



ANNO UNDECIMO

GEORGII IV. REGIS.

Cap. cxvii.

An Act to amend Two Acts of His late Majesty, for paving, cleansing, lighting, and watching the Town of *Dovor*, and for removing and preventing Nuisances and Annoyances therein.

[17th June 1830.]

WHEREAS an Act was passed in the Eighteenth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for better paving, cleansing, lighting, and watching the Streets and Lanes in the Town of Dovor in the County of Kent, and in the several Parishes of Saint Mary the Virgin and Saint James the Apostle, in the said Town and County, and for removing and preventing Nuisances and Annoyances therein*: And whereas an Act was passed in the Fiftieth Year of the Reign of His said late Majesty, intituled *An Act to amend an Act made in the Eighteenth Year of His present Majesty, for paving, cleansing, lighting, and watching the Town of Dovor, and for removing and preventing Nuisances and Annoyances therein*: And whereas since the passing of the said last-mentioned Act the Population of the said Town of *Dovor*, and the Number of Houses and Buildings therein, have considerably increased, and the said Town hath become a Place of great Resort for Visitors and Strangers: And whereas the Provisions of the said Acts have been found insufficient for the Purposes thereby intended; and it is expedient that further Powers and Provisions should be granted as hereinafter mentioned: 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

18 G.3. c.76

50 G.3. c.26.

[Local.]

34 A

present

present Parliament assembled, and by the Authority of the same, That the said recited Acts, and all the Provisoos, Powers, Authorities, Orders, Rules, Regulations, Limitations, Restrictions, Prohibitions, Directions, Exemptions, Indemnities, Penalties, Forfeitures, Punishments, Matters, and Things therein respectively contained, (except such Parts of the said first-recited Act as have been altered, varied, or repealed, and except such Parts of the said Two recited Acts as are altered, varied, or repealed,) shall extend and are hereby extended to, and shall take effect and be put in execution in, for, and in respect of, all Matters and Things in this Act contained, as fully and effectually to all Intents and Purposes as if all the said Provisoos, Powers, Authorities, Orders, Rules, Regulations, Limitations, Restrictions, Prohibitions, Directions, Exemptions, Indemnities, Penalties, Forfeitures, Punishments, Matters, and Things were repeated and re-enacted in the Body of this Act; and the said recited Acts and this Act shall be construed together as one Act.

Commis-
sioners
named.

II. And be it further enacted, That from and after the Fourth *Thursday* after the passing of this Act the Mayor and Jurats for the Time being of the Town and Port of *Dovor*, together with *George William Ledger, Kennett Westfield, Michael Elwin, Richard Jell, John Reynolds, William Sharp, Du Bois Smith, William Collins, James Moon, Thomas Rutley, Matthew King, Philpott Elsted, Charles Lamb, Edward Rutley senior, John Hamilton, Thomas Pain, James Walker, Thomas Coleman, James Sumner Kelsey, William Cocks, John Worsfold, John Pembroke, George Knollis Jarvis, Richard Coleman, Edward Pett Thompson, Rogers Stephen Court, Edward Boxer, Edward Knocker, Jeffery Morphew, Edward Rutley junior, William Prescott, Henry Worthington, Henry Morris junior, John Pascall senior, Admiral Robert Winthrop, Michael Moses, William Sankey, Thomas Bass, Richard Boorn, Henry Worsfold, John Marsh, Captain Alexander Robinson Gale, Henry Norris Watson, Robert Barton, Andrew Muir, William Rastall Dickinson, George Henry Vandepit, John Hayward junior, Captain William Boxer, Edward Poole, Richard Bushell, John Brown, Thomas Ismay, Robert Hammond junior, Luke Smithett*, being at the Time of the passing of this Act Commissioners for executing the said recited Acts, together with Fifty Persons to, be elected in manner hereinafter mentioned, making in the whole One hundred and eighteen Persons, and being duly qualified according to the Directions of the said last-recited Act, shall be and they are hereby appointed Commissioners for executing the said recited Acts and this Act, and such Persons shall continue in Office until the Second *Thursday* in the Month of *January* in the Year of our Lord One thousand eight hundred and thirty-two, and until other Commissioners shall be elected in their Stead, in pursuance of the Directions of this Act.

Meeting to
be held for
Election of
the other
Commis-
sioners.

III. And be it further enacted, That on the Fourth *Thursday* after the passing of this Act the Inhabitants of the said Town and Port of *Dovor*, duly rated towards the Rates or Assessments directed to be made for the Purposes of the said recited Acts, and who shall have paid the said Rates or Assessments and all Arrears thereof up to the Fifth Day of *July* One thousand eight hundred and twenty-nine, shall and they are hereby authorized to assemble together in the Town Hall or some other convenient Place within the said Town and Port of *Dovor* to be appointed by the Commissioners for executing the said recited Acts, between the

Hours

Hours of Ten and Twelve in the Forenoon, and the Persons so assembled shall elect so many Commissioners as shall be necessary to make up the Number of One hundred and eighteen Commissioners, as hereinbefore required.

IV. And be it further enacted, That on the Second *Thursday* in the Month of *January* in the Year of our Lord One thousand eight hundred and thirty-two, and on the Second *Thursday* in the Month of *January* in every subsequent Year, One Third of the Commissioners then acting in the Execution of the said recited Acts and this Act, (exclusive of the Mayor and Jurats for the Time being of the Town and Port of *Dover*, who are hereby declared to be Commissioners by virtue of and during their respective Offices,) to be determined by Lot amongst themselves, shall go out of Office and cease to be Commissioners; and on such Second *Thursday* in the Month of *January* in the Year of our Lord One thousand eight hundred and thirty-two, and on the Second *Thursday* in the Month of *January* in every subsequent Year, the Inhabitants of the said Town and Port duly rated towards the Rates or Assessments made for the Purposes of the said recited Acts and this Act, and who shall have duly paid the said Rates and all Arrears thereof for the Year immediately preceding, shall elect so many Persons as shall be necessary to fill up the Vacancies occasioned by the Commissioners then going out of Office: Provided always, that all the said Commissioners who shall vacate their Seats by Lot as aforesaid shall be eligible to be re-elected immediately afterwards, or at any subsequent Election.

Annual
Election of
Commis-
sioners.

V. And be it further enacted, That at all such Meetings for the Appointment of Commissioners, as hereinbefore mentioned, every Inhabitant of the said Town and Port who by the last Rate which shall have been made for the Purposes of the said recited Acts or this Act shall have been assessed and charged upon an annual Assessment or Valuation not amounting to Fifty Pounds shall have and be entitled to give One Vote and no more; and every Inhabitant there present, who in such last Rate shall have been assessed or charged upon an annual Assessment or Valuation amounting to Fifty Pounds or upwards (whether in One or in more than One Sum or Charge), shall have and be entitled to give One Vote for every Twenty-five Pounds of annual Assessment or Valuation upon or in respect of which he shall have been assessed or charged in such last Rate; provided nevertheless, that no Inhabitant shall be entitled to give more than Six Votes; and in Cases where Two or more of the Inhabitants present shall be jointly rated, each of them shall be entitled to vote according to the Proportion and Amount which shall be borne by him of the joint Charge, and where One only of the Persons jointly rated shall attend, he shall be entitled to vote according to and in respect of the whole of the joint Charge.

Manner of
voting at
Meetings.

VI. And be it further enacted, That when and so often as any of the said Commissioners named in or to be elected by virtue of this Act shall die, or shall resign, or shall become disqualified or incompetent to act as a Commissioner, or shall cease to be a Commissioner by any other Cause than that of going out of Office by Rotation as aforesaid, it shall be lawful for the remaining Commissioners to elect some other Person duly qualified to be a Commissioner; and every such Person so elected

How Vacan-
cies of Com-
missioners
are to be
filled up.

to

to fill up any such Vacancy shall continue in Office so long only as the Person in whose Place or Stead he may be elected would have been entitled to continue had he lived.

Oath to be taken by Commissioners.

VII. And be it further enacted, That in addition to the Oath or Affirmation by the said recited Act of the Fiftieth Year of the Reign of His late Majesty required to be taken by the said Commissioners, the following Oath or Affirmation shall also be taken ; (that is to say,)

‘ I *A. B.* do swear [*or affirm*], 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 [*here insert the Title of this Act.*]

‘ So help me GOD.’

Same Person not to be Clerk and Treasurer.

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

Committees may be appointed.

IX. And be it further enacted, That it shall be lawful for the said Commissioners, from Time to Time and so often as they shall think proper, to nominate and appoint One or more Committee or Committees (every such Committee to consist of Seven or more Persons) out of the said Commissioners, to investigate, transact, and manage such Particulars, Matters, or Departments of Business as shall be referred to them ; and such Committee or Committees, although not assembled at a General or Special Meeting of the said Commissioners, shall have full Power and Authority to do, execute, and perform all Matters and Things whatsoever which

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

X. And be it further enacted, That the said Commissioners shall and they are hereby required, from Time to Time and at all Times, to order and direct a Book 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 the Purposes of the said Acts and this Act, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed, laid out, and paid; and such Book or Books shall at all seasonable Times be open to the Inspection of the said Commissioners, and every Creditor on the Rates and Duties by the said Acts and this Act authorized to be collected, received, or taken, and of every Person paying any such Rate or Duty, without Fee or Reward; and the said Commissioners, Creditors, and other Persons aforesaid, 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, Creditors, or Persons aforesaid to inspect the same, or to take Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum of Money not exceeding Five Pounds for each Default.

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

XI. And be it further enacted, That the said Commissioners shall cause to be provided and kept a proper Book or Books, and fair and regular Entries to be made therein of all Orders and Proceedings of the said Commissioners relative to the Execution of the said Acts and this Act, together with the Names of the Commissioners who shall attend every Meeting; and the Chairman of the Meeting at which such Orders or Proceedings shall be from Time to Time had or made, and the Clerk for the Time being to the said Commissioners, shall sign the same; and such Book or Books shall be open at all seasonable Times to the Inspection of any of the said Commissioners, or any Creditor or Creditors on the Rates and Duties by the said Acts or this Act authorized to be levied, collected, received, or taken, without Fee or Reward; and such Orders and Proceedings, so entered and signed by the Chairman of such Meeting or Meetings, and by such Clerk as aforesaid, shall be deemed and taken to be original Orders and Proceedings; which said Book or Books, as well as the Book or Books in which the Oath or Affirmation directed to be taken or made by the said Commissioners shall be entered, and also the Book or Books directed to be kept for registering Grants of Annuities, Mortgages, and Assignments, and all Entries in such Books respectively, shall and may

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

be read in Evidence in all Courts and Places whatsoever, in all Cases of Appeal, and in all Prosecutions, Examinations, Suits, and Actions whatsoever.

Times of Meetings.

XII. And be it further enacted, That all Meetings of the said Commissioners shall be held between the Hours of Ten in the Forenoon and Four in the Afternoon.

Power to contract for the Purchase of Lands and Buildings.

XIII. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby empowered from Time to Time to contract and agree for the absolute Purchase of any Messuages, Buildings, Lands, Tenements, or Hereditaments within the said Town and Port of *Dover*, with any Body Politic, Corporate, or Collegiate or Ecclesiastical, Corporation Aggregate or Sole, or any Tenant or Tenants for Life, or in Fee Tail, General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, or with any Feoffee in Trust, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, and other Trustees whomsoever, not only for and on behalf of themselves, their Heirs, Executors, Administrators, and Successors, but also for and on behalf of their respective Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, or Femmes Covert, or other Persons under any Disability of acting for themselves, or with any Femmes Covert seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest, or with any others the Owners or Proprietors for the Time being of any Messuages, Buildings, Lands, Tenements, or Hereditaments within the said Town and Port, or of any Part or Parts of such aforesaid several Premises, or of any Estate, Right, and Interest therein, who shall be willing to sell the same, which the said Commissioners shall consider proper and necessary to be purchased for improving, widening, or altering any of the Streets, Lanes, or public Passages, or any other Place or Places within the said Town and Port, or for any other of the Purposes of this Act, or as shall be necessary or requisite for the due Execution hereof, and the several Powers herein contained; and it shall be lawful for the same Commissioners to hold such Messuages, Buildings, Lands, Tenements, and Hereditaments, or any Term, Right, and Interest therein, so purchased, without incurring or being subject to any Penalties or Forfeitures of the Statutes of Mortmain, or of any other Law or Statute whatsoever; and it shall be lawful for the said Commissioners under this Act to take down or alter all or any of such Messuages, Houses, Buildings, Tenements, and Hereditaments so to be purchased, or any Part or Parts of the same respectively, and also to appropriate all or any Part thereof, or of the Land or Ground which shall be cleared by the taking down of any such Messuages or Buildings, for all or any of the Purposes aforesaid, as the same Commissioners shall think fit.

