all Times, and so as a sufficient Light be placed and kept at the Place between the Hours of Sunset and Sunrise, and so as (if the Commissioners shall think proper and direct), the same be enclosed, and such Enclosure to be removed, in such Manner, and within such Time, as they in their Discretion shall direct.

Houses or  
Buildings  
repairing, to  
be fenced in.

XXXIII. And be it further enacted, That every House, Wall, or Building hereafter to be erected or built, repaired, altered, or enlarged, within the Limits of this Act, by Means whereof any or either of the Public Ways shall be in any Manner obstructed or rendered dangerous or unsafe, shall be well and sufficiently fenced in and enclosed by and at the Expence of the Owner or Occupier thereof, before such House, Wall, or Building shall be begun to be erected and built, altered, repaired, enlarged or taken down, and shall so continue during such Time as the said Commissioners, or the Surveyor under this Act, shall judge necessary, or shall order and direct; and if the Owner of such House, Wall, or Building shall refuse or neglect so to fence in and enclose the same, or shall not so continue the same as aforesaid, then and in either of the said Cases, every such Owner shall 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 to and for the said Commissioners immediately afterwards, to cause such House, Wall, or Building to be well and sufficiently fenced in and inclosed, or continue the same so as aforesaid; and the Person or Persons so refusing or neglecting as aforesaid shall, over and above the said Penalty, repay all the Charges and Expences thereof to the said Commissioners, upon Demand made by them or their Clerk, and, upon Refusal to pay and discharge the same, the said Charges and Expences may, together with the Costs, be recovered in such Manner as is herein directed for the Recovery of Penalties.

Scavengers  
Duty.

XXXIV. And be it further enacted, That the Scavengers, or Person or Persons employed, or who shall contract to clean the Streets, Lanes, and Places within the Limits of this Act, shall, on the *Tuesday* and *Friday* of every Week, between the Hours of Seven of the Clock in the Morning and Twelve of the Clock at Noon of those Days respectively, or upon such other Days and at such other Hours as the Commissioners shall or may from Time to Time appoint, sweep and collect together, and immediately, or as soon as possible afterwards, take and carry away and remove all Dirt, Dust, Filth, or Rubbish, in and from such Streets, Lanes, and Places respectively, and from any Premises within the same, if required so to do, and shall, by sound of Bell or otherwise, give Notice to the Housekeepers and Inhabitants of his or their Approach, for the Purpose of taking away the Dust, Dirt, Dung, Ashes, and other Filth, except the Soil of and from  
any



any Privy, from their respective Houses and Premises, all which Dust, Dirt, Dung, Ashes and other Filth, except as aforesaid, as well as the Sweepings, the said Scavenger or other Person or Persons aforesaid, shall immediately, or as soon afterwards as can be, carry away, or cause to be carried away, to the Place or Places appointed, or which shall be appointed for depositing the same by the said Commissioners, upon pain of forfeiting any Sum not exceeding Forty Shillings for every Neglect; and every Person acting as such Scavenger for the Time being, shall cause the Word 'Scavengers' to be painted in large Roman Letters on the Front or other conspicuous Part of the Carts or Carriages which he or they shall use for the Purposes aforesaid, on pain of forfeiting any Sum not exceeding Twenty Shillings for every Neglect therein; and if any such Scavenger, or other Person acting or employed as such as aforesaid, shall wilfully sweep, put, or throw Dust, Dirt, Ashes, or Filth, into the Sewers, Drains, Sinks, or Watercourses within the Limits of this Act, every Person so offending shall forfeit and pay for each and every such Offence any Sum not exceeding Five Pounds.

XXXV. And be it further enacted, That if any Person or Persons, other than the Person or Persons so employed by or contracting with the said Commissioners for cleansing the Streets, Lanes, and Places, within the Limits of this Act, or those employed under such Contractor or Contractors, shall on any Pretence whatsoever go about to collect or gather, or shall ask for, receive, or carry away any Dust, Dirt, Cinders, or Ashes, from any House or other Premises within the Limits of this Act, it shall be lawful for any Justice or Justices of the Peace for the said Town and Port, upon Complaint to him or them made, to grant a Warrant to bring before him or them such Offender or Offenders, or for any Person or Persons who shall see such Offence committed, to seize, and also for any other Person or Persons to assist in seizing the Offender or Offenders, together with the Horses, Asses, Mules, Cattle, Carts, Trucks, Wheelbarrows, and other Carriages or Implements made use of for carrying away the same, and by the Authority of this Act, and without any other Warrant, to convey, him, her, or them before such Justice or Justices, and such Justice or Justices shall, and he and they is and are hereby authorized and required to examine upon Oath the Person or Persons apprehending such Offender or Offenders, or any Witness or Witnesses who shall appear to give Information touching such Offence; and if the Party or Parties shall be convicted of going about to collect or gather, or asking for, receiving, or carrying away, any Dust, Dirt, Cinders, or Ashes from any House or other Premises within the Limits aforesaid, not being the Person or Persons so employed by or contracting with the said Commissioners, or acting under his or their Authority, he, she, or they shall for every such Offence forfeit and pay any Sum not exceeding Fifty Shillings, One Moiety of every such Penalty shall be paid to the Informer or Informers, or to the Person or Persons who shall apprehend the Offender or Offenders, and the other Moiety to the Purposes of this Act; and if such Offender or Offenders shall not immediately on Conviction pay the said Penalty or Penalties, such Justice or Justices is and are hereby required to direct such Horses, Mules, Asses, Cattle, Carts, Trucks, Wheelbarrows, or other Carriages or Implements, which have been so seized, to be appraised and sold, and after deducting out of the Money to arise by such Sale, the Penalty or Penalties incurred, together with the reasonable Charges and

For prevent-  
ing People  
from going  
about to col-  
lect Ashes.

[Local.]

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Expences



Expences of such Distress and Sale, the Overplus whereof shall be returned (on Demand), to the Party or Parties whose Horses or other Things shall be appraised and sold; and in case there shall have been no such Seizure as aforesaid, or if the Horses, Mules, Asses, Cattle, or other Things which shall be so appraised and sold, shall not produce a sufficient Sum of Money to pay the said Penalty or Penalties, Charges and Expences, then, if such Offender or Offenders shall not immediately upon Conviction pay the said Penalty or Penalties, Charges and Expences, which shall remain over and above the Produce of the Horses, Mules, Asses, Cattle, and other Things so seized and sold, such Justice or Justices is and are hereby required to commit such Offender or Offenders to the Common Gaol of the said Town and Port, there to be kept to hard Labour for any Time not exceeding Twenty-eight Days, unless such Penalty or Penalties be sooner paid and satisfied.

Foot Pavements to be swept.

XXXVI. And be it further enacted, That all and every Person and Persons inhabiting within the Limits of this Act, shall and they are hereby required to cause the Footways or Pavements adjoining their respective Houses, Buildings, and Premises, to be well and sufficiently swept and cleansed, every Morning in the Year, between the Hours of Six and Ten of the Clock in the Forenoon of every Day (*Sunday* excepted), and shall also cause the Dirt and Soil therefrom, to be collected and put together (so as not to obstruct either the Carriage or Footways, or the Channels or Watercourses), in order that the same may be removed by the Public Scavenger, or other Person to be employed for that Purpose, upon pain of forfeiting and paying for every Neglect therein the Sum of Ten Shillings: Provided always, that the Footways or Foot Pavements adjoining unoccupied Premises within the said Town, shall be swept and cleansed by the Scavenger on the Days of sweeping the Streets for the Time being, with the like Forfeiture of Ten Shillings for every Neglect therein.

Penalty on other Nuisances.

XXXVII. And be it further enacted, That upon Complaint being made by any Inhabitant to the said Commissioners or their Clerk, of any Hogpound or Stye, or other public and common or private Nuisance existing within the Limits of this Act, to the Damage or Annoyance of any Inhabitant thereof, it shall and may be lawful to and for the said Commissioners, and they are hereby required to enquire into the same, and if upon view of the Premises, or otherwise, they shall be satisfied of the Truth of such Complaint, to order such Hogpound or Stye or other Nuisance forthwith to be abated and removed; and in case the same shall not be abated and removed within Three Days after such Order shall have been communicated or left at the last or usual Place of Abode of the Person or Persons who ought to remove the same, or the Occupier or Occupiers of the Premises complained of for the Time being, such Person or Persons, Occupier or Occupiers, shall forfeit and pay any Sum not exceeding Twenty Shillings for every Day that the said Hogpound or Stye or other Nuisance shall be suffered and permitted to remain unremoved after the Expiration of the said Three Days, and the said Commissioners so making or giving such Order as aforesaid, or any Seven of the Commissioners appointed under this Act as aforesaid, whether at a General or Special Meeting, or at any other Time or Place, shall and may and they are hereby authorized and required immediately to abate and remove the same after the Expiration of the said Three Days, and the Charges and Expences thereof shall and may be recovered of and against the Person or Persons



Persons who ought to have removed the same, in Manner herein-after mentioned; but nothing in this Clause contained shall in any Manner interfere with, hinder, prevent, or bar any Indictment, Prosecution, or Action for such Nuisance.

XXXVIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby authorized to cause any Privy, or any Drain running from any Privy, Water-closet or Cesspool, within the Limits of this Act, and communicating with any Common-Sewer thereof, to be altered, stopped up, or removed, and to repay and defray the Expences attending the same; and if any Privy or any Drain running from any Privy, Water-closet or Cesspool, shall from and after the passing of this Act, be made to communicate with any Common Sewer or Watercourse, or the Soil thereof be suffered to run on the Beach, or in any other Part within the Limits of this Act; the Owner of the House and Premises to which such Privy, Water-closet or Cesspool shall belong, shall forfeit and pay for every Day the same shall continue, any Sum not exceeding Forty Shillings.

Commissioners may alter or remove any Privy, &c. having Communication with Common Sewer.