Corporate Bodies may sell.

XIV. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, Collegiate, or Ecclesiastical, Corporations Aggregate or Sole, and for all Tenants for Life or Years, or in Fee Tail, General or Special, and all Feoffees in Trust for charitable and other Purposes, Husbands, Guardians, Committees for Lunatics and Idiots, Executors and Administrators, and other Trustees and Persons whomsoever, not only for and on behalf of themselves, and their respective Heirs, Executors, Administrators, and Successors, but also for and on behalf of their
 respective

respective Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Persons under any Disability of acting for themselves, and to and for all Femes Covert who are or shall be seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest, and for all and every other Person and Persons whomsoever, who is, are, or shall be seised or possessed of or interested in or entitled to any Estate, Right, Title, Lien, Charge, or Interest whatsoever in or to any Messuages, Houses, Buildings, Lands, Tenements, or Hereditaments situate within the said Town and Port, to contract and agree with the said Commissioners for the absolute Sale thereof or of any Part or Parts thereof, and of all or any Estates, Rights, Titles, Terms, and Interests whatsoever of, in, and to the same, unto the said Commissioners, for the Purposes of this Act, and to convey the same respectively unto the said Commissioners; and all such Contracts, Bargains, Sales, Conveyances, and other Assurances shall, without any Fine, Recovery, or other Assurance in the Law whatsoever, and without Inrolment or Registry, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Party or Parties so conveying, but also to convey all the Estate, Right, Title, Interest, Trust, Use, Property, Possession, Claim, and Demand whatsoever of the several Cestuique Trusts, and all Persons whomsoever claiming or having Title to claim by, from, through, or under them or any of them, and all Persons entitled in Remainder or Reversion expectant on any particular Estates; 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 and Issues of the same Party or Parties claiming under them or any of them respectively; any Law, Statute, or Usage, or any other Matter or Thing whatsoever, to the contrary thereof in anywise notwithstanding.

XV. And be it further enacted, That all Sales, Conveyances, and Assurances to be made to the said Commissioners of any of the said Lands, Tenements, or Hereditaments, for the Purposes aforesaid, or any Estate or Interest therein, by virtue of this Act, may be made in the Form or to the Effect following; (that is to say,) Form of
Conveyance
on Purchase
by the Com-
missioners.

‘ I [or We, as the Case may be] of
 ‘ in consideration of the Sum of
 ‘ paid to me [or to us, or into the Bank of England,
 ‘ as the Case may be,] by the Commissioners acting under the Authority
 ‘ of an Act passed in the Eleventh Year of the Reign of King George the
 ‘ Fourth, intituled [here insert the Title of this Act], do hereby grant and
 ‘ convey unto the said Commissioners all [here describe the Premises to
 ‘ be conveyed], and all my [or our] Right, Title, and Interest in and to
 ‘ the same, to hold the same unto the said Commissioners, and their Suc-
 ‘ cessors, from henceforth for ever, for such Uses and Purposes as by the
 ‘ said Act they are enabled to take and hold the same. In Witness
 ‘ whereof I [or we] have hereunto set my Hand and Seal, [or our Hands
 ‘ and Seals, as the Case may be,] this Day of in
 ‘ the Year of our Lord .’

And that every such Sale, Conveyance, and Assurance made in manner aforesaid shall be valid and effectual to all Intents and Purposes, and shall be sufficient in Law to vest the Property of and in any such Lands, Tenements,

nements, or Hereditaments, Estate or Interest, so purchased and conveyed as aforesaid, in the said Commissioners for the Time being, for the Uses and Purposes aforesaid; any Law, Statute, Usage, or other Matter or Thing to the contrary thereof notwithstanding.

Application
of Purchase
Money when
amounting
to 200*l.* and
upwards.

XVI. And be it further enacted, That if any Money shall be contracted or agreed to be paid for the Purchase of any Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments to be purchased by virtue of the Powers of this Act for the Purposes thereof, or of any Estate, Right or Interest therein, which shall belong to any Body Politic, Corporate, Collegiate, or Ecclesiastical, Corporation Aggregate or Sole, 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, in case the same shall amount to or exceed the Sum of Two hundred Pounds, shall with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there *ex parte* the Commissioners for 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 the Rents and Profits of the said Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or toward the Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting other Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments standing and being settled therewith to the same or the like Uses, Trusts, 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 said Court, in the Purchase of other Messuages, Houses, Buildings, Walls, 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, Houses, Buildings, Walls, 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 shall be existing undetermined or 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 the Order of the said Court, to the Party or Parties who would for the Time being have been entitled to the Rents and Profits of the said Messuages, Houses, Buildings, Walls, Lands, Tenements, and Hereditaments so hereby authorized to be purchased, in case such Purchase or Settlement was made.

When less
than 200*l.*

XVII. Provided always, and be it further enacted, That if any Money so contracted or agreed to be paid for any Messuages, Houses, Buildings,
Walls,

Walls, Lands, Tenements, or Hereditaments purchased for the Purposes of this Act, or for any Estate, Right, or Interest therein, which shall belong to any Body Politic, Corporate, Collegiate, or Ecclesiastical, Corporation Aggregate or Sole, 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 for the Time being shall be entitled to the Rents and Profits of the Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments so purchased for the Purposes of this Act, or of his, her, or their Guardian or Guardians, Committee or Committees, in Cases of Infancy, Lunacy, or Idiocy, 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 Court of Exchequer, and to be placed to his Account as aforesaid, in order to be applied in the Manner hereinbefore 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 Three 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 Dividends and Produce thereof, may be applied in the Manner hereinbefore directed, so far as the Case shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

and more than 20%.

XVIII. 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, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments so purchased for the Purposes of this Act, in such Manner as the said Commissioners for executing this Act shall think fit; or in Cases of Infancy, Lunacy, or Idiocy, 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.

When not exceeding 20%.

XIX. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be to be paid for the Purchase of Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments to be purchased by virtue of this Act, or of any Estate, Right, or Interest therein, shall not be able to make a good Title to the Premises to the Satisfaction of the said Commissioners, then and in such Case it shall and may be lawful for the said Commissioners to order the Sum or Sums of Money so agreed for as aforesaid to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments, (describing them,) subject to the Order, Controul, and

In case of not making out Title, &c. Compensation Money to be paid into the Bank.

[*Local.*]

34 C

Disposition

Disposition of the said Court of Exchequer; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and to whose Use the same is or are received, to such Person or Persons as shall pay any Sum or Sums of Money into the Bank as aforesaid.

Persons in Possession to be deemed entitled.

XX. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Party or Parties to any Money to be paid into the Bank of *England* in pursuance of this Act, for the Purchase of any Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments, or any Part thereof, or of any Estate, Right, or Interest therein, to be purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends of any such Bank Annuities, the Party or Parties who shall have been in Possession of such Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments, at the Time of such Purchase, shall be deemed and taken to have been lawfully entitled to such Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments, or Part, Estate, Right, or Interest therein, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Exchequer; and the Dividends of the said Bank Annuities, and also the Capital of the same Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall appear to the said Court that such Possession was a wrongful Possession, and that some other Party or Parties was or were lawfully entitled to such Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments, or to some Part, Estate, or Interest therein.

Costs of Purchase from incapacitated Persons to be paid by the Commissioners.

XXI. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Party or Parties entitled to any Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments, or any Part, Estate, Right, or Interest therein, to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England*, or to be applied in the Purchase of other Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all such last-mentioned Purchases, or so much of such Expences as the said Court shall deem reasonable, together with the Charges of obtaining such Order, to be paid by the said Commissioners; and the said Commissioners shall from Time to Time, out of the Monies to be raised by virtue of this Act or any of the said recited Acts, pay such Sums of Money for the Purposes aforesaid as the said Court shall direct.

XXII. And be it further enacted, That from and immediately after actual Payment or Tender being made of the Monies contracted or agreed as the Purchase Money or Compensation for any Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments, or any Part, Estate, Right, or Interest of or in the same, which shall be purchased by virtue or in pursuance of this Act, either to the Person or Persons, Party or Parties respectively entitled to receive the same Monies, or where the Provisions of this Act shall so require or allow, into the Bank of *England*, for the Purpose of being disposed of in the Manner in this Act directed, all and every the Premises, Estate, Right, or Interest for or in respect whereof such Monies shall have been so paid or tendered shall absolutely vest in the said Commissioners paying or tendering such Purchase Money for the Purposes for which they are by this Act respectively authorized to purchase the same; and such Commissioners shall be deemed in Law to be in the actual Possession thereof to all Intents and Purposes whatsoever, freed and discharged of and from all former and other Estates, Rights, Titles, Interests, Claims, and Demands whatsoever; any Law, Statute, Usage, or Custom to the contrary in anywise notwithstanding.

Property to vest in Commissioners on Payment or Tender of Purchase Money.

XXIII. And be it further enacted, That it shall be lawful for the said Commissioners to sell and dispose of, to any Person or Persons whomsoever, so much or such Part or Parts of the Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments to be purchased by or vested in them by virtue of the Powers herein contained, as shall at any Time or Times be found by them to be unnecessary or more than sufficient for the Purposes of this Act; and for completing and carrying any such Sales into effect the said Commissioners or any Five or more of them are hereby authorized and empowered to make and execute any Conveyances of such of the said Premises as shall be so sold and disposed of, unto the Purchasers thereof; and such Conveyances shall in all Cases be deemed sufficient in Law to vest such of the said Premises as shall be expressed and intended to be granted by such Conveyances in the Purchasers thereof, and his, her, or their respective Heirs and Assigns.

Power to resell Premises not wanted.

XXIV. And be it further enacted, That all Conveyances, Assignments, and Assurances to be made by the said Commissioners on any Resale or Resales by them of any of the said Lands, Tenements, or Hereditaments to be purchased by them under the Provisions of this Act, which shall be found by them unnecessary or more than sufficient for the Purposes of this Act, or any of them, or any Part or Parts thereof, or any Estate, Term, or Interest therein, may be made in the Form or to the Effect following; (that is to say,)

Form of Conveyance on Sale by the Commissioners.

‘ WE, Five of the Commissioners acting under the Authority of an
 ‘ Act passed in the Eleventh Year of the Reign of King *George*
 ‘ the Fourth, intituled [*here insert the Title of this Act*], in consideration
 ‘ of the Sum of _____ of lawful Money paid to the Treasurer
 ‘ of the said Act by _____ of _____ [*here*
 ‘ *set forth the Name, Quality, and Residence of the Purchaser*], do hereby
 ‘ grant and convey, [*or grant and assign, as the Case may be,*] unto the
 ‘ said _____, his [*her or their, as the Case may be,*] Heirs and
 ‘ Assigns,

' Assigns; [or Executors, Administrators, and Assigns, according to the
 ' Nature of the Estate, and as the Case may be], all [here describe the Pre-
 ' mises to be conveyed], and all our Right, Title, and Interest of, in, and
 ' to the same; to hold the same unto the said , his [or her and their,
 ' as the Case may be,] Heirs and Assigns for ever, [or as the Case may be]
 ' to hold the same unto the said , his [or her or their]
 ' Executors, Administrators, and Assigns, from henceforth for and during
 ' all the Estate, Term, and Interest of the said Commissioners of, in,
 ' to, and out of the said Premises so granted and assigned. In witness
 ' whereof we have hereunto set our Hands and Seals, this
 ' Day of in the Year of our Lord

And every such Resale, Conveyance, Assignment, and Assurance,
 made in manner aforesaid, shall be valid and effectual to all Intents and
 Purposes whatsoever, and shall be sufficient in Law to vest the Property
 of and in any such Lands, Tenements, or Hereditaments, Estate, Term,
 and Interest, to be sold, granted, assigned, and conveyed as aforesaid, in
 the Person or Persons who shall purchase the same, and in his, her, and
 their Heirs, Executors, Administrators, and Assigns respectively; any
 Law, Statute, Usage, or other Matter or Thing to the contrary thereof
 notwithstanding.

The Com-
 missioners
 may cleanse
 and make
 private
 Drains, &c.
 in case of
 Neglect by
 the Owners,
 &c.

XXV. And be it further enacted, That it shall and may be lawful for the
 said Commissioners to order their Surveyor or Surveyors for the Time
 being, or any other Person or Persons employed by the said Commis-
 sioners, and such Surveyor or Surveyors or other Person or Persons are
 hereby respectively authorized and empowered, from Time to Time to
 open, scour, cleanse, widen, straighten, make deeper, turn, alter, or vary
 any of the present or future private Tunnels, Gutters, Sinks, Drains,
 Ditches, Sewers, or Watercourses running into, over, under, through,
 or upon any of the Streets, public Quays, Lanes, Roads, Squares,
 Lawns, Passages, Market Places, or other public Places within the said
 Town and Port, or to make or cause to be made any new private Tunnels,
 Gutters, Sinks, Drains, Ditches, Sewers, or Watercourses in, through,
 under, over, or adjoining to any such Streets, public Quays, Lanes, Roads,
 Squares, Lawns, Passages, Market Places, or other public Places within
 the said Town, for the Purpose of conveying, draining, and taking away
 any Sinkfloat or other refuse Water, and preventing the same from
 running over the Surface of the Streets, public Quays, Lanes, Roads,
 Squares, Lawns, Passages, Market Places, and other public Places, in
 case the Owner or Owners or Occupier or Occupiers of the Messuages,
 Buildings, Lands, or Tenements adjoining the same shall neglect or
 refuse so to do for Ten Days next after Notice in Writing, signed by the
 said Commissioners or any Three or more of them, delivered to or left at
 the last or usual Place or Places of Abode of such Owners or Occupiers
 requiring them so to do.

The Costs
 and Charges
 thereof to be
 paid by the
 Owners.

XXVI. And be it further enacted, That the Costs, Charges, and Ex-
 pences of the Works so to be done or made by Order of the said Com-
 missioners in manner aforesaid, (such Costs, Charges, and Expences being
 first settled and ascertained by the said Commissioners at some public
 Meeting,) shall be reimbursed to them or their Treasurer by such Owner
 or Owners or Occupier or Occupiers, on Demand, or within Ten Days next
 afterwards;

afterwards; and in case of Nonpayment of such Costs, Charges, and Expences, the same shall be levied by Distress and Sale of the Goods and Chattels of such Owner or Owners or Occupier or Occupiers, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace of and for the said Town and Port, together with the Expences of such Distress and Sale, returning the Overplus (if any) to such Owner or Owners or Occupier or Occupiers, on Demand.

XXVII. And be it further enacted, That the Owner or Owners, or Proprietor or Proprietors, or Occupier or Occupiers, for the Time being, of each House or Building fronting or next adjoining any Street, public Quay, Lane, Road, Passage, Lawn, or other public Place in the said Town and Port, shall, when thereunto required by the said Commissioners or any Three or more of them, for the Time being, and within Ten Days after Notice in Writing signed by such Commissioners, and left upon the Premises specified in such Notice, put up and place, and for ever afterwards keep in repair and good Condition, a Gutter, Spout, or Trough of the whole Length of such House or Building, with a Pipe or Trunk to be fixed at the Front or Side of such House or Building, from the Roof down to the Ground, to carry off or conduct off all the Water from the Roof of such House or Building, in such a Manner that such Water shall pass from the said Roof down to and under the Foot Pavement or Footway through and into the common Channel, so as that the same may not fall or drip from the Eaves of such House or Building upon or to incommode any Person passing such House or Building, or passing over or along any Footpath; and every Tenant or Occupier of any such House or Building who shall put up or place any such Gutter, Spout, Trough, Pipe, or Trunk, or keep the same in repair, shall be entitled to deduct and retain, out of the Rent payable to the Owner or Proprietor or Owners or Proprietors of such House or Building, so much Money as such Tenant or Occupier shall have expended in putting up or placing, or keeping in repair, any such Gutter, Spout, Trough, Pipe, or Trunk; and the Payment of such Expences by any such Tenant or Occupier shall be a sufficient Discharge for him, her, or them for so much of his, her, or their Rent as the Amount of such Expences shall be equal to, and shall be abated and allowed to him, her, or them by the Owner or Owners, or Proprietor or Proprietors, or Occupier or Occupiers of such House or Building, out of such Rent; and if any such Owner or Owners, Proprietor or Proprietors, or Occupier or Occupiers, shall for the Space of Ten Days after such Notice to be given as aforesaid neglect to put up or place, or neglect to prevent the Water from dripping from the Eaves of such House or Building as aforesaid, then, and in any and in every such Case, such Owner or Owners, Proprietor or Proprietors, Occupier or Occupiers, so neglecting, shall forfeit and pay the Sum of Twenty Shillings for each and every Week during the Continuance of such Neglect, to be recovered in like Manner as other Penalties or Forfeitures are by this Act authorized to be recovered, and when received the same shall be paid to the Treasurer or Treasurers of the said Commissioners, to be applied to the Purposes of this Act; and it shall be lawful for the Occupier of any House or other Building, having either paid such Costs and Charges in the first instance, or having repaid the same to the said Commissioners, to deduct and retain the Amount thereof out of his or her Rent; and the

Water from
Roofs of
Houses and
Buildings to
be carried
off by Trunks
or Pipes.

Proprietor or Landlord of every such House or other Building is hereby required to allow the same accordingly, except only in Cases where the Obstruction or Annoyance so removed or altered shall have been originally occasioned by such Occupier, in which Case he or she shall bear the Expence of altering or removing the same.

Repeal of
Provision
respecting
Nuisances.

XXVIII. And be it further enacted, That so much of the said last-recited Act as directs that if any Person should run, drive, carry, or place on any of the Footways of the said Town any Wheel, Sledge, or Carriage; or should roll any Cask upon or out of any Carriage, or empty the Contents thereof, or drag any Timber or Log of Wood along, or ride, drive, or lead any Horse or other Beast or Cattle on any of the said Footways; or suffer any Horse or other Beast or Cattle to go, stray, be, or remain upon any such Footways; or should ride or drive any Horse in a furious Manner; or break or damage the said Pavement or Pitching; or kill, slaughter, singe, scald, dress, or cut up any Beast; or hoop, cleanse, wash, or scald any Cask; or hew or saw any Stone, Wood, or Timber; or bind, make, or repair the Wheel of any Carriage; or shoe, bleed, dress, or farry any Horse or other Beast or Cattle; or keep or suffer to wander any Swine; or if the Occupier of any Tenement should suffer any Door or Hatchway leading into or giving Light to any Kitchen, Cellar, or other Place to be left open longer than necessary for storing any Goods therein; or set, place, or expose to Sale any Goods on the Footways or Carriage-ways in the said Town; or expose to Sale any Goods upon any Flap Window or otherwise, so as to obstruct or incommode the Passage of any Footway or Carriageway; or beat any Carpet; or discharge any Musket or Pistol; or make or assist in the making any Bonfire; or set fire to or let off or throw any Squib or other Firework; or suffer any Waggon or other Carriage to remain in any Street for any longer Time than should be necessary for the loading or unloading thereof; or suffer any Coach or other Carriage to remain in any such Street for any longer Time than should be necessary for waiting for the Person belonging thereto, or for loading or unloading their Baggage; or suffer the same or any Horse to stand upon any of the Foot Pavements, or upon or so near to any of the Crossings as to obstruct the same; or suffer any Goods, Wares, Merchandize, or other Things to be laid or placed in any of the said Streets during the Night, or for any longer Time during the Day than should be necessary for removing and housing the same; or permit or suffer any Blood to run from any Slaughter-house into any of the said Streets; or if any Person should sift or lay any Ashes, or any Dirt, or any Matter or Thing, in any of the said Streets; or screen or slack any Lime, or show any Stallion, in any of the said Streets; or permit or suffer any Dog to go at large, not being muzzled, in any of the said Streets; every Person so offending should for every such Offence forfeit and pay any Sum not exceeding Five Pounds, shall be and the same is hereby repealed.

For prevent-
ing Annoy-
ances and
Nuisances of
all Kinds.

XXIX. And be it further enacted, That if any Person or Persons shall, in any of the present or future Streets, Squares, Lawns, public Quays, Lanes, Roads, Passages, or other public Places in the said Town and Port, fodder any Cattle; or shoe, bleed, or farry any Horse or Beast (except in Cases of Accident); or clean or dress any Horse or Beast; or turn loose or suffer to be at large any Horse or Beast, or any Bull Dog, Mastiff, or other ferocious Dog of any other Species (not being

being closely muzzled), or permit or suffer any Dog whatsoever to go at large in the said Town and Port or within the Limits thereof after any public Notice given by the Town Crier or Bellman of the said Town and Port, by Order of the Mayor or Deputy Mayor, or any other Justice or Justices of the Peace acting in or for the said Town and Port, during such Time as such Notice shall direct Dogs to be confined on account of any Suspicion of the Existence of Canine Madness; or if any Person, being or acting as the Driver of any Waggon, Dray, Cart, Sledge, or other such-like Carriage, shall ride upon any such Carriage in any of the Streets, public Quays, Lanes, Squares, Lawns, Roads, Passages, or other public Places within the said Town and Port, not having some other Person on Foot or Horseback to guide the same, (such light Carts or other Carriages as are usually driven with Reins, and are then conducted by some Person holding the Reins of the Horse or Horses, not being more than Two, drawing the same, excepted,) or shall be at such Distance from such Carriage, or in such a Situation, when it shall be passing in any of the said Streets, public Quays, Lanes, Squares, Lawns, Roads, Passages, or other public Places, so that he cannot have the Direction and Government of the Horses or Cattle drawing the same; or if any Person, being or acting as the Driver of any empty or unloaded Waggon, Dray, Cart, Sledge, or other such like Carriage, shall refuse or neglect to turn the same aside, or make way for any Coach, Chaise, or loaded Carriage of any Description; or if any Person on Horseback, or driving any Coach, Wain, Waggon, Dray, Cart, Sledge, or other Carriage, and meeting another Horse, Coach, Waggon, Wain, Dray, Cart, Sledge, or other Carriage, shall not keep on the Left or near Side of the said Streets, public Quays, Lanes, Squares, Lawns, Roads, Passages, or other public Places, so as to leave proper and sufficient Quarter or Space for such Horses and Carriages; or if any Person shall in any Manner wilfully prevent any other Person or Persons from passing him or her, or any Carriage under his or her Care; or, when riding any Horse or Beast, or driving any Carriage of any Sort or Kind, shall ride or drive the same furiously, or so as to endanger the Life or Limb of any Person, or drive the same against, injure, or damage any Curb Stone or Foot Pavement or Causeway; or suffer any Waggon, Wain, Dray, Cart, Sledge, or other Carriage, with or without Horses, to stand or remain longer than may be necessary for loading or unloading thereof, or suffer the same during such Time of loading or unloading to be placed or remain so as to interrupt the public Passage more than necessary; or suffer to stand or remain any Waggon, Cart, or other Carriage, with Hay, Straw, Vegetables, or other Matter or Thing therein, for Sale, or any Waggon, Cart, Coach, Post Chaise, or other Carriage intended to be let out or worked for Hire (except in such Places as shall be appointed by the said Commissioners for that Purpose); or suffer any Stage Coach, Diligence, Chaise, or other Carriage to remain longer than may be necessary for the taking up or setting down of any Passenger or Passengers, or for loading or unloading their Baggage; or shall wash, cleanse, or clean any Coach, Chaise, Gig, Waggon, Wain, Cart, or any other Carriage whatsoever, in any of the Streets, public Quays, Lanes, Squares, Lawns, Roads, Passages, or other public Places within the said Town and Port; or draw or haul any Tree or Piece of Timber, Block or Blocks of Wood or Stone, Metal, or other heavy Materials, or the Wheel of any Cart or Carriage separated therefrom (except in, on, or suspended under some Carriage); or suffer any Part of any Tree or other
Piece