XXXIX. And be it further enacted, That if any Person or Persons shall run, draw, drive or carry any Truck, Wheelsledge, Wheelbarrow, Bier, Handbarrow, or Carriage whatsoever, upon any of the Foot Pavements within the Limits of this Act, or shall roll any Cask in or upon the same, or any Part thereof (except for the loading or unloading the same, and that only on such Part of the said Pavement as it may be necessary and unavoidable to roll the same), or shall unpack any Goods, Wares, and Merchandizes, or hang up or expose to Sale, Shew, or otherwise, any Butchers Meat, Clothes, Goods, Wares or other Commodities of any Description, or hang any Harness, Saddles, or other Horse Furniture, for the Purpose of cleansing, drying, or otherwise, outside of any House, Shop, Stable or other Building, which is near to or adjoining to any public Footway or Carriage Road, or shall shoot or cast any Coals, Wood, or other Things upon the Pavements, and shall suffer the same to remain longer than is necessary for the removal or housing the same, or shall beat, dust, or shake any Mat or Carpet, in any of the public Streets, Lanes, or Highways, or in any Manner obstruct the Passage of the Foot Pavements, other than as authorized by this Act, or shall, in any of the Common and Public Streets, Lanes, or Highways, of and within the Limits of this Act, roll any empty Cask, or burn, dress, or cleanse any Cask, or hoop, fire, cleanse, wash or scald, or empty any Cask, or any Part of what had been contained therein or thereon, hew, saw, or cut any Stone, Lead, Wood or Timber, or bore any Timber (except for the Purpose of rebuilding, altering, or repairing any House or Building, as herein-before mentioned, or for any of the Purposes by this Act required or authorized to be done), or shall therein wash or clean, make or repair any Carriage whatsoever (except in Cases of Accident only), or shall shoe, bleed, dress, cleanse, drive or turn, or leave loose any Horse, Ass, or Mule thereon, or cause, permit, or suffer the same to be done; or if any Person having the Care of any Waggon, Cart, Sledge, or other Carriage, shall, within the Limits of this Act, ride on the Shafts, or in or upon any Part of such Carriage, without Reins, or on any of the Horses or Cattle drawing the same, or if any Person driving the same (not being a Cart or Carriage driven with Reins by a Person therein or thereon), shall suffer any Horse, Mule, Ass, or Cattle drawing the

Certain Acts not to be committed in the Streets.



the same, to go any Pace other or faster than a walking Pace; or if any Person shall drive any Cattle, or ride or drive any Horse, Mule, Ass, or other Beast or Animal, or any Carriage whatsoever, within the Limits aforesaid, in a violent, furious, dangerous, or improper Manner, or shall in any of the said Common and Public Streets, Ways, Lanes or Places, of and within the Limits of this Act, shew or expose to Sale or otherwise, any Stallion, or expose to Sale any Horse, Mule, Ass, Cattle or other Beast, or ride, drive or lead the same by way of Exercise, or for the Purpose of breaking in the same, or permit or suffer any Horse, Ass, or Mule to stand or be exposed for Hire in any Place within the Limits of this Act not authorized by the said Commissioners; or if any Person or Persons whomsoever shall play at the game of Cricket, Trapball, Football, Fives, driving Hoops, Toss, Pitch and Hustel, or any other Game, or shall make any Bonfire, let off or fire any Crackers, Squibs, or other Fireworks, or fire or let off any Gun, Pistol, or combustible Materials whatsoever, or shall suffer any Mastiff or Bull Dog to go unmuzzled in any of the Streets, Lanes, or Places; or if any idle or disorderly Persons shall collect themselves together, and obstruct, impede, or incommode any Person or Persons in passing on any of the Footpaths in the said Streets, Lanes, or Places, he, she, or they shall in any of such Cases forfeit and pay for every such Offence any Sum not exceeding Forty Shillings, as to the Justice or Justices by and before whom such Offence shall be heard and determined shall seem just and reasonable; or if any Butcher or other Person or Persons whomsoever shall kill any Animal, or singe, scald, dress or cut up any Carcase, either wholly or in part, in any of such Streets, Lanes, or Places, or cause or permit any Blood to run from or out of any Slaughterhouse, Shop, or Shambles, or any Blood or Soapsuds, or any other unwholesome, noxious, or offensive Matter, to flow, run, or be cast or thrown from or out of any House or other Place, into any of the Streets, Lanes, Ways or Places aforesaid (except for the Purpose of communicating with the Common Drains or Sewers), or shall hang out or expose, or cause to be hung out or exposed, any Linen, Clothes, or other Articles or Things whatsoever, to dry or air in any Part of the said Public Streets, Lanes, or Places (except only on the Sea Beach between the East Well and the Eastern End of the Battery), or burn, or suffer to be burnt, in any Garden or other Ground close to and adjoining the said Town, being within the Limits of this Act, any Weeds, Leaves, or other Rubbish, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings: Provided nevertheless, that nothing herein contained shall extend or be construed to extend to prevent any Person or Persons from spreading and laying down of any Clothes or other Articles or Things on the Beach and Sea Shore to the Westward of the Battery, for the Purpose of airing and drying the same.

Penalty on leaving Cellar Windows open.

XL. And be it further enacted, That if any Cellar or Cellar Window, or Trapdoor, projecting into the Street or on the Foot Pavement, or adjoining thereto, shall be left open after Sunset, without being sufficiently lighted, in order to prevent Accidents happening therefrom, the Occupier or Occupiers of such House or Cellar shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Beasts wandering in the Streets to be impounded.

XLI. And be it further enacted, That if any Horse, Ass, Mule, Swine, or any other Beast or Cattle whatsoever, shall at any Time hereafter be found



found loose or wandering about in any of the Streets, Lanes, or Places aforesaid, it shall and may be lawful for any Person to seize, take, and impound the same, in any Pound or Place appointed by the said Commissioners for that Purpose, and the same there to detain, until the Owner or Owners thereof shall for each Beast pay or cause to be paid any Sum not exceeding Twenty Shillings to the Treasurer for the Time being to the said Commissioners, for and towards the Purposes of this Act, and also the Sum of Five Shillings to the Person impounding the same, over and besides the reasonable Charges and Expences of impounding the same.

XLII. And be it further enacted, That if any Waggon, Cart, Sledge or Dray, or any other such Carriage, or any Horse, Ass, or Mule, with or without a Basket or Baskets, or Pannier or other Loading, shall at any Time be left or suffered to be or remain, stay, stand or continue, in any of the Streets, Lanes, or public Places within the Limits of this Act, for any longer Time than shall be necessary for the loading or unloading thereof, or shall be set, placed, or left, or stand or be upon any Part of the Foot Pavement or Crossings of any such Street, Lane, or Place, or shall stand, be set, or placed athwart or across any Part of any such Street, Lane, or Place (although for the Purpose of loading or unloading the same), so that there shall not be sufficient Room left for another Carriage to pass, or if any Common Stage Waggon or Cart shall be left to stand or continue in any of the said Streets, Lanes, or Places longer than shall be necessary for the Purpose of loading or unloading thereof, or if any Stage Coach, or any Post Chaise or other Carriage let to hire, shall be suffered to stand in any of such Streets, Lanes, or Places, for a longer Time than shall be necessary for taking up and setting down Passengers or Travellers, or for loading and delivery of Luggage or Parcels, or if any Timber, Stone, or other such like Article or Material whatsoever, be drawn in any of such Streets, Lanes, or Places, without the same being placed upon a Sledge or Carriage proper for that Purpose, or if any Timber or Wood of the Length of Twenty Feet or more shall be carried upon any Carriage in or through the same, without being attended by One or more Person or Persons (besides the Carter), in order to prevent such Timber or Load from doing any Injury either personally or otherwise to any Person or Persons whomsoever, or if any Goods, Wares, or Merchandize, Materials or Things, of what Nature or Kind soever, shall be or remain in such Street, Lane, or Place, for a greater Space of Time than shall be necessary for the housing or removing thereof (except in such Cases as are herein provided for), then and in every such Case the Owner or Driver of every such Carriage as aforesaid, and the Owner of such Horse, Ass, or Mule, and the Owner of such Goods, Wares, Merchandize, Materials, or Things as aforesaid, or the Person or Persons causing such Annoyance, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; and any Inhabitant of the said Town, or any other Person or Persons, shall and may, either in the Day or Night, seize or cause to be seized any such Cart, Waggon, Dray, Sledge, Coach, Chaise or other Carriage, so suffered to be and remain, stay, stand or continue as aforesaid, together with the Horse or Horses or Cattle, in or drawing the same, or the Goods, Wares, Merchandize, Material, or other Things aforesaid, and remove the same, or cause the same to be removed, to such Common Pound or Place to be appointed as aforesaid, there to be kept and detained until the Owner or Owners thereof shall claim the same, and pay to the Person or Persons in

Carts, Carriages, &c. not to be left in the Streets.

[Local.]

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whose



whose Custody the same shall then be the Sum so forfeited, together with the Charges of removing 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 or may be appointed by the said Commissioners for that Purpose, on giving Thirty-six Hours previous public Notice of the intended Sale by the public Cryer 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 and Expences, and also the Expences of such Notice and Sale, shall be paid to the Treasurer, to be by him paid to the Person to whom the Beast or Property so sold shall appear to have belonged.

To prevent  
bathing but  
from Ma-  
chines.

XLIII. And whereas the Practice of undressing on the Sea Beach, and bathing in the Sea within the said Parishes, is a great Annoyance to the Inhabitants and Visitors thereof; be it therefore enacted, That from and after the passing of this Act, if any Person or Persons shall undress on the Sea Beach, or shall bathe in the Sea (except from a Bathing Machine) at any Place on the Sea Coast between the Point called *Rockanore* and the Mouth of the *Priory Water*, situate within the Limits of this Act, every such Person shall for each and every such Offence forfeit and pay any Sum not exceeding Twenty Shillings.

Water to be  
conveyed  
from the Top  
of the  
Houses.

XLIV. And be it further enacted, That from and after the passing of this Act, the Water from the Roof or from any other Part of the Houses and other Buildings now erected and built, erecting or building, or which shall or may at any Time hereafter be erected or built within the Limits of this Act, which would otherwise come or drop on any Foot Pavement or Carriage Way within the said Town, shall be conveyed from the Tops or Sides of such Houses or other Buildings, in such Manner and by such Means as the said Commissioners shall, by Notice in Writing to the Owners or Occupiers of such Houses or Buildings direct; and that all such Parts of any such House or Building, which do or shall project into or upon any of the said Streets, Lanes, or Places, or the Foot or Carriage Ways thereof, of what Nature or Kind soever, and which in the Judgment of the said Commissioners shall in any Manner obstruct the said Ways, and all Signs, Signposts, Show or other Boards, Materials or Things, standing or being in or upon the same, and all Doors opening outwards into the same, and all Spouts or Waterpipes hanging or projecting over the said Ways, shall, within Seven Days next after Notice for that Purpose left at or upon the Premises by the Clerk to the said Commissioners for the Time being, be taken down, filled up, removed, or altered, by and at the Expence of the Owner thereof, in such Manner as the said Commissioners shall from Time to Time order or direct; and in case the Owner thereof shall refuse or neglect to obey the Orders and Directions of the said Commissioners in that behalf, or wilfully act contrary thereto, then it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and required, forthwith to take down, fill up, remove, or alter the same, as to them shall seem proper, and the Charges and Expences attending the same shall and may be recovered by the said Commissioners from the Owner thereof, in the same Manner as any Penalty or Forfeiture inflicted by this Act, under the Sum of Ten Pounds, are directed to be recovered; and it shall be lawful for the Tenant or Occupier of the Premises to pay all such Penalties, Costs, and Expences, as shall be incurred by the

Tenants pay-  
ing the Ex-  
pences of



Owner or Owners thereof, and to retain or deduct the same out of the Rent which shall or may be due from such Tenant or Occupier to such Owner or Landlord; provided always, that nothing herein contained shall extend, or be construed to extend, to any Bow Windows, Balconies, or Verandas, such Verandas being open at the Sides and not projecting beyond the Balconies or Verandas of the adjoining Houses, and so as such Bow Windows, Balconies or Verandas do not project beyond the Areas of the respective Houses to which they may respectively belong.

Alterations may retain the same out of their Rent.

XLV. And be it further enacted, That no Surveyor, Master Carpenter, Mason, or any Workman in rebuilding, new fronting, repairing or altering of any House or Building situate in or near to any Street, Lane, Way, or public Passage within the Limits of this Act, shall, under any Pretence whatsoever, bring the Foundation, or any Part of the Front thereof, forward beyond the Line of the Street, Lane, Way, or public Passage, or old Foundation, upon pain of forfeiting for every such Offence the Sum of Ten Pounds; and the Owner of such House or Building shall forfeit and pay the Sum of Forty Shillings for every Week such Obstruction or Encroachment shall continue or remain, by reason of the Foundation or any Part of the Front of such House or Building being brought forward as aforesaid; and it shall be lawful for the said Commissioners, or any Seven or more of them, by Writing under their Hands, to order and cause the same to be taken down, the Costs and Charges whereof shall be paid and reimbursed to the said Commissioners by the Owner or Owners, Proprietor or Proprietors of such Houses or Buildings, or other the Person or Persons ordering or directing the Erection of the same, and shall be recovered in such Manner, and by such Ways and Means, as Penalties and Forfeitures are herein directed to be levied and recovered.