Piece of Timber to drag upon any Part of the said Streets, public Quays, Lanes, Squares, Lawns, Roads, Passages, or other public Places, so as to injure or obstruct the same; or wantonly let off or fire any Musket, Gun, or Pistol, or other Firearms; or wantonly or vexatiously blow any Horn, so as to collect an Assemblage of Persons, or to be a public Nuisance, Annoyance, or Obstruction; or make or assist in making any Bonfire; or set fire to or let off or throw any Crackers, Squibs, Rockets, or other Fireworks, or be aiding or assisting therein; or shall trundle any Hoop, or play at Football or any other Game in the said Streets, public Quays, Lanes, Roads, Passages, or other public Places; or, having a Smith's Shop with a Window or Windows fronting any of the said Streets, public Quays, Lanes, Squares, Lawns, Roads, Passages, or other public Places, shall not by good and close Shutters, every Evening after it becomes Twilight, and every Morning until after Twilight, bar and prevent the Light from shining into or upon the said Streets, public Quays, Lanes, Squares, Lawns, Roads, Passages, or other public Places; or wilfully break, or aid or abet or assist in wilfully breaking, any Glass or Window Panes or Windows; or burn, dress, or cleanse any Cask or Hoop; fire, cleanse, wash, or scald any Cask or Tub; or hew, saw, bore or cut any Timber or Stone; or beat or shake any Carpet or Mat, in or over any Street or Thoroughfare; or throw, cast, lay, or place any Coals, Stones, Slates, Lime, Bricks, Timber, Boards, Iron, or other Materials or Substances, and continue the same for a longer Time than may be absolutely necessary for the removing or housing thereof; or sift, throw, cast, or lay any Ashes, (except in Times of Frost so as to prevent Accidents,) or any Dust, Dirt, Dung, Soil, Sinkfloat, or other Filth, Carrion, Blood, Offal, or any Sort of Rubbish, or permit the same to flow or be washed from their Yards or Sinks, or throw or cast any such Matters or Things, or any Rubbish, into any Common Sewer, Drain, Sink, or Watercourse; or throw or cast any Animal or Carcase, or any noisome or offensive Materials, Ingredients, Offal, or Filth into, or wash, dip, or rince any Wearing Apparel, Cloth, or other Article, Matter, or Thing in, a certain Spring or Reservoir of Water called *Lady Well*, adjoining a Building called the *Maison Dieu*, in *Dovor* aforesaid, or into or in any other Well, Pump, Watercourse, or Reservoir for Water within the said Town, or wilfully do or commit any act whereby the Water therein may be rendered impure or contaminated; or slide or skate during Frost or Snow on any Pavement or Footway, or on either of the Pier Heads, or on the Road or Way in any Street, Lane, Passage, or other public Place whatsoever, within the said Town and Port or the Limits thereof; or sell or assist in selling by Auction or public Sale any Goods, Wares, or Merchandize, or Thing or Things whatsoever, in any of the said Streets, public Quays, Squares, Lawns, Lanes, Roads, Passages, or other public Places, without the Leave of the said Commissioners, or their Clerk or Surveyor for the Time being, for that Purpose first had and obtained; or hang out, place, or expose to Sale or otherwise, the Carcase of any Calf, Sheep, Swine, Cattle, or Beast, or any Part or Parts thereof, or any Linen, Cloth, Wearing Apparel, Goods, Wares, or Merchandize whatsoever, or any Fruit, Vegetables, or Garden Stuff, or other Matter or Thing, in or upon or so as to project over or upon any Footway or Carriageway, or beyond the Line of or on the Outside of any House or Shop at which the same shall be so hung or placed or exposed to Sale (save and except during the usual Times and at the usual and accustomed Places of holding the Fair of *Saint Martin* and the common

common Markets within the said Town and Port); or kill or slaughter, or singe, scald, or dress any Beast, Swine, Ox, Cow, Calf, Sheep, Lamb, or other Cattle, either wholly or in part, in any of such Streets, public Quays, Squares, Lawns, Lanes, Roads, Passages or other public Places; or cause or permit any Offal, Blood, Filth, or other offensive Matter to run from any Slaughter-house, Butcher's Shop, or Dunghill into any of the said Streets, public Quays, Squares, Lawns, Lanes, Roads, Passages, or other public Places; or fix up or place any Flower Pot, Basket, or Box at any Window or Windows without sufficiently guarding the same so as to prevent their falling; or place or erect any Pole or Poles, Line or Lines, projecting from any Window or Windows, Parapet, or other Part of any Dwelling House or other Place, and extending into or over or across any of the said Streets, public Quays, Squares, Lawns, Lanes, Roads, Passages, Footways, or Causeways or other public Places in the said Town; or shall suspend or hang thereon or therefrom any Bedclothes, Linen, Woollen, Wearing Apparel, or any other Thing; or leave open after Sunset or before Sunrise, or leave defective or without being properly secured, the Door, Hatchway, or Flap Window, Grate, Stone, Plate, Board, or other Covering giving Light or Air to or securing any Cellar, Coalhole, Vault, Office, or other underground Room or Apartment, or of any Area, without having placed or kept a sufficient Light to warn and prevent Persons from falling into such Cellars or other underground Rooms or Apartments, or Areas; or run, draw, drive, or carry any Truck, Wheel, Sledge, Wheelbarrow, Bier, Handbarrow, or other Carriage whatsoever, or any Furniture, Goods, or Merchandize, upon any Footway or Causeway (except only for the Purpose of crossing such Footway or Causeway); or carry or assist in carrying any Sedan Chair upon any such Footway or Causeway, or roll thereon any Cask or Tub, (other than for the necessary loading or unloading thereof into, upon, from, or out of any Cart or Carriage,) or set or place thereon any Furniture, Goods, or Merchandize, or any Cask, Tub, Barrel, Box, Basket, Bucket, Bench, or Stall; or erect, set up, or place any Blind, Shade, Coverlid, or Awning, or any other Matter or Thing, in the Front of or before any House, Shop, or other Building, so as in any way to cause any Obstruction or Annoyance in any such Footway; or cause or erect or continue to use any Scraper which shall project into or over any such Footway or Causeway; or stand loitering or remaining on any such Footway or Causeway, using obscene Language, or in any Manner that shall tend to Riot or Disturbance of the Peace, or to obstruct or prevent the free Passage of any such Footway or Causeway, or to annoy any Person or Persons passing or going there, or residing in the immediate Neighbourhood; or if any Person or Persons shall indecently expose themselves in bathing or otherwise in or near any public Street, Highway, or other public Place within the said Town, or upon or near the Sea Shore there; or shall in any Street, public Quay, Square, Lane, Road, Passage, Lawn, or other public Place within the said Town and Port, show or expose any Stallion or Stone Horse; or shall suffer any Ass, Hogs, or Swine to go at large, or wilfully ride, lead, or drive, or suffer to stray, on any Footway or Causeway, any Horse, Beast, or Cattle of any kind whatsoever; or tie or fasten any Horse or other Beast or Cattle to any Door, Wall, Post, Tree, or other Thing whatsoever, so as that such Horse, Beast, or Cattle can go or stand across or upon any Footway or Causeway; or shall drive any Carriage or Carriages for the Purpose of breaking or exercising any Horse or

[*Local.*]

34 E,

Horses,

Horses, or shall ride or lead any Horse for the Purpose of exercising, airing, trying, showing, or exposing such Horse for Sale (otherwise than by passing through such Streets or other public Places), or commit any public Nuisance or Annoyance whatsoever; each and every Person so offending in any of such Cases within the said Town or the Limits thereof, or the Owner or Proprietor of any such Horse, Beast, Cattle, Carriage, Goods, Matter or Thing aforesaid, as the Case may be, (in any of such Cases where the Person actually offending cannot be found or discovered,) or the Person causing any such Offences, Matters, or Things to be committed or done, shall for each and every such Offence respectively forfeit and pay any Sum not exceeding Forty Shillings; and it shall be lawful for any Commissioner, Constable, Peace Officer, or Watchman to take away and remove any of the before-mentioned Obstructions, in case the Party occasioning the same shall not remove the same within a reasonable Time after being required so to do by any Person or Persons whomsoever; and it shall be lawful for any Constable, or any one of the said Commissioners, or any Officer or other Person acting by or under their Authority, by virtue of this Act, and without any Warrant whatsoever, to seize and apprehend any such Offender or Offenders as aforesaid, and forthwith to convey and deliver him into the Custody of a Peace Officer, in order to the conveying him, her, or them before some Justice or Justices of the Peace acting in and for the said Town and Port, in order to his, her, or their being dealt with according to the Directions of this Act.

Carriages
left standing
in Streets
to be seized.

XXX. Provided also, and be it further enacted, That where any Waggon, Wain, Dray, Cart, or other such-like Carriage shall be found in any Street, Lane, Road, or public Passage or Place within the said Town and Port, so as in any Manner to obstruct the free Passage thereof, without having any Owner or other Person therewith, it shall be lawful for any Constable of the said Town and Port, or for the Surveyor or any other Officer appointed by the said Commissioners, to seize and take Possession of every such Waggon, Wain, Dray, Cart, or other such like Carriage, and to cause the same to be conducted and left at such Place or Places as shall be appointed by the said Commissioners to receive the same, there to remain and be kept until the same shall be claimed by or on behalf of the Owner or Owners thereof, immediately whereupon every such Waggon, Wain, Dray, Cart, or other such like Carriage so seized as aforesaid shall be delivered up upon Payment of any Sum which the said Commissioners or any Five or more of them shall direct, not exceeding Twenty Shillings; which said Penalty, after Payment of Costs and Expences, shall be paid to the Treasurer of the said Commissioners.

Doors and
Gates to
open in-
wards.

XXXI. And be it further enacted, That all Doors, Gates, and Bars, (not being underground Cellar Doors or Trap Doors,) which after the passing of this Act shall be made to lead to any Houses, Buildings, Coach-houses, Yards, Gardens, or Lands within the said Town and Port, shall be so constructed as that the same shall not open outwards upon or over any Footpath or public Way in any of the Streets, Lanes, or public Passages within the said Town and Port, but that all such Doors, Gates, and Bars shall open inwards or into the respective Premises of the Owners or Occupiers of such Houses, Buildings, Coach-houses, Yards, Gardens, or Lands.

XXXII. And

XXXII. And be it further enacted, That every Owner or Occupier of any House, Tenement, Warehouse, Shop, Shed, Coach-house, Stable, Chapel, Meeting-house, or other public or private Building, Garden, Yard, Backside, Land, or Ground, now or hereafter to be situate in any of the Streets, Lanes, public Passages or Places within the said Town and Port, and along which any Footway or Foot Pavement hath been or shall be made or laid, shall from Time to Time and at all Times hereafter, during the Continuance of Frost, or after or during any Fall of Snow, once in every Day, before the Hour of Nine of the Clock in the Forenoon of each Day, sweep and cleanse or cause to be swept and cleansed the Footway all along the front Side and back Walls of their respective Houses, Tenements, Warehouses, Shops, Sheds, Coach-houses, Stables, Chapels, Meeting-houses, or other public or private Buildings, Gardens, Backsides, Land, or Ground; and every Owner or Occupier who shall neglect so to do shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; and the Owner or Owners of any House or other Tenement within the said Town and Port, which may be let furnished or in divided Apartments, shall be deemed and taken for the Purposes of this Provision to be the Occupier or Occupiers of every such House or other Tenement respectively.

Footways
to be swept
daily during
Frost and
Snow.

XXXIII. And be it further enacted, That if any Horse, Ass, Sheep, Cattle, Swine, or other Beast shall at any Time be found straying or at large in any of the Roads, Streets, Squares, Lawns, Lanes, Ways, Passages, or other public Places which already have been or hereafter shall be made, laid out, or formed within the said Town and Port, it shall be lawful for any Officer or Officers, or other Person or Persons appointed by the said Commissioners, or for any other Person or Persons whomsoever, to seize and impound any and every such Horse, Ass, Sheep, Cattle, Swine, or other Beast in the Common Pound (if any) of the said Town and Port, or in such other Place as the said Commissioners shall have provided or shall provide for that Purpose, and the same there to detain until the Owner or Owners thereof shall, for every such Horse, Ass, Sheep, Cattle, Swine, or other Beast so impounded, have paid any Sum not exceeding Five Shillings, at the Discretion of the Commissioners, together with the reasonable Charges and Expences of impounding and keeping such Horse, Ass, Sheep, Cattle, Swine, or other Beast, to the Treasurer, Clerk, or Surveyor of the said Commissioners; and in case the said Penalty, Charges, and Expences shall not be paid within Three Days after such Horse, Ass, Sheep, Cattle, Swine, or other Beast shall be so impounded, it shall be lawful for any One or more Justice or Justices of the Peace for the said Town and Port to order every such Horse, Ass, Sheep, Cattle, Swine, or other Beast to be sold; and the Money arising from such Sale, after deducting the said Penalty, and Charges and Expences of impounding, keeping, and selling every such Horse, Ass, Sheep, Cattle, Swine, or other Beast, shall, on Demand, be paid to the Person or Persons whose Property the same so sold shall appear to have been; and in case the Owner or Owners thereof shall not be known, and no Application shall be made for the Money arising by such Sale over and above the said Penalty, Costs, and Charges, within Seven Days after such Sale shall have taken place, the said Money shall, after deducting the said Penalty, Charges, and Expences, be paid to the Treasurer to the said Commissioners, and be applied to the Purposes of the said recited Acts and of this Act.

Cattle stray-
ing in the
Streets to be
impounded.

XXXIV. And

For punish-
ing Persons
guilty of
Pound
Breach.

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

Slaughter-
houses,
Hogsties,
and other
Erections to
be removed,
if deemed a
Nuisance.

XXXV. And be it further enacted, That in case any Foundry, Candle-house, Melting-house or Melting-place, Soap-house, Slaughter-house, Hogstye, Boiling-house for Offal, or unenclosed or uncovered Yard or Place, for the Deposit or screening or sifting of any Lime or Ash Dust, or any Necessary House, Dunghill, Manure-heap, or other noisome or offensive Depository or Building, Place, or Matter whatsoever, in or near any of the said Streets, public Quays, Lanes, Roads, Lawns, Passages, Market-place, or other public Places within the said Town and Port or the Limits thereof, shall in the Judgment of the said Commissioners be a Nuisance to any of the Inhabitants thereof, it shall and may be lawful to and for the said Commissioners, upon Complaint thereof to them made by any such Inhabitant, and after due Investigation of such Complaint, by Notice in Writing under the Hands of any Three or more of the said Commissioners, or under the Hand of their Clerk for the Time being, to order that every or any such Foundry, Candle-house, Melting-house or Melting-place, Soap-house, Slaughter-house, Boiling-house, or unenclosed and uncovered Yard or Depository, Hogstye, Necessary House, Dunghill, Manure-heap, or other Nuisance or offensive Matter, be remedied or removed; and in case the same shall not be remedied or removed within Ten Days after such Notice given to such Owner or Owners, Occupier or Occupiers of the Premises wherein such Nuisance or Annoyance shall be situate or arise, or to the Person or Persons on whose Behalf the same is carried on, kept, or made, or left at his, her, or their last or usual Place of Abode, or on the said Premises, then every such Owner or Occupier or other Person so neglecting to remedy or remove such Nuisance or Annoyance, pursuant to such Notice, and to the Satisfaction of the said Commissioners, shall forfeit and pay any Sum not exceeding Five Pounds for every Day the same shall continue unremedied or unremoved after the Expiration of the Time mentioned in such Notice: Provided always, that where any Person or Persons thinking himself, herself, or themselves aggrieved by such Order as aforesaid shall give Notice to the said Commissioners or their Clerk of his, her, or their Intention to appeal against the said Order, and shall enter into a Recognizance

nizance within the Time and in the Manner directed by the said recited Acts or either of them, for or in respect of Appeals against any Matter or Thing to be done in pursuance of the said Acts, such Person or Persons shall not be subject to or liable to pay any such Penalty or Forfeiture until the Expiration of Seven Days next after the Hearing and Determination of such Appeal, and the Confirmation thereupon of the said original Order of the said Commissioners : Provided always, that nothing herein contained shall extend or be construed to extend to any Foundry, Candle-house, Melting-house or Melting-place, Soap-house, or Slaughter-house which shall have been erected or set up before the passing of this Act.

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

Regulating
Cellar Doors
or Flaps.

XXXVII. And be it further enacted, That all and every the Pipes or other Conduits to be laid for the Conveyance of Gas in, under, through, along, or across any Streets, Passages, or Places within the said Town and Port, shall be so laid at the greatest practicable Distance, and whenever the Middle of the Carriageway in such Streets, Passages, or Places will allow thereof, at the Distance of Four Feet at least from the nearest Part of any Water Pipe already laid down or hereafter to be laid down for the Conveyance of Water in, under, through, along, or round any of the said Streets, Passages, or Places, except in Cases where it shall be unavoidably necessary to lay the Gas Pipes across any of the said Water Pipes, in which Case the said Gas Pipes shall be laid over and above the said Water Pipes at the greatest practicable Distance therefrom, and shall form therewith a Right Angle, and in such Case the said Gas Pipes so crossing the said Water Pipes shall be at least Six Feet in Length, so that no Joint of any of the said Gas Pipes shall be nearer to any Part of the said Water Pipes than Three Feet at least ; and the said Commissioners, or any Company of Contractors, or other Persons, supplying Gas, in laying down the Pipes or other Conduits to be laid for the Conveyance of Gas in, under, through, along, across, or round the said Streets, Passages, or Places,

Gas Pipes
to be laid at
a Distance
from Water
Pipes.

Places, by virtue of this Act or any other Act now in force, shall in no Case join Two or more Pipes together previous to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall in such Trench properly form the Jointing with the other Pipes to be added thereto with proper and sufficient Materials, and shall also make and keep all and every such Pipe, and all Pipes connected and communicating therewith, and all the Screws, Joints, Inlets, Apertures, and Openings therein respectively, air-tight, and in all and every respect prevent the said Gas from escaping therefrom and from any Part thereof, upon pain of forfeiting for every Offence the Sum of Five Pounds.

For preventing the Escape of Gas.

XXXVIII. 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 within the said Town and Port, the said Commissioners, or any Company or Companies, or other Person or Persons, so laying down or setting up, or causing to be laid down or set up, such Gas Pipes or any of them, or making, furnishing, or supplying any Gas used or burnt for lighting any Highway, Street, or Place, or any House, Manufactory, Building, or other Premises within the Limits of this Act, shall, immediately after Notice given to them or him by Parol or in Writing, to be given or left at their Office or usual Place of transacting Business by any Inhabitant or Inhabitants or other Person or Persons whomsoever, of any such Escape of Gas, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the said Commissioners; or any Company or Companies, or other Person or Persons as aforesaid, shall not, within Twenty-four Hours next after such Notice given, effectually stop and prevent any future Escape, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the said Commissioners, or the Company or Companies, or other Person or Persons as aforesaid, shall for every such Default forfeit and pay the Sum of Twenty Pounds for each Day after the Expiration of Twenty-four Hours from the Time of giving any such Notice during which the Gas shall be suffered to escape as aforesaid; which Penalty or Penalties shall from Time to Time be recoverable in a summary Way, on the Oath or Affirmation of some credible Witness or Witnesses, by Information to be laid before some Justice or Justices of the Peace for the said Town and Port of Dover, and shall and may be recovered and levied, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the Treasurer of the said Commissioners, or of the Goods and Chattels of such Company or Companies or other Person or Persons as aforesaid.

For preventing Escape of Gas and Contamination of Water.

XXXIX. And be it further enacted, That whenever the Water of any Company or of any Person whatsoever for supplying the Inhabitants of any Houses within the said Town and Port with Water shall be contaminated by any Gas used or burnt for lighting any Street, or any House, Manufactory, or Building, or other Premises within the said Town and Port, the said Commissioners, or the Company or Companies, Person or Persons, making, furnishing, or supplying such Gas, shall forfeit and pay the Sum of Twenty Pounds, to be sued for and recovered as any Penalty is hereby directed to be sued for and recovered, and shall be applied to and for the Use and Benefit of the said Company or Person supplying

Water

Water as aforesaid; and in Case any such Water shall be contaminated or affected by Gas in any way whatsoever, then and in every such Case the said Commissioners, Company, or Person, making, furnishing, or supplying such Gas, shall, within Twenty-four Hours next after Notice thereof in Writing, signed by the Treasurer or other Officer of and for such Water Company as aforesaid, or by any Person supplying or making use of such Water, to be left at the usual Office or Place of transacting Business of the said Commissioners, Company, or Person, cause the most proper and effectual Measures to be taken to stop and prevent Gas from escaping from their Mains, Works, or Pipes contaminating or affecting the Water of such Company or Person as aforesaid; and in case the said Commissioners, Company, or Person, making, furnishing, or supplying Gas, shall not, within Twenty-four Hours next after each and every such Notice so left as aforesaid, effectually stop and prevent the Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent all and every such Contamination whereof Notice shall be given as aforesaid that then the said Commissioners, Company, or Person as aforesaid, shall on each and every Complaint forfeit and pay to the Treasurer or other Officer for the Time being of such Water Company, or to such Person as aforesaid, for the Use and Benefit of the said Company or Person, over and above the before-mentioned Penalty of Twenty Pounds, the Sum of Ten Pounds for each and every Day during which the Water of the said last-mentioned Company or Person shall be and remain contaminated or affected by such Gas; and in default of Payment thereof as aforesaid such Penalty or Penalties shall and may be recovered by Information, to be exhibited on the Oath of One credible Witness, by and in the Name of the Treasurer or other Officer for the Time being of the said Water Company or of such Person as aforesaid, against the said Commissioners, Company, or other Person making, furnishing, or supplying Gas, before any Justice of the Peace for the said Town and Port of *Dover*, with Costs, to be assessed by such Justice, and to be levied by Distress and Sale of the Goods and Chattels of the said Commissioners, Company, or other Person making, furnishing, or supplying such Gas, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of such Justice, which Warrant such Justice is hereby empowered to grant; and such Penalty or Penalties, when so levied, shall be paid to the Treasurer or other Officer for the Time being of such Water Company, or to such Person as aforesaid, for the Use of such Water Company or Person.

XL. And be it further enacted, That if the said Commissioners, or any Company or Companies, or any other Person or Persons whosoever, making, furnishing, or supplying any Gas used or burnt for lighting any Highway, Street, or Place, or any House, Manufactory, Building, or other Premises within the Limits of this Act, shall at any Time drain or convey, or cause or suffer to be drained or conveyed, or to run or flow, any Washings or other waste Liquids, Substances, or Things whatsoever which shall arise or be made in the Prosecution of the said Gas Works, into any River, Brook, or running Stream, Canal, Reservoir, Aqueduct, Feeder, Pond, or Springhead, or into any Drain, Sewer, or Ditch communicating with any of them, or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any of them, whereby

Penalty for conveying Washings into any River, Sewer, &c.

whereby the Water contained therein or any Part thereof shall or may be spoiled, fouled, or corrupted, then and in every such Case the said Commissioners, or any such Company or Companies, or other Person or Persons as aforesaid, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty and Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than One Imparlance, shall be allowed; and such Penalty shall be paid to the Person or Persons who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable if the same be sued for after the Expiration of Six Calendar Months from the Time when such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased: Provided also, that above and in addition to the said Penalty of Two hundred Pounds, (and whether such Penalty shall or shall not be sued for or recovered,) in case any of the said Washings or other Waste Liquids, or noisome or offensive Substances or Things, shall be drained, conducted, or conveyed, or caused or suffered to run or flow, in manner aforesaid, into any River, Brook, or running Stream, or any Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, or Springhead, or into any Drain, Sewer, or Ditch communicating with any of them, or any such Annoyance, Nuisance, or Injury, Damage, Act, or Thing, shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Person or Persons whomsoever, to the said Commissioners, or to the Company or Companies or any of them, or other Person or Persons as aforesaid, and the said Commissioners, or Company or Companies, or other Person or Persons, shall not within Twenty-four Hours after such Notice given, stop and prevent all and every such Washings, waste Liquids, noisome or offensive Substances or Things, from being drained, conducted, or conveyed, or from running or flowing, in manner aforesaid, and every such other Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case the said Commissioners, Company or Companies, or other Person or Persons, so offending, shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, waste Liquids, or noisome or offensive Substances or Things, shall be so done or caused or suffered to run or flow in manner aforesaid, or such other Annoyance, Nuisance, Injury, or Damage, Act or Thing, shall be so done or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered and levied in like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered and levied, and shall be paid to the Informer, or to the Person or Persons who in the Judgment of the Justice or Justices before whom the Conviction shall take place shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed.

For ascertaining if the Water is contaminated.

XLI. And whereas it may be or become a Question whether the said Water be contaminated or affected by the said Gas; be it therefore enacted, That in every such Case it shall and may be lawful to and for the Proprietors of any Waterworks now established, or to be established, or any Company, or Person or Persons, interested in any such River, Brook,

Brook, Stream, Reservoir, Canal, Aqueduct, Pond, or Springhead as aforesaid, to dig to and about and search and examine the Gas Pipes, Conduits, and Apparatus, for the Purpose of ascertaining whether such Contamination proceed from or be occasioned by such Gas; and if it shall appear that the said Water has been contaminated or affected by any Escape of such Gas, the Costs and Expences of such Digging, Search, and Examination, and Repair of the Pavement of the Street or Streets which shall be taken up or disturbed, shall be borne and paid by the said Commissioners, or any Company or Companies, or other Person or Persons whomsoever, making, furnishing, or supplying any Gas used or burnt for lighting any Highway, Street, or Place, or any House, Manufactory, Building, or other Premises within the Limits of this Act; which Costs and Expences shall be ascertained and settled, if necessary, by any Justice or Justices of the Peace for the said Town and Port of *Dovor*, and be recovered in like Manner as any Penalty may be recovered by virtue of this Act: Provided always, that if upon such Examination it shall appear that such Contamination has not arisen from any such Escape of Gas, then and in such Case the Proprietors of any such Canals or Waterworks, or Person or Persons interested as aforesaid, causing such Search, as the Case may be, shall bear and pay all the Costs and Expences of such Examination, Repair, and Search, and shall also make good to the said Commissioners, or Company or Companies, or other Person or Persons as aforesaid, any Loss, Injury, or Damage which may be occasioned to the said Mains, Pipes, Conduits, or Apparatus in and by such Search and Examination, the Amount of such Injury, Loss, or Damage to be ascertained and determined, if necessary, by such Justice or Justices of the Peace as aforesaid.