Foundation of Houses not to be brought beyond the Line of the Streets.

XLVI. And be it further enacted, That no Door or Gate in or belonging to any House or Building to be erected within the Limits of this Act, shall be made to open outwards on or towards the Streets, Lanes, or public Passages, upon pain of the Owner or Owners, Proprietor or Proprietors thereof, forfeiting for every such Offence any Sum not exceeding Five Pounds, and any further Sum not exceeding Ten Shillings for every Day such Offence shall continue; and in case any Door or Gate that has heretofore been fixed or hung so as to open upon or across any Foot Road or Pavement, or public Carriage Road, within the Limits of this Act, and the same shall be proved before the said Commissioners to obstruct or annoy Persons on the said Foot Road, Pavements, or Carriage Way, it shall and may be lawful to and for the said Commissioners to order the Doors and Gates before mentioned, to be taken down, altered or regulated, so as to prevent such Annoyance, at the Expence of the Owner thereof, or at the Expence of the said Commissioners, as to them the said Commissioners shall appear to be just and right.

Penalty on Workmen and Owners for Encroachments beyond the Foundations of old Buildings, &c.

XLVII. And be it further enacted, That where any opening is now or shall be made in the paving or flagging of any of the Streets, Lanes, or public Places, for the Purpose of conveying Coals or other Things into any Vault or Cellar under the same, for the Purpose of admitting Light into any Room or Cellar, the Covering or Grating to such Opening shall be made at the Expence of the Person or Persons requiring the same, of Iron or such other Materials, of such Dimensions, and in such Manner and

Commissioners are to direct where Gratings over Openings in the Pavements are to be made.



and Form, as the said Commissioners at any of their Meetings shall direct and approve of; and shall from Time to Time be repaired, varied, and altered, at the like Expence of the Party, in such Manner and Form as the said Commissioners at any of their Meetings shall direct or appoint; and in case any Person or Persons shall cause any such Grating or Covering to be made, repaired, varied, or altered, or shall neglect or refuse to make, repair, vary or alter such Grating or Covering, contrary to such Direction or Appointment as aforesaid, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings, for every Week the said Offence shall be continued.

Power to appoint Watchmen, Beadles, &c.

XLVIII. And be it further enacted, That the said Commissioners shall and may, if at any Time they think fit, nominate and appoint such and so many Watchmen, Beadles, Patroles, and Persons, as they shall judge necessary, to be kept or employed in or about the patrolling, guarding, and watching the Streets, Lanes, and other public Places within the Limits of this Act, and direct and appoint how and where they shall be stationed, and in what Manner they shall be armed; and from Time to Time to remove and displace, and to appoint others in their Stead, and shall and may erect or provide for them convenient and proper Places, Boxes, or Watch-houses, and from Time to Time make such Orders, Rules, and Regulations, as the Nature of those Services shall appear to require; and it shall be lawful for such Watchmen and other Persons so to be appointed as aforesaid, and they are hereby authorized, commanded, and required, vigilantly to keep Watch and Ward within the Limits of this Act, and to arrest, apprehend, and detain, in some convenient Place of Security, to be provided by the said Commissioners, all Felons, Malefactors, Disturbers of the public Peace, disorderly Persons, Rogues, Vagrants, Beggars, and all such other Persons as shall be found misbehaving themselves, or who live idle and without Employment, and take them, within Twelve Hours, or as soon as conveniently may be, before One of His Majesty's Justices of the Peace in and for the said Town and Port, to be examined and dealt with according to Law.

Penalty on Watchmen, &c. misbehaving.

XLIX. And be it further enacted, That in case any such Watchman or other Person, shall not, according to the best of their Judgment, observe, perform, and keep the Orders, Rules, or Regulations, which shall be made by the Commissioners, or shall in any Manner neglect his Duty, or misbehave himself in the Execution of the said Office, every Person so offending shall forfeit and pay for every such Offence, any Sum not exceeding Forty Shillings; and if the said Commissioners or any Seven or more of them shall think proper, shall also be immediately discharged from his Office or Employment under this Act; and if any Victualler, Publican, or other Person selling Spirituous or other Liquors, shall knowingly entertain or harbour any such Watchman or other Person, during the Time he ought to be on Duty, then every such Victualler or Publican, or other Person selling such Liquor, shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings.

Penalty on Persons harbouring Watchmen in the Night.

Directions for emptying Privies.

L. And be it further enacted, That from and after the passing of this Act, it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and empowered from Time to Time and as often as shall be necessary, to fix and appoint such Time and Times for the



the emptying of any Privy, or the taking away of any Night Soil, Offal, Muck, Entrails of Fish, or other noisome or offensive Materials, except Horse and Cow Dung, from any House, Building, or Place within the Limits of this Act, as they in their Discretion shall think fit; and if any Person or Persons whomsoever shall begin or attempt to empty or take away any such noisome or offensive Materials, from any House, Building, or Place within the Limits aforesaid, at any other Time than such as shall be fixed and appointed by the said Commissioners as aforesaid, or shall throw or cast the same, or any Part thereof, in or near any of the Streets, Lanes, or other Places; or shall pour or put any Night Soil or noisome or offensive Materials into the Sewers, Channels or Drains, or leave or cause the same to be left, above Six Yards from that Part of the Sea Shore between high and low Water Mark called the *Stones Foot*, so that the same shall become offensive to any of the Inhabitants of the said Town, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Fifty Shillings, over and above the Expence that shall or may be incurred by the said Commissioners in removing the same.

Penalty on Persons throwing Night Soil in the Streets.

LI. And be it further enacted, That the said Commissioners shall and may, and they are hereby required to cause to be fixed or painted on some conspicuous Part of the House, Wall, or Building, at the Ends or Corners of the several Streets, Lanes, and Places already built, or which shall be built within the Limits of this Act, the Name by which every such Street, Lane or Place is or shall be called, and also shall and may cause every House, Shop, Warehouse, Building or Habitation within the Limits aforesaid, to be numbered in such Manner as they shall think proper for distinguishing the same; and if any Person or Persons shall wilfully destroy, pull down, injure, obliterate or deface any such Name or Number, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; and if any of such Number or Numbers shall be defaced or obliterated, the Owner or Owners, Occupier or Occupiers of the Premises whence such Numbers shall be so defaced or obliterated, shall, within Seven Days next after Notice for that Purpose given by the Clerk to the said Commissioners, cause such Number or Numbers to be restored, or in default thereof shall for every such Offence forfeit and pay any Sum not exceeding Ten Shillings.

Commissioners may number Houses and name Streets.

LII. And be it further enacted, That if any Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part thereof, shall be adjudged by the said Commissioners to project into or obstruct the Passage of the said Streets, Ways, Lanes, Passages and Places, or that by taking down the same, or any Part thereof, the Passage of the same may be widened, bettered, or improved, or if it shall be deemed necessary to widen, enlarge, or improve any of the Roads or Footpaths within the Limits of this Act, the said Commissioners may and are hereby authorized and empowered from Time to Time to treat, contract, and agree with the Owner or Owners, Proprietors and Persons interested in such Houses, Buildings, Lands, Tenements, and Hereditaments, who shall be willing to sell the same, or so much of such Houses, Buildings, Lands, Tenements, or Hereditaments as shall be so adjudged, to project into or obstruct the Passage of the same, or that shall be necessary for the widening, bettering, or improving of the Streets, Ways, Lanes, Passages, and Places;

Powers to purchase with Consent of Owner, for the Purpose of widening and improving the Streets.

[*Local.*]

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Roads,



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

Roads, and Footpaths, for the absolute Purchase of the said several Buildings, Lands, Tenements or Hereditaments, or any Part or Parts thereof, for the Purposes aforesaid; and the said Commissioners are hereby authorized to pay for the same such Sum and Sums of Money as shall be agreed upon by the said Commissioners and the Owner or Owners or other Persons interested therein, out of the Money to arise by virtue of this Act, and to take down such Houses or Buildings and lay the Scites thereof, or so much thereof as they the said Commissioners shall think proper, into the said Streets, Ways, Lanes, Passages and Places, Roads and Footpaths; and in case the said Commissioners shall have purchased or be seized of any Piece or Parcel of Ground, Messuage, or Tenement, over and above what shall be necessary for effecting the Purposes of this Act, it shall be lawful for the said Commissioners to sell and dispose of such Pieces or Parcels of Ground, Messuages, or Tenements, either together or in Parcels, as they shall find most convenient and advantageous, to such Person or Persons as shall be willing to become the Purchaser or Purchasers of the same; and the Money to arise by the Sale or Sales which may be made by the said Commissioners as aforesaid, shall be applied to the Purposes of this Act, but the Purchaser or Purchasers thereof shall not be answerable or accountable for any Misapplication or Nonapplication of such Money.

Bodies Politic may sell to Commissioners.

LIII. And be it further enacted, That the better to enable the said Commissioners to make Purchases of Houses, Buildings, Lands, and Premises, for the several Purposes herein-before mentioned, it shall and may be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life, or in Fee Tail General or Special, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, and other Trustees whatsoever, not only for and on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Coverts, and all and every Person and Person whomsoever who are or shall be seised, possessed of, or interested in any such Houses, Outhouses, Shops, Warehouses, Cellars, Walls, or other Buildings, Yards, Gardens, Lands, Tenements or Hereditaments, or any Part thereof, which the said Commissioners shall require, and are by this Act enabled to purchase for all or any of the Purposes aforesaid, to treat, contract, and agree with the said Commissioners for the absolute Sale thereof, or any Part thereof, and to sell and convey all or any Part thereof, and all Estate, Right, Title, and Interest whatsoever of and in the same, to the said Commissioners, or to such Persons and their Heirs for ever, as the said Commissioners shall direct, in Trust for them the said Commissioners, for the Purposes of this Act; and that all Contracts, Agreements, Bargains, Sales, and Conveyances, which shall be so made by virtue and in pursuance of this Act, shall, without any Fine or Fines, Recovery or Recoveries, or other Conveyances or Assurances in the Law whatsoever, be good, valid, and effectual to and for such Ends, Intents, and Purposes, not only to convey the Estate and Interest of the Person and Persons conveying, but also to convey all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever of their said several and respective Cestuique Trust, and all claiming by, from, and under them, and all Persons entitled in Remainder or Reversion expectant in any particular Estates, any Law, Statute, Usage, or any other



other Matter or Thing whatsoever to the contrary thereof in anywise notwithstanding; and the same shall be deemed and considered to bar all Dower of the Wife or Wives of such Party or Parties, and all Estates Tail and other Estates in Possession, Reversion, Remainder, or Expectancy, and the Issue or Issues of the same Party or Parties claiming under them, or any of them respectively, any Law, Statute, or Usage, or other Matter or Thing whatsoever, to the contrary thereof in anywise notwithstanding; and all Bodies Politic, Corporate, or Collegiate, Corporations, Aggregate or Sole, and all Tenants for Life, or in Fee Tail, General or Special, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, and all other Persons are and shall be hereby indemnified for what they shall so do by virtue and in pursuance of this Act: Provided always, that in all Cases where such Premises, or any Part thereof, shall be Copyhold, then the Lord or Lords, Lady or Ladies of the Manor or Manors of which the same shall be held, are hereby authorized, at the Expence, Costs, and Charges of the said Commissioners, to free and enfranchise the same and every Part thereof, whether such Lord or Lords of such Manor shall be seised thereof in Fee Simple or in Fee Tail, or in Trust, or otherwise howsoever, and the said Commissioners are hereby required to pay to such Lord or Lady a fair and valuable Consideration for every such Enfranchisement from and out of the Money to arise by virtue of this Act.