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

Nothing herein to prevent the Commissioners from being indicted for a Nuisance.

XLIII. And be it further enacted, That for the Purpose of improving the said Town of *Dovor*, and widening the said Streets, Lanes, public Quays, Roads, Passages, and other public Places, it shall and may be lawful to and for the said Commissioners, in pursuance of an Order at any Meeting of the said Commissioners, and they are hereby authorized and empowered, in all Cases where any House or Buildings fronting or adjoining or near any of the present or future Streets, public Quays, Lanes,

Compensation may be made to the Owners of Buildings pulled down or burnt down, on their being

rebuilt in such Manner as shall be an Improvement to the Town.

Roads, Passages, and other public Places in the said Town, shall be pulled down, wholly or in part, for the Purpose of rebuilding or new fronting the same, or shall be burnt down, to enter into any Agreement with the Owner or Owners thereof relative to the Line of Direction or Mode of erecting, altering, or new building any such Houses or Buildings, or to any Alterations or Change of the Line or Direction in which any such Houses or Buildings stand, or relative to the Removal of any Angles or Projections or to any other Changes thereof whereby any such Owner or Owners would be required to give up some Portion of Land or Ground for the Purpose of such Improvement, and for the said Commissioners to make or give such Sum or Sums, by way of Compensation or Satisfaction for any Injury, Loss, or Damage which any such Owner or Owners may sustain by acceding to any such Plan of Improvement, occasioned by the Loss of such Land or Ground or otherwise, as the said Commissioners shall think reasonable for the Object or Purposes of Improvement to be thereby obtained, and to pay such Compensation or Satisfaction out of any Monies to be raised by virtue of this Act or of the said former Acts or either of them; and if such Owner or Owners shall refuse to enter into such Agreement, or shall refuse to accept such Compensation or Satisfaction, on Tender thereof, the same shall be settled, ascertained, and awarded by the Verdict or Inquisition of a Jury in like Manner as in the said recited Act of the Fiftieth Year of the Reign of His late Majesty is directed with respect to any Lands to be purchased or taken by virtue thereof.

Powers to place Bars across Streets under repair.

XLIV. And be it further enacted, That it shall be lawful for the said Commissioners, or their Surveyor or Surveyors, during such Time as any of the Streets, Lanes, Highways, Passages, or other public Places within the said Town shall be under repair, or during the making or repairing of any Sewers or Drains therein, to cause such and so many Bars, Posts, Rails, and Chains to be fixed, set up, and placed across or in any of the said Streets, Quays, Squares, Lawns, Lanes, Highways, Passages, or other public Places, to prevent the passing of Carriages, Horses, and Cattle whilst such Works and Repairs are in progress, as to the said Commissioners shall seem proper; and if any Person or Persons shall throw down, break, remove, damage, or injure any of the said Bars, Posts, Rails, or Chains, without the Authority or Consent of the said Commissioners, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding five Pounds.

Commissioners may license Hackney Coaches, Chaises, and other Carriages.

XLV. And be it further enacted, That it shall and may be lawful for the said Commissioners or any Five or more of them, and they are hereby authorized and required, from Time to Time, upon the Application of any Person or Persons, to license Hackney Coaches, Chaises, Flies, and Carriages of any other Name or Description, and whether the same be drawn by any Horse, Mule, or Ass, or be drawn or propelled in any other Manner, to ply or let or use for Hire in the said Town and Port of *Dovor*, for the Purpose of carrying or conveying Passengers within the said Town and Port and the Limits thereof.

Payment for Licence.

XLVI. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to demand and take, or cause to be demanded and taken, for each and every such Licence for each and every Hackney

Coach, Fly, Chaise, and other Carriage as aforesaid, the Sum of Two Shillings and Sixpence, and no more ; and the said Licence shall continue in force for One Year from the Date thereof, which Money shall be paid to the Clerk to the said Commissioners for his Trouble in making out such Licence ; and if any Person or Persons shall, after the Expiration of Three Calendar Months from the Time of the passing of this Act, ply with any Coach, Chaise, Fly, or other Carriage as aforesaid, within the said Town and Port of *Dovor* or the Limits thereof, such Person or Persons not being so licensed by the said Commissioners, then and in every such Case every such Person shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings.

Penalty for driving Carriages without a Licence.

XLVII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners from Time to Time to appoint such Stand or Stands for all such Hackney Coaches, Chaises, Flies, and other Carriages as aforesaid, and for the Drivers thereof respectively, to stand and ply for Hire within the said Town and Port and the Limits thereof, as to them the said Commissioners shall seem right and proper ; and if any Person or Persons shall stand and ply for Hire with any Hackney Coach, Chaise, Fly, or other Carriage as aforesaid, in any other Place or Places than shall be appointed as such Stand or Stands, then and in every such Case every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Commissioners may appoint Stands for Carriages.

XLVIII. And be it further enacted, That the Owner or Owners of each and every such Hackney Coach, Chaise, Fly, and other Carriage as aforesaid, so licensed and used or kept for Hire as aforesaid, shall paint or cause to be painted such Number or Numbers as the said Commissioners shall direct or appoint, in White on a Black Ground, each Number not being less than Two Inches in Length, upon or fixed or attached to one Side of each and every such Hackney Coach, Chaise, Fly and other Carriage, or upon or to such other Part or Parts thereof respectively as the said Commissioners shall direct or appoint ; and if any Person or Persons shall stand or ply within the said Town and Port with any such Hackney Coach, Chaise, Fly, or other Carriage, or let or use the same for Hire, not having such Number or Numbers so painted upon or fixed or attached to the same, or having such Number or Numbers or any Part or Parts thereof not clear and legible, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Carriages to be numbered.

XLIX. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to ascertain and affix the several Rates or Fares to be paid for the Use or Hire of every such Hackney Coach, Chaise, Fly, and other Carriage as aforesaid, for carrying or conveying any Passenger or Passengers within the said Town and Port and the Limits thereof, and from Time to Time to advance, lower, vary, or alter such Rates or Fares or any of them, as to them the said Commissioners shall seem right and proper ; and when and as often as such Rates or Fares, or any of them, shall be ascertained, fixed, advanced, lowered, varied, or altered by the said Commissioners, the same shall from Time to Time be painted upon a Table or Tables, Board or Boards ; which Table or Tables, Board or Boards, shall be fixed or put up and continued in such conspicuous

Fares to be regulated by the Commissioners.

Tables of Fares to be put up.

cuous Place or Places within the said Town and Port as to the said Commissioners shall seem right and proper; and such Table or Tables, Board or Boards, when so fixed or put up, shall be and be deemed to be full and conclusive Evidence of all such Rates to all Persons whomsoever.

Regulating
Drivers of
Carriages.

L. And be it further enacted, That if any Owner or Driver of or any Person or Persons attending any Hackney Coach, Chaise, Fly, or other Carriage so licensed as aforesaid, and standing or plying or being let or used for Hire, shall refuse or neglect (when applied to for that Purpose) to carry or convey any Person or Persons to any Place or Places within the said Town and Port and the Limits thereof; or if the Owner or Driver of or other Person attending any such Hackney Coach, Chaise, Fly, or other Carriage so licensed as aforesaid, shall demand or take any greater or larger Rate or Fare than such Rate or Fare so ascertained and fixed by the said Commissioners, and of which such Notice shall have been given as aforesaid, or shall in anywise insult or otherwise misbehave himself or themselves to any Person or Persons hiring or employing him or them, or to any other Person or Persons whomsoever; or if the Owner or Driver of any such Hackney Coach, Chaise, Fly, or other Carriage shall not duly attend the same; then and in every such Case every such Person so offending shall for the First Offence forfeit and pay any Sum not exceeding Twenty Shillings, for the Second Offence any Sum not exceeding Thirty Shillings, and for the Third Offence any Sum not exceeding Forty Shillings; and it shall and may be lawful to and for the said Commissioners, in case they shall think fit, to take away and revoke any Licence or Licences so granted for any such Hackney Coach or Coaches, Chaise or Chaises, Fly or Flies, or other Carriage or Carriages, from any Person who shall have been Three Times convicted of any such Offence or Offences, and to refuse any such Licence for the future to any such Person so convicted.

Penalty on
Persons not
paying
Fares, &c.

LI. And be it further enacted, That if any Person who shall have hired and employed any such Hackney Coach, Chaise, Fly, or other Carriage, shall refuse or neglect to pay any Rates, Fares, or Prices, so ascertained and fixed by the said Commissioners, the same, together with the Costs of proceeding for and recovering the same, shall and may be levied and recovered in such and the like Manner as any Penalty or Forfeiture is hereby authorized to be levied and recovered.

Power for
Commissioners
to hire
Buildings
for holding
their Meet-
ings.

LII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to take or hire on Lease or otherwise any Dwelling House, Rooms, Erection, or Building within the said Town of Dover that may be necessary and sufficient for holding the Meetings of the Commissioners, to be from Time to Time held for the Purpose of carrying the said recited Acts and this Act into execution; and all Rent, Sum and Sums of Money, Costs, Charges, and Expences, which shall arise and be incurred in hiring any such Dwelling House, Rooms, Erection, or Building, and in fitting up, maintaining, and keeping the same in repair, from Time to Time, shall be paid out of the Monies to arise under or by virtue of the said recited Acts and this Act.

Powers and
Duties of
Watchmen.

LIII. And be it further enacted, That the Watchmen and Supervisors of the Watch already appointed, or who shall from Time to Time be appointed

pointed by the said Commissioners, shall, during the Time they shall be stationed in the said Streets, Roads, Squares, Lawns, Lanes, and other public Passages and Places, and at all Times coming or going to or from their Duty or Stations, use their best Endeavours to assist all and every Person or Persons passing along the said Streets, Roads, Squares, Lawns, Lanes, or other public Passages or Places, who shall be assaulted, attacked, or ill-treated, and to prevent all Mischiefs by Fire, and all Murders, Burglaries, Robberies, and all other Felonies, Outrages, Disorders, and Misdemeanors, as well in the said Streets, Roads, Squares, Lawns, Lanes, and other public Passages and Places, as in all Houses and other Buildings or Grounds contiguous thereto; and for that Purpose it shall be lawful for the said Watchmen and Supervisors, or any of them, to apprehend and secure all Malefactors, Rogues, and Vagabonds, idle and disorderly Persons, Disturbers of the public Peace, Prostitutes, and Thieves, who shall be found loitering, wandering, or misbehaving themselves, or committing any Disorder or Offence in the said Streets, Roads, Squares, Lawns, Lanes, or other public Passages or Places, or any of them, or who shall refuse to give a good Account of themselves, or whom the said Watchmen or Supervisors shall have Reason to suspect of any evil Intentions or Designs, and to search every such Person, or the Loading of any Horse, Ass, Mule, Cart or other Carriage, which they shall suspect to have any stolen Goods thereon or therein, and shall and may confine and secure every such Person, and every such Horse, Ass, Mule, Cart or other Carriage, until such Person can be conveniently conveyed before a Justice of the Peace for the said Town and Port, to be examined and dealt with according to Law; and all Persons are hereby authorized and required to aid and assist any such Watchman or Supervisor in securing any such Offender or Person as aforesaid; and in case any such Watchman or Supervisor shall neglect to keep watch in manner or during the Time which shall be so appointed by the said Commissioners, or shall depart from or leave his Station (except for any of the Purposes aforesaid), or shall otherwise neglect his Duty or wilfully misbehave himself, or shall at any other Time than when he shall be on actual Duty wear or make use of, or at any Time lend or suffer to be worn or made use of (except to or by the Person who shall by Permission of the said Commissioners watch in his Stead), the Clothes, Arms, or Accoutrements intrusted to him as such Watchman or Supervisor, he shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds; and if any such Watchman or Supervisor shall unnecessarily hurt, damage, spoil, or destroy, or negligently lose, any of his Clothes, Arms, or Accoutrements, he shall pay to the Treasurer to the said Commissioners all such Costs and Charges as shall be occasioned thereby.

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

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

[*Local.*]

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LV. And

Commissioners may reward Watchmen.

LV. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to give such Rewards or Allowances in Money to any Watchmen or Supervisors of the Watch who may be appointed as aforesaid, and who may distinguish themselves by their Vigilance or Courage in the Apprehension of Offenders, or otherwise in the Discharge of their Duty, or who may be disabled or wounded in the Execution of their Office or Duty, as they the said Commissioners shall think reasonable.

Appointment of Persons to attend Embarkation and Disembarkation.

LVI. And be it further enacted, That it shall be lawful for the said Commissioners to appoint such Number of Persons as they shall think fit (which Persons are hereby invested with the Power of Constables, and shall take the usual Oaths of Constables before any One or more of His Majesty's Justices of the Peace of the said Town and Port of *Dovor*,) for the Protection and Convenience of Persons embarking or disembarking on board or from any Vessel lying or being in the Harbour of *Dovor* or within the Limits thereof, or lying or being in or near *Dovor Roads* or *Dovor Bay*, or near *Dovor Harbour* to the Eastward or Westward thereof, and their Baggage and Luggage; and the said Commissioners may allow and pay such Persons any reasonable Allowances they may deem adequate to the Duties they have to perform, out of the Rates and Duties to arise by virtue of the said recited Acts or this Act.

Fire Engines to be provided and taken care of.

LVII. And be it further enacted, That it shall be lawful for the said Commissioners to contract for the Purchase of any Fire Engine or Engines, together with the Pipes, Buckets, and other Things appertaining thereto, belonging to the Mayor, Jurats, and Common Councilmen of *Dovor*, or to any other Person or Persons, and from Time to Time to contract with any Person or Persons to keep any Fire Engines, and the Pipes, Buckets, or other Things belonging thereto, in good working Order and Repair, and for the said Commissioners to order the same to be used and proved at such Time and Times as they shall direct, either in Cases of Fire or for the Purpose of watering the said Streets, Lanes, Lawns, Squares, and other public Passages and Places, or any of them, or otherwise as they shall from Time to Time think necessary; and it shall also be lawful for the said Commissioners from Time to Time to purchase any new Engine or Engines, Pipes, Buckets, or other Things belonging thereto, or that may be requisite to be used therewith, for the Use of the said Town, and to pay and defray all Costs and Expences attending the same, and of the Care and Repair thereof respectively, out of the Monies to be raised by virtue of the said recited Acts or this Act; and such Engines, Buckets, Pipes, and all other Things connected with, or belonging thereto respectively, shall be solely vested in the said Commissioners, whose Surveyor for the Time being, or such other Person or Persons as shall from Time to Time be appointed by the said Commissioners, shall have the Custody, Controul, Management, and Direction of the same; and it shall be lawful for the said Commissioners from Time to Time to appoint and employ the Porters, Coalmeaters, and Constables to attend the said Fire Engines, as well to superintend the same and take care that they are kept in repair and good working Condition, as also to exercise the same, and to conduct, convey, and work the same in Cases of Fire; and it shall be lawful for the said Commissioners, by and out of the Rates, Tolls, and Duties to arise and be collected under or by

virtue of the said recited Acts and this Act, to order and direct such Compensation to be paid to the Persons to be so appointed and employed as aforesaid as they shall think fit and reasonable.

LVIII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to order, make, provide, and establish Bye Laws, Rules, and Regulations, for the proper Government and Regulation of them the said Commissioners, and of their Proceedings, and also of their Clerk and Treasurer, and all other Officers and Persons appointed and to be appointed or employed by virtue of the said Acts and this Act, also for the ordering, protecting, and regulating the Embarkation and Disembarkation of Passengers and other Persons, Horses, Cattle, Carriages, and Baggage, on board of or from any Vessel lying or being in the Harbour of *Dovor* aforesaid, or within the Limits thereof, or lying or being in or near *Dovor Roads*, or *Dovor Bay*, or near *Dovor Harbour* either to the Eastward or Westward thereof, and for the Convenience and Accommodation of such Passengers, also for making, regulating, and establishing Rates and Fares to be taken by Boatmen or Watermen for the Conveyance of any Persons or Baggage to or from any Vessels in the said Harbour or within the Limits thereof, or in or near *Dovor Roads* or *Dovor Bay*, or near *Dovor Harbour* either to the Eastward or Westward thereof, and for the Government and Regulation of such Boatmen or Watermen, and the Prevention and Punishment of any Extortion, Misbehaviour, or Misconduct by them; also for making, regulating, and establishing Rates and Fares to be taken by Porters, Carmen, Cartmen, and Barrowmen, for the Conveyance of Baggage or Luggage of any kind, to be embarked in or disembarked from any Vessel in the said Harbour, or in or near *Dovor Roads*, or *Dovor Bay*, or near *Dovor Harbour* either to the Eastward or Westward thereof, and for the regulating, and ordering such Porters, Carmen, Cartmen, and Barrowmen; also for making, regulating, and establishing Rules and Regulations for the Conduct of Chairmen and Drivers of Sedan Chairs, Hackney Coaches, Flies, Chaises, and other such Carriages, and to what Distance they shall be obliged to go within the said Town and Port of *Dovor* and the Limits thereof, and for the regulating, and ordering such Chairmen and Drivers; also for the Regulation of the Hours and Times for bathing in the Sea without any Bathing Machine, from any Part of the Sea Beach Three Quarters of a Mile to the Eastward or One Quarter of a Mile to the Westward of the Mouth of *Dovor Harbour*; and it shall be lawful for the said Commissioners from Time to Time to alter and repeal such Bye Laws, Rules, and Regulations, or any of them, and to make others in lieu thereof, and to impose and inflict such reasonable Fines and Forfeitures upon all Persons offending against such Bye Laws, Rules, and Regulations, or any of them, not exceeding the Sum of Forty Shillings for any One Offence, as to the said Commissioners shall seem meet and expedient; and all Bye Laws, Rules, and Regulations so to be made as aforesaid, being reduced into Writing, and signed by any Five or more of the said Commissioners, shall be binding upon and be observed by all Persons whomsoever, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act upon the same, or in the Execution thereof: Provided always, that such Bye Laws, Rules, and Regulations be not repugnant to the Laws of that Part of the

Bye Laws
may be
made.

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United Kingdom called *England*, or to any of the express Directions or Provisions of the said Acts or this Act: Provided also, that Copies of the said Bye Laws, Rules, and Regulations shall be painted on Boards, and affixed on some conspicuous Place or Places within the said Town and Port; and such Boards shall be renewed from Time to Time when and so often as the same shall or may be destroyed, defaced, or obliterated.

Act not to extend to Post Office Vessels, &c.

LIX. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to any of His Majesty's Ships of War, or any Ship, Transport, or Vessel employed in or upon His Majesty's Service, in the Conveyance of any Officers or Soldiers, or any Horses, Arms, Ammunition, or Baggage to them or any of them belonging, or of any Ordnance Stores, or to any Vessel in the Service or Employ of the Ordnance, Customs, or Excise, or of His Majesty's Postmaster General.

Porters not entitled to claim to embark or disembark Goods in charge of the Master of any Vessel.

LX. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to authorize any Porter appointed or to be appointed under or by virtue of the said recited Acts or this Act, to demand to ship or unship and carry on board of or from any Vessel employed or to be employed in conveying Passengers between *Dovor* and *France* or *Flanders*, any Baggage, Goods, or Parcels which may be under the Special Charge or Care of the Master of any such Vessel, and which shall not be accompanied by the Person or Persons to whom the same may belong.

Power to rate the Owners of Houses in certain Cases.

LXI. And be it further enacted, That in all Cases in which any House, Warehouse, or other Building or Tenement now or hereafter to be erected, built, or situate within the Limits of this Act, shall be let out, either wholly or in part, in Lodgings or in separate Apartments, whether furnished or unfurnished, and in all Cases where any House, Warehouse, or other Building or Tenement, or any Garden or Ground, shall be rated to the Assessment for the Relief of the Poor of the Parish wherein the same may be situate at any Sum not exceeding Twelve Pounds a Year, then and in every such Case it shall be lawful for the said Commissioners, in or by any Rate or Rates, Assessment or Assessments, to be made in pursuance of the said recited Acts or either of them, at their Discretion, to rate and assess the Landlord or Landlords, Owner or Owners of every or any such House, Warehouse, or other Building or Tenement, Garden or Ground, for the Purposes of the said recited Acts or this Act, for or in respect of such House, Warehouse, or other Building or Tenement, Garden or Ground, instead of the actual Occupier or Occupiers thereof; and upon Nonpayment of the Sum or Sums so to be rated and assessed, the same may and shall be levied upon and the Payment thereof be enforced against the Landlord or Landlords, Owner or Owners so to be assessed, and his, her, and their Goods and Chattels, in like Manner as any Rate made for the Purposes of the said recited Acts or this Act or either of them may be recovered and levied, and Payment thereof enforced, under the Authority of the said recited Acts or this Act, or either of them, upon and against any actual Occupier on whom the same is charged.

LXII. Pro-

LXII. Provided always, and be it further enacted, That the Goods and Chattels of every Occupier of any such House, Warehouse, or other Building or Tenement, Garden or Ground, which shall be found in and about the same, shall be liable to be distrained (to be ascertained in a summary Way by the Justices granting the Warrant of Distress) so that in no Case any greater Sum be raised by Distress of the Goods and Chattels of any such Occupier than shall at the Time of making such Distress be actually due from such Occupier for Rent of the Premises on which such Distress shall be made: Provided also, that every Occupier who shall pay any such Rate or Rates, or upon whose Goods or Chattels the same or any Part thereof shall be levied, shall and may deduct the Amount of the Sum which shall be so paid or levied out of the Rent by him or them payable; and such Payment shall be a sufficient Discharge to every such Occupier for so much of the Rent payable by him or her as he or she shall have paid, or as shall have been levied on his, her, or their Goods and Chattels, of such Rate, and for the Costs of levying the same.

Goods of Occupiers may be distrained for Rates to the Amount of the Rent actually due.

LXIII. Provided also, and be it further enacted, That every Person receiving or claiming the Rent of any such House, Warehouse, or other Building or Tenement, Garden or Ground, for his or her own Use, or receiving the same for the Use of any Corporation Aggregate, or of any Landlord or Lessor who shall be a Minor, under Coverture, or insane, or for the Use of any Person who shall not be usually resident within Twelve Miles from the Parish where any such House, Warehouse, or other Building or Tenement, Garden or Ground, shall be situate, shall for the Purposes of the said recited Acts and this Act be deemed and taken to be and shall be rateable as the Owner thereof.

Persons receiving Rent in certain Cases to be rated as Owners.

LXIV. And be it further enacted, That in all Cases where any Person or Persons shall remove from or quit any House, Warehouse, or other Building, Tenement, or Hereditament in respect whereof he, she, or they shall have been rated or assessed by virtue of the said recited Acts or this Act, such Person or Persons shall be liable to pay a proportionate Part of such Rate or Rates, Assessment or Assessments, for the Time that he, she, or they shall have occupied the same, in like Manner as if such Person or Persons had not removed from or quitted the same; and in all Cases where any Person or Persons shall come into or occupy any such House, Warehouse, or other Building, Tenement, or Hereditament out of or from which any other Person or Persons who shall have been rated or assessed for or in respect of the same shall have removed, or which at the Time of making any such Rate or Assessment shall have been empty or unoccupied, such Person or Persons so coming into or occupying the same shall, for and in respect of his, her, or their Occupation thereof, be liable to a proportionate Part of such Rate or Assessment for 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 Proportions, in case of any Dispute respecting the same, shall be settled and determined by the said Commissioners in such Manner as they shall deem reasonable and just.

Persons removing to pay a proportionable Part of the Rates.

LXV. And be it further enacted, That in case any Person or Persons who hath or have been or who shall or may be rated or assessed by virtue

Recovery of Rates from

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of

Persons removing, or about to remove.

of the said recited Acts or either of them shall quit or be about to quit any House, Warehouse, Building, or other Tenement or Hereditament for or in respect whereof he, she, or they shall have been so rated or assessed, before he, she, or they shall have paid such Rate or Rates, Assessment or Assessments, or such Portion or Portions thereof as may be then due or payable or recoverable by virtue of the said recited Acts or this Act, and shall refuse to pay the same when demanded by the Collector or Collectors or other Person or Persons authorized and appointed to receive the same, then and in every such Case it shall be lawful for the said Collector or Collectors or other Person or Persons aforesaid (Oath or Affirmation having been made by him or them, before some Justice of the Peace for the said Town and Port, that he or they hath or have cause to suspect that such Person or Persons is or are removing or hath or have removed his, her, or their Goods and Chattels), by Warrant under the Hand and Seal or Hands and Seals of any One or more of His Majesty's Justices of the Peace for the said Town and Port (which Warrant such Justice or Justices is and are hereby authorized and required to grant immediately), to distrain the Goods and Chattels of such Person or Persons so refusing or neglecting to pay the said Rates or Assessments, or Portion or Portions thereof, or any of them, wherever such Goods or Chattels may be, and to sell such Goods and Chattels, rendering the Overplus (if any), after having deducted the reasonable Costs, Charges, and Expences attending such Distress and Sale, upon Demand, to the Owner or Owners of such Goods and Chattels respectively.

Commissioners may release poor Persons from Payment of Rates.