LIV. And be it further enacted, That if any Money shall be contracted or agreed to be paid, for the Purchase of any Messuages, Buildings, Lands, Tenements, or Hereditaments, to be purchased by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Body Corporate, Collegiate, or Ecclesiastical, Tenant for Life or in Tail, Trustee, Feme Covert, Infant, Lunatic, or Idiot, or any other Person or Persons under any Disability or Incapacity, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there, *ex parte* the Commissioners for executing this Act; to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way, by the Party or Parties who would have been entitled to Rents and Profits of the said Messuages, Buildings, Lands, Tenements or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Messuages, Buildings, Lands, Tenements, or Hereditaments, or affecting other Messuages, Buildings, Lands, Tenements, or Hereditaments, standing and being settled to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under and with the like Direction and Approbation of the same Court, in the Purchase of other Messuages, Buildings, Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Messuages, Buildings, Lands, Tenements, or Hereditaments, which shall be purchased for the Purposes of this Act, stood and were settled and limited, or such of them as at the Time of making such Conveyance and Settlement

Application  
of Purchase  
Money when  
amounting  
to 200l.



Settlement shall be existing undetermined, and capable of taking Effect; and in the meantime and until such Purchase shall be made, the said Money shall, by Order of the said Court, upon Application made thereto, be invested by the said Accountant General, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime and until the said Bank Annuities shall be ordered by the said Court to be sold, for the Purposes aforesaid, the Dividends of the said Bank Annuities shall from Time to Time be paid by Order of the said Court, to the Party or Parties who would from the Time being have been entitled to the Rents and Profits of the said Messuages, Buildings, Lands, Tenements, and Hereditaments, so hereby directed to be purchased, in case such Purchase or Settlement were made.

When under  
200l. and  
amounting  
to 20l.

LV. Provided always, and be it further enacted, That if any Money so contracted or agreed to be paid for any Messuages, Buildings, Lands, Tenements, or Hereditaments, purchased for the Purpose of this Act, which shall belong to any Body Corporate, Collegiate, or Ecclesiastical, Tenant for Life or in Tail, Trustee, Feme Covert, Infant, Lunatic, or Idiot, or any other Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Party or Parties who would have been entitled to the Rents and Profits of the Messuages, Buildings, Lands, Tenements, or Hereditaments, so purchased for the Purpose of this Act, or of his, her, or their Guardian or Guardians, Committee or Committees, in Cases of Infancy, Lunacy, or Idiotcy, to be signified in Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in the Manner herein-before directed, or otherwise the same shall be paid, at the like Option, to Two Trustees, to be named by the Party or Parties making such Option, and approved by Seven or more of the Commissioners for executing this Act, (such Nomination and Approbation to be signified by Writing under the Hands of the nominating and approving Parties), in order that such principal Money and the Produce thereof, may be applied in the Manner herein-before directed, so far as the Case shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the said High Court of Chancery.

Where under  
20l.

LVI. Provided also, and be it further enacted, That where such Money so contracted or agreed to be paid as aforesaid, shall not exceed the Sum of Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Party or Parties who would for the Time being have been entitled to the Rents and Profits of the Messuages, Buildings, Lands, Tenements, or Hereditaments so purchased for the Purpose of this Act, in such Manner as the said Commissioners for executing this Act, or any Seven or more of them shall think fit; or in Cases of Infancy, Lunacy, or Idiotcy, then to the Guardian or Guardians, Committee or Committees of the Infants, Lunatics, or Idiots entitled to such Rents and Profits, to and for the Use and Benefit of such Infants, Lunatics, or Idiots respectively.

LVII. And



**LVII.** And be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends and Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly; unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Where any Question shall arise as to the Title to Money, &c.

**LVIII.** And be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Court of Chancery, and to be applied in the Purchase of other Lands, Tenements, and Hereditaments, to be settled to the like Uses, in pursuance of this Act, it shall and may be lawful to and for the said Court of Chancery to order the Expences of all Purchases to be from Time to Time made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, to be paid by the said Commissioners out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Court of Chancery may order Expences, &c.

**LIX.** And whereas in order that the Water in the Stream or Rivulet, called the *Bourne*, which runs through the said Town of *Hasting*, and all other Streams of Water flowing into or communicating with the same within the Limits of this Act, may be pure and wholesome; be it further enacted, That all and every Person and Persons who now hath or have within the Limits of this Act, above or to the Northward of the Brick or Stone Bridge, any Gutter, Pipe, Ditch, or Drain, communicating with the *Bourne*, from or through any Cesspool, Privy, Hogstye, or Pound, Stable, Fellmonger's Yard, Deeze, or other Building, Wash-house, Scullery, Dung-heap, Brew-house, or other Places (except a Top or Surface Drain from such Cesspool, for the Purpose of carrying off any occasional Surplus or sudden Flow of Water), through which Gutter, Pipe, or Drain, any noisome or offensive Water, Soap Suds, Matter, or Thing, shall flow or run into the said Stream of Water called the *Bourne*, shall, at the Expence of the said Commissioners, within the Space of Eight Days after Notice shall be given to him, her, or them, or left at his, her, or their usual Place or Places of Abode, signed by Seven Commissioners, sink

To stop up Gutters or Drains flowing into the Bourne.

[Local.]

3 L

a proper



a proper Cesspool or Cesspools, under the Direction of the said Commissioners, to be approved by their Surveyor or Surveyors, to receive the Contents passing through every such Gutter, Pipe, or Drain, leaving only such Top or Surface Drain as before mentioned, or in Default thereof, shall forfeit and pay any Sum not exceeding Forty Shillings, and any further Sum not exceeding Ten Shillings, for every Day such Offence shall continue; and it shall be lawful for the said Commissioners, and their Surveyor or Surveyors, and they are hereby authorized and empowered, to enter the Gardens, Yards, and Premises of any such Person and Persons, after the Expiration of such Notice as aforesaid, and at the Expence of the said Commissioners to cause such Cesspool or Cesspools to be made to receive the Contents of the said Gutters, Pipes, or Drains; and that no Person shall hereafter have, form, or lay any new Gutter, Pipe, or Drain that shall communicate with the *Bourne*, otherwise than occasionally by a Surface or Top Drain to convey any sudden or Surplus Water from such Cesspool or Cesspools as before mentioned, under the like Penalties as last before expressed, and that if the same be continued after such Eight Days Notice it shall be lawful for the said Commissioners, and their Surveyor or Surveyors, and they are hereby authorized and empowered to enter the Gardens, Yards, and Premises of any such Person or Persons, and to cause such Cesspool or Cesspools to be made as before mentioned, and the Costs and Charges thereof shall be paid or reimbursed to the said Commissioners, or their Order, by the Owner or Owners of such last mentioned Gutters, Pipes, or Drains; and in default of Payment upon Demand, may be recovered in like Manner as Penalties are by this Act authorized to be recovered.

For keeping  
the Waters  
of the Bourne  
pure.

LX. And be it further enacted, That no Hogstye or Hog Pound shall stand or be placed within Thirty Feet of the said Watercourse called the *Bourne*, under the Penalty of any Sum not exceeding Forty Shillings, to be paid by the Person to whom the same shall belong, and a further Penalty of Ten Shillings, for every Day the same shall continue unre-moved after Three Days Notice being given on the Part of the said Commissioners for the Removal thereof.

Penalty on  
Persons  
washing  
Dogs, &c. in  
the Bourne.

LXI. And be it further enacted, That in case any Person or Persons shall wash any Dog or other Animal, or any Fish, Clothes, Linen, Wool, Leather, or the Skin of any Sheep, Lamb, or other Animal, or any noisome, or offensive Article or Thing whatsoever, in the Watercourse called the *Bourne*, or shall throw, cast, or put into the *Bourne* any Fish, Fish Offal, Bones, Weeds, Rubbish, Stones, Tiles, Cinders, Ashes, or other Matter or Thing, or shall suffer to run from his, her, or their Premises, into the *Bourne*, to the Northward of the Brick or Stone Bridge aforesaid, any Soil, Filth, Soap Suds, dirty Water, or any noisome or offensive Matter whatsoever; or put down any Stumps, Boards, or Stones, or any other Matter or Thing, so as to obstruct the free Course of the Water therein; every Person so offending shall for each Offence forfeit and pay any Sum not exceeding Five Pounds: Provided always, that no Person shall be subject to the said Penalty for the Overflowing of any Cesspool, Privy, Hogstye, or Dung-heap, in case the same shall happen from sudden or violent Rain or Frost, or other unforeseen Cause or Accident.



LXII. And, in order to protect and further improve the Watercourse called the *Bourne*, be it also enacted, That no Person or Persons whomsoever, without the Consent in Writing, of the said Commissioners first had and obtained, shall alter or divert the Course of the said Water called the *Bourne*, or any Part thereof within the Limits of this Act, under a Penalty of any Sum not exceeding Twenty Pounds, and a further Penalty not exceeding Twenty Shillings, *per* Day for every Day the same shall remain so altered or diverted; and that it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, and they are hereby authorized and empowered, by their Surveyor or any other Person or Persons acting under their Authority, to throw down, take away, or remove any Stumps, Boards, Stones, or any other Materials, Matter, or Thing, now standing or being, or that may hereafter be erected, put or placed in any Part of the said Stream or Watercourse within the Limits of this Act, which does or shall in any way obstruct or impede the free Course of the Water therein, and by such Ways and Means as the said Commissioners shall think most effectual stop up and prevent any Diversion of the Course of the Water from the said Stream; and that it shall be lawful for the said Commissioners, their Surveyor, or any other Person or Persons authorized by the said Commissioners, to enter upon any Yard, Land, or Ground adjoining to the said Stream, for any of the Purposes aforesaid; and that the said Rivulet or Stream of Water called the *Bourne*, between the Place where the Two Streams meet, at the Bottom of a Field now in the Occupation of *Edward Ward* Esquire, and the *Creek Bridge*, or such Part or Parts thereof as the said Commissioners shall think proper, shall be contracted and paved, if found requisite, and otherwise improved, and in all respects regulated in such Manner as they shall direct; and that from the *Creek Bridge* before mentioned, to the *Guts Mouth*, all within the Limits of this Act, the Stream shall be made to run in a confined Course, by means of a Barrel Drain or otherwise, as the said Commissioners shall think proper, so nevertheless that the same for the last-mentioned Distance be completely covered in.

Improvements to be made in the Watercourse called the *Bourne*.

LXIII. 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 Second *Monday* next after the passing of this Act, there shall be paid to the said Commissioners, or to their Collector, or to such other 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 or Ton of Thirty Hundred Weight of Sea Coal, Culm, or other Coal and Coke which shall or may be imported and landed at the said Town, or otherwise brought or delivered within the Limits of this Act, and so in Proportion for any less Quantity than a Chaldron; such Rate or Duty to be paid in Addition to all other Duties and Impositions payable in respect thereof by any Law or Statute now in force.

Duty on Coal.

LXIV. And to the Intent that the said Rate or Duty on Coals, Culm, or Coke, may be duly paid, be it further enacted, That no Collector, Customer, Collector of His Majesty's Customs, Comptroller, Receiver of Entries, or Ships Surveyor or Searcher, or other Officer of the Customs

No Ship to leave the Port till the Master produces a Certificate what



ificate that  
the Duty is  
paid.

whatsoever, belonging to the said Port of *Hasting*, shall at any Time after the Commencement of this Act, give or make out any Discharge, or make any Report outwards for any Ship or Vessel to sail from, leave, or go out of the Limits of the Jurisdiction of this Act, until the Master or Owner, or other Person or Persons having the Rule, Government, or Command of any such Ship or Vessel, shall produce a Certificate from the Collector or other Person or Persons to be appointed in pursuance of this Act, that the last-mentioned Rate or Duty granted by this Act as aforesaid hath been paid or secured to be paid; which said Certificate the said Collector or other Person is and are hereby required to give, without Fee or Reward, to the Person requiring the same; and that any Collector, Customer, Collector of His Majesty's Customs, Comptroller, Surveyor, or other Officer of the Customs, making default in any of the Premises enjoined by this Act, shall forfeit and pay any Sum not exceeding Ten Pounds, to be recovered and applied as herein-after mentioned.

Ships or  
Coals may be  
distrained for  
Payment of  
the Duty.

LXV. And that the said Rate or Duty may be more effectually collected and levied, be it further enacted, That in case any Owner or Master, or other Person having the Rule, Government, or Command of any Ship or Vessel, laden or having on board Coal, Culm, or Coke, charged and chargeable with the aforesaid Rate or Duty, shall refuse to pay the same, then and in such Case it shall and may lawful to and for the said Commissioners, or such Person or Persons 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 distrain 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, and Coke, chargeable with the said Rate or Duty, either on board such Ship or Vessel or on Land, and the same to detain until he or they shall be fully paid the said Rate or Duty; and in case of any Neglect or Delay in Payment of the said Rate or Duty for the Space of Three Days after any Distress or Distresses so taken as aforesaid, then and in such Case it shall and may be lawful to and for the said Commissioners, and such Person or Persons as they shall appoint as aforesaid, to cause the same to be appraised, and afterwards to sell the said Distress and Distresses, and thereby to satisfy him or themselves, as well for and concerning the said Rate or Duty so neglected or delayed to be paid, and for which such Distress or Distresses shall be taken as aforesaid, as also for his or their reasonable Charges in taking, keeping, appraising, and selling such Distress, rendering to the Master or other Person having the Rule, Government, and Command of the Ship or Vessel, in, to, or from which such Distress shall be so taken or belong, the Overplus, if any there shall be, on Demand.

Penalty for  
not paying  
the Duty on  
Coals  
brought by  
Land, and  
the same  
may be dis-  
trained.

LXVI. And be it further enacted, That in case any Sea Coal, Culm, or Coke, be brought into and delivered within the Limits of this Act by Land, and the aforesaid Rate or Duty be not paid or tendered thereon, at the House or Office of the Collector or Person appointed to receive the same, within Twenty-four Hours after the same shall have been brought into and delivered as aforesaid, the Owner or Owners of such Coal, Culm, or Coke, shall, in addition to the said Rate or Duty, forfeit and pay any Sum not exceeding Twenty Shillings for each and every Chaldron of the said Coal,  
Culm



Culm or Coke, for which the said Rate or Duty shall not have been so paid; and the said Commissioners, or the said Collector or other Person or Persons, are and is hereby authorized and empowered to seize and detain the said Coals, Culm, or Coke, or any Part thereof, wheresoever the same may be found within the Limits of this Act, on Nonpayment of the 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 detain the said Rate or Duty and Penalties, and also the Charges and Expences of making and selling such Distress, and rendering the Overplus, if any, to the Owner or Owners of the said Coals, Culm, or Coke, on Demand; provided always, that nothing herein contained shall extend or be construed to charge with the said Rate or Duty, any Coals, Culm or Coke which shall not be discharged from any Ship or Vessel, upon any Part of the Beach within the Limits of this Act, or housed, deposited, or delivered within the same Limits, but only passing through the same for or towards any Place whatsoever.

Not to extend to Coals passing through the Limits of the Town to other Places.

LXVII. And be it further enacted, That from and after the Second *Monday* next after the passing of this Act, until some other Person or Persons is or are appointed by the said Commissioners to collect and receive the aforesaid Rate or Duty on Coals, Culm and Coke, and when and as often as no other Person or Persons is or are appointed by the said Commissioners for that Purpose, the Principal Coast Officer of His Majesty's Customs for the Time being, residing within the said Town and Port, shall be the Collector of the said Rate or Duty, he first having the Approbation and Authority of the Lord High Treasurer, or Commissioners of His Majesty's Treasury for the Time being, and being allowed by the said Commissioners a reasonable Salary for his Service on that behalf; and such Officer shall well and truly, when and as often as required thereto by the said Commissioners, account for the said Rate and Duty to the said Commissioners, at any Meeting to be held under this Act, and shall, as far as regards such Collection, be considered as an Officer of the said Commissioners, subject and liable to all the Rules, Regulations, and Penalties herein provided with respect to such Officer, as fully and effectually, to all Intents and Purposes, as if he had been appointed such Collector by the said Commissioners, by Writing or otherwise, under this Act.

Principal Coast Officer of the Customs residing in the Town, to be Collector of the Coal Duty, until another Person be appointed.

LXVIII. Provided also, and be it further enacted, That in every Case where any Coals, Culm or Coke shall have been landed or unloaded within the Limits of this Act, and for which the Rate or Duty hereby imposed shall have been paid, and which shall have been so landed or unloaded for the Purpose of being forwarded to any other Place or Places, and not to be consumed within the said Limits, then and in every such Case, the Collector or Treasurer to be appointed by virtue of this Act is hereby directed and required to return and pay, on Demand, to the Owner or Owners, or other Person or Persons on his, her, or their Behalf, a Drawback of the whole Rate or Duty paid for every Chaldron of Coals, Culm or Coke, so landed or unloaded, and which shall have been forwarded to any other Place for Sale or Consumption.

Drawback of Duty on Coals consumed out of the Town.

[*Local.*]

3 M

LXIX. And



Treasurer  
compelled to  
return the  
Drawback.

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

Coals not to  
be brought  
into the  
Town, after  
Allowance of  
Drawback.

LXX. And be it further enacted, That if any Person or Persons shall, after Allowance or Drawback made or paid by virtue of this Act for the Coals; Culm, or Coke, put on board or loaded as aforesaid, bring back, reland, unload or deliver the said Coals, Culm or Coke, or any of them, in or to the said Town and Port, then and in every such Case every Person so offending shall repay to the said Collector or Collectors, Receiver or Receivers, the Duties of all such Coals, Culm, or Coke as shall be brought back, relanded, unloaded, or delivered as aforesaid, and also forfeit and pay the Sum of Five Shillings for every Chaldron of Coals, Culm or Coke that shall be brought back, relanded, unloaded, or delivered in the said Town as aforesaid, and so proportionably for a greater or less Quantity than a Chaldron; One Moiety thereof to be to the Use of the Informer, and the other Moiety thereof to be paid to the said Commissioners, to be applied for the Purposes of this Act.

Commission-  
ers may raise  
a Rate for  
paving, &c.  
not exceed-  
ing Two  
Shillings in  
the Pound.

LXXI. And be it further enacted, That in further Aid of the general Purposes of this Act, and for raising Money for defraying the several Charges and Expences incidental to and attending the Execution thereof, and for paying the Interest, and repaying and discharging the Monies borrowed or to be borrowed under or by virtue of this Act, it shall and may be lawful to and for the said Commissioners, once in every Year after the passing of this Act, or oftener if they shall think it necessary, to make One or more Rate or Rates, Assessment or Assessments, to be signed by any Seven or more of the said Commissioners for the Time being, upon the Tenants or Occupiers of all Houses, Shops, Warehouses, Coach Houses, Cellars, Vaults, Buildings, Gardens, Grounds, Farms, Lands, Tenements, or Hereditaments whatsoever, within the said respective Parishes of *Saint Clement* and *All Saints*, and that Part of the Parish of *Saint Mary-in-the-Castle* as lies within the said Town and Port; 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, Cellars, Vaults, Gardens, Grounds, Tenements, and Hereditaments, and for Farms and Lands the Sum of One Shilling in the Pound, on the Scale or Rate for the Time being on which Rates are raised in each such Parish to and for the Relief of the Poor of such respective Parishes; and the Money or Monies so rated or assessed on the said Tenants or Occupiers of the said respective Parishes, and to be borne and defrayed by them, shall be paid by them respectively, to the Collector or other Person or Persons appointed or who shall or may be appointed by the said Commissioners to receive the same; and if any such Tenant or Occupier shall neglect or refuse to pay his or her Proportion or Proportions of any of the said Rates or Assessments to the said Collector for the Space of Seven Days next after Demand made thereof, by Notice in Writing under the Hand of the said Collector, to be delivered to or left at the Dwelling House or usual Place of Abode of such Tenant or Occupier, the same shall  
and



and may be levied on all and every such Tenant or Tenants, Occupier or Occupiers so neglecting or refusing, by Distress and Sale of his, her, or their Goods or Chattels, by Warrant under the Hand and Seal or Hands and Seals of any One or more Justice or Justices of the Peace for the said Town and Port; and the Surplus, if any, of the Monies to be raised by such Distress and Sale, shall be returned on Demand to the Owner or Owners of the Goods or Chattels so distrained, after deducting all Charges attending such Distress and Sale.

LXXII. And be it further enacted, That in all Cases where any Person shall remove from or quit any Messuage or Dwelling House, Warehouse, Building, Garden, Lands, Tenements, Hereditaments, or Premises, which shall have been rated or assessed by virtue of this Act, such Person or Persons shall be liable to pay such Rates or Assessments in Proportion to the Time that he, she, or they shall have occupied the same, in like Manner as if such Person or Persons had not removed or quitted the same; and in all Cases where any Person shall come into or occupy any such Premises, out of or from which any other Person who had been rated or assessed for the same shall have removed, or which at the Time of making any such new Rate or Assessment was or were empty or unoccupied, such Person or Persons shall, for or in respect of his, her, or their Occupation thereof, be liable to such Rate or Assessment in Proportion to the Time that he, she, or they shall occupy the same, in the same Manner as if he, she, or they had been originally rated or assessed for the same; which said respective Proportion, in case of any Dispute respecting the same, shall be determined by the said Commissioners in such Manner as they shall deem reasonable and just; and in case any Person having been so rated and assessed, shall quit the Premises in which he or she had been so rated or assessed without paying such Rate or Assessment, or his or her Proportion thereof, by him, her, or them due and payable as aforesaid, and shall afterwards refuse or neglect to pay the same, it shall and may be lawful for the said Collector or Collectors, by Warrant under the Hand and Seal of any Justice of the Peace for the said Town and Port, countersigned or indorsed by any Justice of the Peace for the City, County, Riding, Division, Liberty, Town or Place, where such Person shall remove to or reside, or where any Goods or Chattels of such Person shall be found (which Warrant such Justice of the said Town and Port is hereby required to grant, upon Proof made of the Sum so due before him, upon Oath of a credible Witness or Witnesses, or Affirmation being a Quaker, and such Justice of the City, County, Riding, Division, Liberty, Town or Place, where such Person shall remove to or reside, is hereby authorized to countersign or indorse), to levy such Rate or Rates, or Proportion thereof as aforesaid, by Distress and Sale of the Goods and Chattels of such Person, rendering the Overplus, and the Goods and Chattels remaining (if any) upon Demand, after Payment of the Money due in respect of such unpaid Rate or Rates or Proportion thereof, and all Expences relating to the Recovery thereof, unto the Person or Persons whose Goods and Chattels shall have been so distrained and sold as aforesaid.

Persons removing to pay a proportionable Part of the Rates.

LXXIII. And be it further enacted, That every Person being a Landlord or Tenant, who shall let his or her House in separate Apartments or ready furnished to a Lodger or Lodgers, or for any less Term than a Year,

Rates where Houses are let to several Families.



Year, shall, for the several Purposes of this Act, be deemed and taken to be the Occupier thereof, and may be rated and assessed accordingly.

Poor Rates  
may be in-  
spected.

LXXIV. And the better to enable the said Commissioners to rate the Inhabitants of the said respective Parishes according to the Scale or Rate on which they are respectively rated to the Poor of the Parishes in which they respectively reside; be it further enacted, That it shall and may be lawful to and for the said Commissioners, and their Clerk, or other Person or Persons to be appointed by them or any Seven or more of them, by Writing signed by them, to inspect and take Copies and Extracts of any Rates made for the Relief of the Poor, in either of the said Parishes; which Inspection, Copies, and Extracts, the Person or Persons having the Custody of such Rates respectively, is and are hereby required to permit and suffer to be made, without Fee or Reward; and in case any such Person or Persons shall neglect or refuse so to do, he, she, or they shall for the First Offence forfeit and pay the Sum of Twenty Shillings; for the Second Offence, the Sum of Two Pounds; and for the Third and every other Offence, the Sum of Five Pounds.

Occupiers  
discharged of  
StatuteDuty.

LXXV. And be it further enacted, That from and after the passing of this Act, all and every Person and Persons who shall be the Occupier or Occupiers of any Lands, Tenements, Tythes, or Hereditaments, in the said Parishes of *Saint Clement All Saints*, or that Part of *Saint Mary-in-the-Castle* as is situate within the said Town and Port, or who shall keep or maintain any Wheel Carriage, Team or Draught Horses wholly within the same, shall be and they are thereby discharged of and from all Statute Duty or Labour upon the Highways situate within the Limits of this Act, and of and from the Payment of any Composition Money for or in lieu thereof, and from all Pains and Penalties inflicted by any Act or Acts of Parliament relating to the Appointment of Surveyors of the Highways, it being the Meaning and Intention of this Act to place the Highways within the Limits aforesaid, in the Control and Management of the said Commissioners and of their Surveyor for the Time being; and the Expence attending the repairing, amending, and keeping in Repair the said Highways, shall be defrayed and paid by the said Commissioners by and out of the Rates and Duties by this Act authorized to be imposed, raised, and collected.

Commissioners to raise  
Money to pay  
1,500l. and  
Interest  
borrowed  
under the  
former Act.

LXXVI. And be it further enacted, That in order to the Payment of the said Sum of One thousand five hundred Pounds, and all Interest now due and hereafter to accrue thereon, to the Person and Persons entitled to receive the same, their Executors, Administrators, and Assigns, the said Commissioners shall yearly and every Year after the passing of this Act, by a Rate or Assessment on all the Buildings, Lands, Tenements, and Hereditaments within the said Parish of *Saint Clement*, or on the Tenants or Occupiers thereof, raise the Sum of One hundred and twenty Pounds, which shall be by them from Time to Time applied in Payment of the Interest now due and hereafter to accrue on the said Sum of One thousand five hundred Pounds, and in the gradual Payment of the Principal, until the whole shall be discharged; which Rate or Assessment shall be made, levied, and recovered in the same Manner as the Rates or Assessments herein-before authorized for the general Purposes of this Act are directed to be made, levied, and recovered.

LXXVII. And



LXXVII. And be it further enacted, That all Conveyances, Bonds, Covenants, Agreements, Contracts, and other Securities entered into by the Commissioners for executing the said recited Act, to or with any Person or Persons, according to the Provisions and Directions of the said Act, shall remain in full Force and Effect, and shall be and continue available, and shall and may be enforced in all Courts of Law and Equity, in such and the same Manner as if the said Act had not been repealed, until the same are fully satisfied and performed.

Conveyances and Securities under the former Act to be available.

LXXVIII. And be it further enacted, That in case the whole Money in any Rate or Assessment ordered or directed to be assessed, collected, and levied, by and under the Authority of the said recited Act, shall not have been received, that then the same, or so much thereof as shall be unpaid, shall and may be collected, levied, and recovered by such Ways and Means, and under such Restrictions and Regulations, as the Rates and Assessments to be made under or by the Authority of this Act are directed to be collected, levied, and recovered ; any thing herein contained to the contrary thereof notwithstanding.

Rates assessed under the former Act to be levied until the whole are collected.

LXXIX. And in order to enable the said Commissioners to put this Act into immediate Execution, be it further enacted, That it shall and may be lawful for the said Commissioners, and they are hereby authorized from Time to Time to borrow and take up at Interest any Sum or Sums of Money for the Purposes of this Act, upon the Credit of the said Rates and Duties, not exceeding the Sum of Eight thousand Pounds, and by Writing under the Hands and Seals of the said Commissioners, or any Seven or more of them, at any Meetings to be held or appointed, to assign all or any Part of the said Rates and Duties to such Person or Persons as shall lend or advance any Money thereon, as a Security for the Payment of the Principal Money so to be advanced, with Interest for the same ; and every such Mortgage or Assignment shall be in the Words and to the Effect following ; (that is to say),

Power to borrow Money.

‘ BY virtue of an Act, passed in the First Year of the Reign of His Majesty King *George* the Fourth, intituled [*here set forth the Title of this Act*], we, the undersigned Commissioners appointed by and in pursuance of the said Act, in consideration of the Sum of advanced and lent by *A. B.* upon the Credit and for the Purposes of the said Act, do grant, bargain, sell and demise unto the said *A. B.* his Executors, Administrators, and Assigns, such Proportion of the Rates, Duties, or Assessments arising by virtue of the said Act, as the said Sum of doth or shall bear to the whole Sum which may at any Time be borrowed, or become due and owing or charged upon the Credit of the said Act, to be had and holden from this Day of in the Year until the said Sum of with Interest at per Centum per Annum, for the same, shall be paid and satisfied.’

Form of Mortgage or Assignment.

And every such Mortgage or Assignment shall be good, valid, and effectual in the Law ; and all Persons 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 and Duties equally one with another, without

[Local.]

3 N

any



any Preference in respect of the Priority of advancing any such Money, or the Dates of any such Mortgages or Assignments.

Securities  
transferrable.

LXXX. And be it further enacted, That it shall and may be lawful to and for any Person or Persons entitled to any of the Securities aforesaid, at any Time, by Writing under his, her, or their Hand or Hands respectively, to assign, transfer, and make over such Securities to any Person or Persons whomsoever, and so *toties quoties*; and such Assignment or Transfer may be made by Indorsement on the Back of their respective Securities, in the Presence of One credible Witness, after they shall be respectively entered by the Clerk to the said Commissioners in Manner herein-after mentioned, and shall entitle the Person or Persons to whom the same shall be respectively made, and his, her, and their Executors, Administrators, and Assigns, to the Benefit of the Security or Securities so assigned or transferred; and such Assignment or Transfer shall be in the Words or to the Purport following; (that is to say),

Form of  
Transfer.

‘ I Do transfer this Mortgage, with all my Right and Title to the Principal Money hereby secured, and the Interest due or to grow due thereon, and all Arrears thereof, and all my Right and Title thereunto, unto  
‘ his Executors, Administrators, and Assigns, this  
‘ Day of

Securities,  
and Assignments there-  
of, to be en-  
tered in a  
Book by the  
Clerk of the  
Commis-  
sioners.

LXXXI. And be it further enacted, That the Clerk to the said Commissioners shall, before any Interest on any such Security shall be actually paid by the Treasurer, enter into a Book or Books to be provided for that Purpose, all Securities for Money borrowed by virtue or in pursuance of this Act, and all Assignments, and so much of such Wills as relate to the Bequests of any such Security; to which Book or Books any Person or Persons interested therein shall at all seasonable Times have Access, and free Liberty to inspect the same, without Fee or Reward; provided always, that before such Assignment or Transfer shall be so entered by the Clerk, an Affidavit (taken before some Justice of the Peace) shall be delivered to the said Clerk, of the due Execution of such Assignment or Will, and the said Clerk is hereby required to file such Affidavit, and for which Entry and filing such Affidavit he shall be paid the Sum of Two Shillings and Sixpence, and no more.

Securities  
redeemable.

LXXXII. Provided always, and be it further enacted, That every such Security which shall be made by virtue of this Act, for any Sum of Money which shall be borrowed by the said Commissioners for the Purposes of this Act, 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 or Persons 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.

Commis-  
sioners not  
to borrow  
Money in less  
Sums than  
50l.

LXXXIII. Provided always, 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 of them, to borrow such Sum of Eight thousand Pounds, or any Part thereof, but at a Meeting or Meetings to be specially called for that Purpose, whereof due Notice shall be given in Manner herein-before required with respect to Special Meetings, and unless at such Meeting



Meeting or Meetings Seven or more of the said Commissioners shall be present; provided always, that no less a Sum than Fifty Pounds shall be borrowed of any One Person or Body Corporate or Politic, upon the Credit of the said Rates and Duties made.

LXXXIV. And be it further enacted, That all and every Collector or Collectors, to be appointed in pursuance of this Act, of the several Rates, Duties, and Payments hereby imposed and authorized to be taken, shall, and he and they is and are hereby required to pay all such Monies as he or they shall or may respectively collect or receive in pursuance of this Act as aforesaid, within Twenty-eight Days after the Receipt thereof, into the Hands of the Treasurer to be appointed by the said Commissioners; and the said Treasurer is hereby authorized and required, out of the Monies collected and paid into his Hands, to pay such Sum or Sums of Money which the said Commissioners, or any Seven or more of them, at a General or Special Meeting, shall from Time to Time draw upon him for or order him to pay; and the said Treasurer for the Time being shall and he is hereby required to keep regular and clear Entries, under distinct and appropriate Heads, in a Book or Books to be for that Purpose by him provided and kept, of all and singular his Receipts, Payments, and Disbursements, on account or in pursuance of this Act, and shall therein state from and to whom and on what particular Account the same was received and paid; to which Book or Books, and all others kept for the Purpose of this Act, every Person liable to the Payment of any of the said Rates, Duties, and Payments, shall and may have free Access at all convenient Times, with full Liberty to inspect the same, without Fee or Reward; and in case the said Treasurer shall refuse to permit, or shall not permit such Inspection as aforesaid, he shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, to be levied and recovered in the same Manner as other Penalties are herein directed to be levied and recovered; and also, that the Treasurer for the Time being shall once in every Year have the said Accounts audited, passed, and allowed by the said Commissioners, at a Meeting to be held for that Purpose, and shall verify the same upon Oath, if required so to do.

Collectors to pay Money collected to the Treasurer; the Treasurer to pay over the same, as ordered by the Commissioners.

LXXXV. And be it further enacted, That all Monies to arise by or from the Duties upon Coals, Culm, and Coke, and the Rates upon Houses, Buildings, and Lands herein-before imposed or directed to be raised, and all Money which may be borrowed on the Credit thereof respectively, and all Penalties and Forfeitures to be recovered or levied by virtue of this Act, and all Monies which are herein-before directed to be applied to the Purposes of this Act, and all other Monies which shall come to the Hands of the said Commissioners for the Purposes of this Act, in regard to the Disposal of which no specific Directions are herein-before given, shall be and the same are hereby vested in the said Commissioners, and the same shall be applied and disposed of, in the first Place, towards paying and defraying the Charges and Expences which shall be incurred or in any Manner incident to and attending the Application for and obtaining and passing of this Act, and in the next Place, in paying and discharging the Principal Monies to be borrowed under or by virtue of this Act, for the Purpose of carrying the several Provisions of this Act into Execution, and the Interest of such Monies respectively, and for and towards defraying the Charges and Expences of paving, amending, repairing, cleansing, improving, lighting, watching and watering the Streets, Lanes, and other public

Application of the Money raised.



public Places within the Limits of this Act, and the removing and preventing Nuisances, Annoyances, Obstructions, and Encroachments therein, and for cleansing, improving, amending, maintaining and repairing the Stream, Watercourse, or Rivulet, called the *Bourne*, and the removing and preventing Nuisances, Annoyances, Obstructions, and Encroachments therein, and for and towards the Purchase of the necessary Messuages, Buildings, Lands, and Hereditaments, the Materials and Things to be used or applied for the several Purposes aforesaid, and in paying and defraying all other Charges and Expences whatsoever, which the said Commissioners or their Officers, or the Persons employed by them, shall necessarily be put unto in carrying this Act into Execution, and for such other Uses and Purposes as are herein expressed, and to and for no other Use, Intent, or Purpose whatsoever.

Power to  
license  
Hackney  
Coaches, &c.

LXXXVI. And be it further enacted, That it shall and may be lawful for the said Commissioners, and they are hereby authorized and empowered, to license a sufficient Number of Hackney Coaches and Chaises, Sedan Chairs, Flys, and Bathing Machines, to ply for hire within the said Town of *Hasting*, and the Sea Beach or Coast thereof.

Commis-  
sioners may  
make Bye  
Laws for  
regulating  
Hackney  
Coaches, &c.

LXXXVII. And be it further enacted, That from and after the passing of this Act, it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, present at any Meeting, 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, Regulations, and Orders as they shall think fit for regulating and preserving Order at the Meetings to be from Time to Time held by the said Commissioners for carrying into Execution this Act, and for the good Government of their Officers, Patroles, and Watchmen, for licensing and authorizing a sufficient Number of Hackney Coaches, Chaises, Sedan Chairs, Flys, Bathing Machines, Carts or Carriages drawn by any Horse or Horses, Ass or Asses, Mule or Mules, or any Saddle Ass and Mule, to ply for hire within the same Town, or on the Beach or Coast thereof, and for regulating and ordering such Hackney Coaches, Chaises, Sedan Chairs, Flys, Bathing Machines, Carts or Carriages, Horses, Asses and Mules, 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, Chaises, Sedan Chairs, Flys, Bathing Machines, Carts, Carriages, Horses, Asses and Mules, shall be furnished, provided, and kept, and numbered, and what Number of Persons may be carried and conveyed in and on such Coaches, Chaises, Carts and Carriages, and what Number of Horses are to draw the same, and for ascertaining, fixing, altering, and removing the Stands of such Coaches, Chaises, Chairs, Flys, Bathing Machines, Horses, Asses, and Mules, or any of them, from Time to Time, and punishing the Misconduct or Misbehaviour of Hackney Coachmen, Chairmen, and Persons attending such Flys, Bathing Machines, Carts or Carriages, Horses, Asses and Mules, and for fixing, ascertaining and defining what Rates and Prices shall be allowed, paid, awarded, or received by such Hackney Coachmen and Chairmen, and the Owners of and Persons attending such Flys, Bathing Machines, Carts or Carriages, Horses, Asses and Mules, and to what Distance such Hackney Coachmen, Chairmen and  
Persons



Persons attending such Flys, Carts, Carriages, Horses, Asses and Mules, shall be obliged to drive, go, or come in or about the said Town, or the Neighbourhood thereof, and for the Government and Regulation of Persons bathing upon the Coast adjoining to the said Town, or any Part thereof, such Bye Laws, Rules, Orders, and Regulations not being repugnant to the Laws of that Part of the United Kingdom called *England*, or 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 impose such Penalties and Forfeitures, not exceeding Five Pounds, upon all Persons breaking or avoiding the same, or any of them.

LXXXVIII. And be it further enacted, That if the Driver of any Hackney Coach or Chaise, or the Carrier or Carriers of any such Sedan Chair, or any Person or Persons attending such Flys, Bathing Machine, Carts or Carriages, Horses, Asses or Mules, shall be found standing or plying for hire, or using such Coach, Chaise, Sedan Chair, Fly, Bathing Machine, Carts or Carriages, Horses, Asses or Mules, in any Part of the Limits before mentioned, without Licence as aforesaid, or having such Licence shall be found plying for hire, or contrary to or against such Bye Laws, Rules, or Regulations which shall or may be made as aforesaid, the Owner or Owners, or the Person or Persons driving or offering to drive such Coach, Chaise, Cart, or Carriage, or the Owner or Owners of, or Person or Persons attending such Flys, Bathing Machines, Horses, Asses or Mules, so offending, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Penalty on Coachmen, &c. plying without Licence.

LXXXIX. And be it further enacted, That every Licence so to be granted as aforesaid, for the Persons aforesaid under this Act, shall be signed by Seven of the Commissioners at the least, and every Licence not so signed shall be void; and every Licence so granted shall express the Number to which such Person is licensed, and shall be in force for Twelve Calendar Months from the Day of the Date of such Licence, or until the next general annual Licensing of such Persons for the Purposes aforesaid, and no longer; and no one Licence shall include more than One Coach or Chaise, or One Chair or Fly, or One Bathing Machine, or One Cart or Carriage, or One Horse, Ass or Mule; and every such Licence shall be made out by the Clerk to the said Commissioners, and be duly entered in a Book to be provided and kept for that Purpose in his Office, with the Name of the Person licensed, and his and her Number and Place of Residence; and in such Book shall be contained Columns or Places for Entries to be made of every Offence committed by any Driver, Coachman, or Chairman, or Person attending a Fly or Bathing Machine; and that for each and every such Licence there shall be paid to the Clerk of the said Commissioners for the Time being for the same, the following Sums; (that is to say),

Manner of granting Licences, and Sums to be paid thereon.

For each Licence for a Hackney Coach or Chaise, the Sum of Five Shillings:

Rates for Licences.

And for each Licence for a Sedan Chair or Fly, the Sum of Five Shillings:

And for each Licence for a Bathing Machine, Cart or Carriage, the Sum of Two Shillings and Sixpence:

[*Local.*]

3 0

And



And for each Licence for a Horse, Ass, or Mule, the Sum of Two Shillings and Sixpence.

And every Owner of such Coach, Chaise, Chair, Fly, or Bathing Machine, shall affix and keep such Figure or Number as shall be respectively appointed by the said Commissioners, on some conspicuous Part of such Coach, Chaise, Chair, Fly, Bathing Machine, Cart or Carriage; and shall for every Refusal or Neglect so to do, forfeit and pay any Sum not exceeding Twenty Shillings.

Penalty on  
Persons not  
paying  
Hackney  
Coachmen  
their Fare.

XC. And be it further enacted, That if any Person or Persons shall refuse or neglect to pay, on Demand, to any licensed Hackney Coachman or Hackney Coachmen, Sedan Chairman or Sedan Chairmen, or Person or Persons attending such Fly, Cart, or Carriage, or Horse, Ass, or Mule, or such Machine, the Money justly due to him, her, or them for the Fare, Hire or Service thereof, or shall wilfully cut, deface, break, or injure any such licensed Coach or Chaise, or the Horse or Horses, or the Harness of the same, or any licensed Chair, Fly, or Bathing Machine, Cart or Carriage, it shall and may be lawful to and for any one or more Justice or Justices of the Peace for the said Town and Port, upon any Complaint thereof made to him or them, to grant his or their Summons against the Person or Persons complained of, to appear before him or them at some Time and Place to be mentioned in such Summons, to answer the Matter of the said Complaint, and on Proof on Oath of the Service thereof, to proceed in and to hear the Matter of the said Complaint on Oath, whether the Person summoned appears or not, and to make such Order therein as to such Justice or Justices shall appear to be just; and if the Person or Persons upon whom such Order shall be made do not immediately pay or cause to be paid the Money (if any) which shall be ordered as a Satisfaction to the Person or Persons for the Service or Injury done, it shall be lawful for such Justice or Justices, and he and they is and are hereby required to grant his or their Warrant of Distress against the Goods and Chattels of the Person or Persons so refusing or declining to pay, to be taken in any Place wheresoever found, and the same to sell and dispose of, and out of the Monies arising by or from such Sale, to pay the Money so awarded to the Person or Persons to whom it shall be due, with such Costs as such Justice or Justices shall think reasonable, returning the Overplus (if any) on Demand to the Owner of the Goods and Chattels so distrained; and if no Distress can be found, then to commit the Person or Persons against whom such Order shall be made, to the Common Gaol of the said Town and Port, for any Time not exceeding Fourteen Days, there to remain without Bail or Mainprize, unless the Money be sooner paid.

Bye Laws to  
be printed  
and affixed  
up.

XCI. Provided always, and be it further enacted, That the said Commissioners shall cause the Rules, Orders, and Bye Laws, by this Act authorized to be made by them, and any Alteration thereof, to be from Time to Time printed and distributed; and a Copy thereof, signed by the Clerk to the said Commissioners, shall be affixed up in some conspicuous Place in the Town Hall of the said Town and Port of *Hasting*, and on the Outside of the Market Place; and other Copies thereof shall be painted on Boards, and placed or affixed in different Parts or Places within the Limits of this Act, and the same shall from Time to Time be renewed and replaced, in case the same shall be broken, injured, or defaced, so as to be illegible; and the said Bye Laws, Rules, Orders, and  
Regulations



Regulations shall be as good, valid, and effectual as if the same had been enacted in this Act; but no Bye-Law, Rule, Order, or Regulation shall have any Force or Effect until Seven Days next after the same shall have been affixed as aforesaid, and the same respectively shall be subject to Appeal in Manner herein-after mentioned.

XCH. And be it further enacted, That when any Sum of Money shall be borrowed or taken up at Interest, upon the Credit or Security of the said Rates, Duties, or Assessments hereby granted or continued, the Sum of Three Pounds *per Centum per Annum* on every such Sum shall from thenceforth be charged on this Act, and be appropriated and paid out of the Rates, Duties, and Assessments, over and besides the Interest payable on the Money borrowed, in order to form a Sinking Fund for the gradual Payment of all the Principal Sum and Sums so to be borrowed; and that after the Payment of any such Sum or Sums, the said Three Pounds *per Centum per Annum* shall no longer be appropriated thereon; but the full Interest which would have been otherwise payable for or in respect of the same to the Creditor or respective Creditors shall annually from thenceforth be charged on and appropriated and paid out of the said Rates, Duties, or Assessments, in aid of the said Sinking Fund; and that as often as the said Sinking Fund shall amount to the Sum of Fifty Pounds, then and in such Case that Sum shall be applied in Payment of an equal Amount of the said Principal Money then due or owing on the Credit or Security of the said Rates, Duties, or Assessments, rateable or by Lot among the Creditors, as the said Commissioners shall think proper.

Sinking  
Fund.

XCH. And be it further enacted, That if any Person or Persons shall assault, obstruct, hinder, or molest any Commissioner, Clerk, Surveyor or Surveyors, Inspector or Inspectors, Watchman, Beadle, or other Officer, Workman or other Person whomsoever, in the Execution of any thing required or directed to be done, by virtue or in pursuance of this Act, and shall be thereof convicted before any one or more Justice or Justices of the Peace for the said Town and Port, such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Penalty on  
Persons ob-  
structing the  
Execution of  
this Act.

XCIV. And be it further enacted, That all Fines, Penalties, and Forfeitures inflicted or imposed by this Act, or by or under any Bye Law, Rule, Order, or Regulation to be made in pursuance or by the Authority of this Act (the Manner of levying and recovery whereof is not otherwise particularly directed), may, in case of Nonpayment thereof, be recovered in a summary Way by the Order and Adjudication of any one Justice of the Peace for the said Town and Port on Complaint to him for that Purpose exhibited, and afterwards be levied, as well as the Costs of such Proceedings on Nonpayment, by Distress and Sale of the Goods and Chattels of the Offender or Offenders, or Person or Persons liable to pay the same, by Warrant under the Hand and Seal of such Justice, who is hereby authorized and required to summon before him any Witness or Witnesses, and to examine him, her, or them upon Oath, of and concerning such Offences, Matters, and Things, and to hear and determine the same, and the Overplus (if any) of the Money so levied and recovered, after discharging the Fine, Penalty, or Forfeiture for which such Warrant shall

For Recovery  
of Fines,  
Forfeitures,  
and Penal-  
ties.



shall be issued, and the Costs and Expences of levying and recovering the same shall be returned on Demand to the Owner or Owners of the Goods or Chattels so seised or distrained; and in case such Fines, Penalties, and Forfeitures shall not be forthwith paid upon Conviction, then it shall be lawful for such Justice to order the Offender or Offenders so convicted to be detained and kept in safe Custody until Return can conveniently be made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice for his, her, or their Appearance before such Justice, on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Fourteen Days from the Time of taking any such Security, and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had thereupon, then it shall be lawful for such Justice, or any other Justice of the Peace for the said Town and Port, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol of the said Town and Port, there to remain without Bail or Mainprize, for any Term not exceeding Three Calendar Months, unless such Fines, Penalties, and Forfeitures, and all reasonable Charges, shall be sooner paid and satisfied; and such Fines and Penalties, when so levied (the Application whereof is not otherwise directed), shall be paid to the Treasurer acting under this Act, and be wholly applied to the Purposes of this Act, and to or for no other Use or Purpose whatsoever.

Commis-  
sioners may  
reward In-  
formers.

XCV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to reward any Informer or Informers, as they shall think proper, so as such Reward does not exceed One Half of the Penalty or Forfeiture proved by the Information of such Informer or Informers to have been incurred; any thing herein contained to the contrary notwithstanding.

If Verdicts  
be given for  
the Commis-  
sioners in  
Actions  
brought by  
or against  
them, the  
full Costs to  
be paid.

XCVI. And be it further enacted, That if any Action or Actions shall be brought by the Commissioners in the Name of their said Clerk as aforesaid, for any thing relating to this Act, or the Powers herein contained, and a Verdict shall be had or given for the said Clerk in such Action or Actions, the Person or Persons against whom such Action shall be brought, shall, over and above the Charges or Money which may be recovered in any such Action or Actions, pay the full Costs thereof.

Inhabitants  
not incom-  
petent Wit-  
nesses in  
Actions.

XCVII. And be it further enacted, That in all Actions, Prosecutions, Informations, Appeals, Causes, or Proceedings whatsoever, relating to or concerning the Execution of this Act, or of any Order, Rule, or Bye Law made in pursuance hereof, no Inhabitant of the said Town shall be deemed to be an incompetent Witness by reason of his or her paying, or being liable to pay, any Rates or Duties imposed by virtue of this Act, or any Part thereof.

For compel-  
ling the At-  
tendance of  
Witnesses.

XCVIII. And be it further enacted, That if any Person or Persons having been summoned as a Witness or Witnesses, to give Evidence before  
any



any Justice or Justices of the Peace, touching any Complaint for any Offence against this Act, or against any Rule, Order, or Bye Law made in pursuance thereof, whether on the Part of the Prosecutors or the Person or Persons complained against, (a reasonable Sum for his, her, or their Costs and Charges having been paid or tendered to him, her, or them), shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, without a reasonable Excuse for such his, her, or their Refusal or Neglect, to be approved of by the Justice or Justices, or appearing, shall refuse to be examined on Oath, (or on solemn Affirmation, being a *Quaker*), and to give Evidence before such Justice or Justices of the Peace, or Commissioners as aforesaid, then and in either of the said Cases, every such Person shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds.

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

Convictions,  
how to be  
drawn up.

‘ Town and Port of Hasting, } ‘ **B**E it remembered, That on the  
‘ to wit, } ‘ Day of in the Year of the  
‘ Reign of His Majesty King *A. B.* is  
‘ [or are, as the Case may be] 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 *Hasting* [as the Case  
‘ may be], by virtue of an Act of Parliament passed in the First Year of  
‘ the Reign of His Majesty King *George* the Fourth, intituled *An Act, &c.*  
‘ [here set forth the Title of this Act], of [here specify the  
‘ Offence, Time and Place when and where committed, as the Case shall be],  
‘ contrary to the said Act [or, contrary to a certain Bye Law, as the Case  
‘ may be], made on the Day of  
‘ pursuant to the said Act, for which Offence I [or we, as the Case shall  
‘ be] adjudged the said *A. B.* to have forfeited the Sum of  
‘ Given under my Hand and Seal [or, our Hands and Seals, as the Case  
‘ may be] the Day and Year first above written.’

Form of  
Conviction.

C. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant, or Distress, or other Proceeding relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers on account of any Irregularities which may be afterwards done or committed by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularities shall and may recover full Satisfaction for the special Damage in a special Action upon the Case for that Purpose.

Distress not  
to be deemed  
unlawful for  
Want of  
Form.

CI. And be it further enacted, That no Action, Verdict, Rate, Assessment, Order, Judgment, Conviction, or other Proceeding, which shall be or may be had or taken, in pursuance of or under or by virtue of this Act, shall be made void, quashed, or vacated, for want of Form, or

Proceedings  
not to be  
quashed for  
Want of  
Form, nor

[*Local.*]

3 P

be



removed by  
Writ of  
Certiorari.

be removed by Certiorari, or any other Writ or Precept whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere; any Law or Statute to the contrary thereof in anywise notwithstanding.

Limitation of  
Actions, and  
Notice re-  
quired.

CII. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any thing done or to be done by virtue or in pursuance of this Act, until Twenty-eight Days Notice thereof shall have been first given in Writing by the intended Plaintiff or Plaintiffs, of the Cause and Intentions of and for commencing such Action or Suit, and the Time when such Action or Suit will be commenced, nor at any Time whatsoever after sufficient Satisfaction or Tender thereof shall have been made to the Party or Parties aggrieved, nor after Three Calendar Months next after the Fact committed, for which such Action or Actions, Suit or Suits, shall be so brought; and in case there shall be a Continuation of Damages, then not after Three Calendar Months next after such Damage shall cease, and not otherwise; and all Actions and Suits shall be laid and tried in the County of *Sussex*, and not in any other County or Place; 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 that the Matter or Thing for which such Action or Suit shall be brought was done in pursuance and by the Authority of this Act, or of some Rule, Order, or Bye Law made in pursuance thereof; and if the said Matter or Thing shall appear to have been so done, or if it shall happen that such Action or Suit was brought before Twenty-eight Days Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or paid into Court with the Leave thereof, either before or after Issue joined in such Action or Suit, or if any such Action or Suit shall not be commenced within the Time herein-before for that Purpose limited, or shall be laid or brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants therein; and also if the Plaintiff or Plaintiffs shall become nonsuited, or suffer a Discontinuance of such Action or Actions after the Defendant or Defendants shall have appeared thereto, or if Judgment shall be given for the Defendants therein, or if any Verdict shall pass upon the Plaintiff or Plaintiffs, or if upon Demurrer or otherwise Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Double Costs, and shall have such Remedy for the recovering the same, as any Defendant or Defendants hath or may have for his, her, or their Costs, in any other Case by Law.

Persons ag-  
grieved may  
appeal to the  
Sessions.

CIII. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate or Assessment which shall be made in pursuance of this Act, he, she, or they may apply to the said Commissioners at their first 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 or Persons shall be dissatisfied with the Determination of the said Commissioners therein, then he, she, or they may appeal to the next General Quarter Sessions of the Peace which shall be holden for the said Town and Port in Manner herein-after mentioned; and if any Person or Persons shall think himself, herself, or themselves aggrieved, by reason of any Judgment, Conviction,



or Determination of any Justice or Justices of the Peace, or by any thing done in pursuance of this Act, for which no particular Method of Relief hath been already appointed, or by reason of any of the Bye Laws, Rules, Orders, and Regulations of the said Commissioners by this Act authorized to be made, he, she, or they may appeal to the next General Quarter Sessions of the Peace to be holden for the Town and Port of *Hasting*, which shall next happen after the Expiration of Ten Days after the Cause of Complaint shall have arisen; in every or either of which Case, such Appellant giving or causing to be given Eight Days Notice at least in Writing, of his, her, or their Intention to bring such Appeal, and of the Matter thereof, to the Clerk of the said Commissioners, and within Two Days next after such Notice, entering or causing a Recognizance to be entered into before some Justice or Justices of the Peace for the said Town and Port, by Two sufficient Sureties, conditioned to try such Appeal and to abide the Order thereof, and to pay such Costs (if any) as shall be awarded by the Justices at such Quarter Sessions; and the said Justices at such Quarter Sessions, upon due Proof of such Notice being given as aforesaid, and of entering into such Recognizances, shall hear and determine the Causes and Matters of every such Appeal in a summary Way; and the said Justices shall and may award such Satisfaction and Costs to the Parties respectively appealing or appealed against, as they the said Justices shall think proper; and the Determination of such Justices at such Quarter Sessions shall be final, binding, and conclusive.

CIV. Provided nevertheless, and be it further enacted, That it shall and may be lawful to and for the said Justices, at their said General Quarter Sessions, or Adjournment thereof, (in all Cases where they shall see just Cause to give Relief) to amend such Rate or Assessment, either by inserting therein or striking out the Name or Names of any Person or Persons, or by altering the Sum or Sums therein charged on any Person or Persons, or in any other Manner which the said Court shall think necessary for giving such Relief, and without quashing or wholly setting aside such Rate or Assessment.

Justices may amend Rate without quashing it.

CV. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be deemed or construed to extend, to abridge, diminish, or take away any Rents, Tolls, or Customs, belonging, due, or payable, or had, received, or taken by the Mayor, Jurats, and Commonalty of the said Town and Port of *Hasting*; nor impede, prevent, or hinder the Exercise of any Privilege or Right whatsoever of the said Town and Port, or of the said Mayor, Jurats, and Commonalty, or of any of the Officers or Servants thereunto belonging.

Privileges of the Town saved.

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

Public Act.