LXVI. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners, from Time to Time or at any Time or Times, to exonerate and release any poor Proprietor or Proprietors, Householder or Householders, or Occupier or Occupiers of any Land, Tenement, Building, or Apartment, from the Payment of all or any Part of the Rate or Rates to be assessed or imposed by virtue of the said recited Acts or this Act, for and during such Time or Times and in such Proportion or Proportions as the said Commissioners shall think him, her, or them incapable of paying.

Commissioners may inspect Poor Rates.

LXVII. And be it further enacted, That it shall be lawful to and for the said Commissioners, or any Person or Persons by them authorized for that Purpose, from Time to Time to inspect all or any Rate or Rates made or to be made for raising Money for the Relief and Maintenance of the Poor of the several Parishes of *Saint Mary the Virgin, Saint James the Apostle, Hougham* otherwise *Huffam*, and *Charlton*, within the Liberty of *Dovor* aforesaid, and to take Copies thereof or Extracts therefrom, which the Overseer or Overseers of the Poor for the Time being, or other Person or Persons having the Custody or Possession of such Rate or Rates respectively, is or are hereby required to permit and suffer to be made and taken, without Fee or Reward; and in case any Overseer or Overseers, or other Person or Persons having the Custody or Possession of any such Rate or Rates as aforesaid, shall neglect or refuse to permit and suffer any of the said Commissioners or other Person or Persons as aforesaid to inspect all and every or any such Rate or Rates, or to make Copies thereof or Extracts therefrom, or any of them, every Person so offending shall forfeit for every such Offence any Sum not exceeding Five Pounds.

LXVIII. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to empower the said Commissioners to charge or make chargeable the present or future Occupier or Occupiers of any Markets or Tolls, being and arising within the Limits of this Act, in respect of such Markets or Tolls with the Rates or Assessments directed to be made, laid, and assessed by the said recited Acts or either of them, or with the Payment thereof.

Market Tolls not chargeable with the Rates.

LXIX. And for the more effectually enabling the said Commissioners to execute the Purposes of the said recited Acts and this Act, be it further enacted, That it shall be lawful for the said Commissioners and they are hereby empowered, from Time to Time, when they shall judge necessary for the Purpose of carrying the said Acts and this Act into execution, to borrow and take up at Interest any Sum or Sums of Money not exceeding in the whole the Sum of Ten thousand Pounds, over and above the Sum now due on the Security of the said recited Acts, and the Duties, Rates, or Assessments, and Tolls granted by the said recited Acts, and by any Writing or Writings, under the Hands and Seals of any Five or more of them, to mortgage, demise, grant, or assign over the said Duties, Rates, or Assessments and Tolls, or any Part or Parts thereof, to the Person or Persons who shall advance or lend such Money, or to his, her, or their Trustee or Trustees, as a Security or Securities for the Money so to be borrowed, together with Interest for the same.

Commissioners may borrow Money.

LXX. And for preventing any improvident Grants of Annuities, be it further enacted, That the Amount of every Annuity to be granted by virtue of the said recited Acts or this Act shall be regulated according to the Price of the Three Pounds *per Centum* Consolidated Bank Annuities at the Time of granting the same, in the Manner and at a Rate not exceeding by more than One Sixth the Rate prescribed by any Act or Acts for the Time being in force for granting Annuities or Government Securities.

For preventing improvident Grants of Annuities.

LXXI. And be it further enacted, That it shall be lawful for the said Commissioners, with the Consent of the Person or Persons entitled thereto, to redeem all or any of the Annuities by or under the Authority of the said recited Acts or this Act charged or to be charged upon the Rates and Duties thereby authorized to be levied, collected, received, and taken, and to agree for the Redemption thereof upon such Terms as the said Commissioners shall think proper, and to raise any Sum or Sums of Money by Way of Mortgage for the Purpose of enabling them to redeem such Annuities or any of them or any Part thereof respectively.

Commissioners may redeem Annuities.

LXXII. And be it further enacted, That in case the said Commissioners shall at any Time be able to borrow or take up any Sum or Sums of Money at a lower Rate of Interest than shall happen to be payable upon any of the original or other Mortgages which may have been or may be granted by the said Commissioners under the Authority of the said recited Acts or either of them, or of this Act, and which may happen to be then existing, it shall be lawful for the said Commissioners from Time to Time to charge the said Rates and Assessments in manner aforesaid with such Sum or Sums of Money as they shall think proper to borrow at such lower Rate of

Power to borrow at lower Interest to pay off existing Mortgages.

of Interest, and the Interest thereof at such lower Rate as aforesaid, and therewith* to pay off and discharge any of the said original or other Mortgages bearing a higher Rate of Interest, according to the Directions and Regulations in and by the said recited Acts or either of them prescribed for paying off Mortgages.

Security to be given by Treasurer and Receivers.

LXXIII. And be it further enacted, That the said Commissioners shall take from their Treasurer, and also from such of the Collector or Collectors of the Rates and Duties by the said recited Acts imposed as they shall think necessary, sufficient Security for answering and paying all and every Sum and Sums of Money which shall be by him or them respectively received, in such Manner as the said Commissioners shall from Time to Time order, direct, and appoint, and also for his and their giving and making respectively true Accounts in Writing, from Time to Time when and so often as he or they respectively shall be ordered and required by the said Commissioners so to do, of all Monies by him or them respectively collected or received by virtue of the said recited Acts or this Act, and when, of whom, and for what.

Directing what shall be a sufficient Service of Notice, &c. on Commissioners.

LXXIV. And be it further enacted, That in all Cases wherein it shall or may be requisite or necessary for any Person or Persons to serve upon the said Commissioners any Notice or other legal Proceeding, or Proceedings in Equity, the Service thereof upon the Clerk of the said Commissioners, or leaving the same at the Office of such Clerk, or at his last or usual Place of Abode, or on any Two of the Commissioners, or at the Office of the said Commissioners, shall be deemed a sufficient Service of the same.

What shall be deemed good Service of Notices and Summonses.

LXXV. And be it further enacted, That in all Cases where, under or by virtue of the said recited Acts or this Act, any Notice or Summons is or shall be required or directed to be served upon or given to any of the said Commissioners, or to any other Person or Persons, the Service or Delivery of every such Notice or Summons shall be deemed good and valid, either upon the same being delivered personally to the said Commissioners, or to the Clerk or Treasurer of the said Commissioners, or by leaving the same at the last or usual Place or Places of Abode of such Commissioner or Commissioners, or their Clerk or Treasurer as aforesaid.

Compensation for Damages, &c. by Commissioners to be levied by Distress of the Goods, &c. vested in them or their Treasurer.

LXXVI. And be it further enacted, That when and as often as any Sum or Sums of Money shall be directed or ordered to be paid by the said Commissioners to any Person or Persons, as or by Way of Compensation or Satisfaction for any Damage, Spoil, or Injury of any Nature or Kind whatsoever, done or committed by such Commissioners, or any Person or Persons acting by or under their Authority, or for any Costs or Expences relating thereto, not herein or in the said recited Acts otherwise provided for and directed, and such Sum or Sums of Money shall not be paid by such Commissioners to the Party or Parties entitled to receive the same, within Ten Days after Demand in Writing shall have been made for that Purpose, then and in every such Case the Amount of such Compensation or Satisfaction, Costs or Expences, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in such Commissioners, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by any Justice of the Peace

Peace for the said County, and which Warrant such Justice is hereby authorized and required to grant, under his Hand and Seal, on Application made to him for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by Way of Compensation or Satisfaction for any Damage, Spoil, or Injury as aforesaid, or for any Costs or Expences as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned, on Demand, to the said Commissioners, or to their Treasurer for the Time being, as the Case may be; and it shall be lawful for such Treasurer to retain, out of any Monies which he may have received or shall receive in pursuance of the said Acts or this Act, all such Damages, Costs, Charges, and Expences as he shall have sustained or be put unto by virtue of any Warrant as aforesaid.

LXXVII. And be it further enacted, That if any Person or Persons shall obstruct, molest, hinder, or interrupt, either by the Use of insulting or abusive Language, or otherwise, any of the said Commissioners, or any Treasurer, Clerk, Collector, or other Officer or Person whomsoever who shall be employed under or by virtue of the said Acts or this Act, or any Bye Law, Rule or Regulation made in pursuance thereof, in the Performance of his or their Duty, or in the Execution of any of the Matters or Things to be done by virtue or under the Authority of the same, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Penalty on obstructing the Execution of this Act.

LXXVIII. And be it further enacted, That in case any Person or Persons shall be found committing any Offence against any of the Provisions of the said Acts or this Act, or any Bye Law, Rule, or Regulation made in pursuance thereof, it shall and may be lawful to and for any One of the said Commissioners, or any One of their Surveyors or other Officers or Servants, or any other Person or Persons authorized by the said Commissioners, and such other Person or Persons as he or they or any of them shall call to his or their Assistance, without any Warrant or Authority other than this Act, to apprehend, seize, and detain all and every such Offender or Offenders, and forthwith take or convey, or cause to be taken or conveyed, him, her, or them before some Justice of the Peace for the said Town and Port of *Dovor*; and such Justice of the Peace is hereby required to proceed and act with respect to such Offender or Offenders according to the Provisions of this Act.

Persons found in the Act of committing any Offence may be apprehended without a Warrant.

LXXIX. And be it further enacted, That in all Cases in which by the said Acts or this Act any Penalty or Forfeiture is imposed and made recoverable by Information before a Justice of the Peace, it shall be lawful for any Justice of the Peace to whom Complaint shall be made of any Offence against the said Acts or this Act, to summon the Party complained against, and all necessary Witnesses before him, and on the Appearance of the Party complained against, or on his or her Nonappearance, then, upon Proof of the Service of the Summons on such Party, either personally or by leaving the same at his or her last or usual Place of Abode, to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the

Justices may proceed by a Summons in the Recovery of Penalties.

[*Local.*]

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Penalty

Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice; and all such Proceedings by Summons without Information shall be as good, valid, and effectual, to all Intents and Purposes, as if an Information in Writing was or had been exhibited.

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

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

Recovery
and Appli-
cation of
Penalties.

LXXXI. And be it further enacted, That all Fines, Penalties, and Forfeitures inflicted or imposed by the said Acts or this Act, or by virtue of any Bye Law, Rule, or Order made in pursuance thereof, (the Manner of levying and recovering whereof is not particularly directed,) may, in case of Nonpayment thereof, be recovered in a summary Way by the Order and Adjudication of any One or more Justice or Justices of the Peace for the said Town and Port of *Dover*, or of any other Town or County where the Offence shall be committed, or the Offender shall be or reside, within their respective Jurisdictions, on Complaint to him or them for that Purpose exhibited, and be levied, as well as the Costs (if any) 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 or Hands and Seals of such Justice and Justices, who is and are hereby authorized and required to summon and examine any Witnesses upon Oath or Affirmation of or concerning such Offences, Matters, and Things, and to hear and determine the same; and the Overplus (if any) of the Money raised or recovered, after discharging the Fine, Penalty, or Forfeiture for which such Warrant shall be issued, and the Costs and Expences of recovering and levying the same (if any such there be), shall be rendered to the Owner or Owners of the Goods and Chattels so seized and distrained; all which Penalties not herein directed to be otherwise applied shall be paid one Half thereof to the Informer, and the other Half thereof to the said Commissioners or their Treasurer or Clerk, to be applied for the Purposes of the said Acts or this Act, as the said Commissioners shall order and direct, except in all such Cases where the Penalty or Forfeiture shall be incurred by the said Commissioners, and then the same shall be paid to the Informer; and it shall be lawful for such Justice or Justices to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice or Justices, for his, her, or their Appearance before the said Justice or Justices on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than
Five

Five Days from the Time of taking any such Security, and which Security the said Justice or Justices is and are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant or Warrants it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Penalties, and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of any such Justice or Justices, upon the Confession of the Offender or Offenders, or otherwise, that he, she, or they have or hath not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Costs and Expences can be levied if a Warrant of Distress were issued, such Justice or Justices shall not be required to issue such Warrant of Distress, but it shall be lawful for such Justice or Justices, and he and they is and are hereby required and empowered, by Warrant or Warrants under his Hand and Seal or their Hands and Seals, to commit such Offender or Offenders to the Common Gaol or House of Correction for the said Town and Port or County, as the Case may be, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, or until such Offender or Offenders shall have paid such Penalty or Penalties, and all Costs and Charges attending such Proceeding as aforesaid, to be ascertained by such Justice or Justices, or shall otherwise be discharged by due Course of Law: Provided always, that in all Cases where the Penalty imposed by the said Acts or this Act shall exceed the Sum of Ten Pounds no Proceeding before Justices shall be had and taken for the Recovery thereof before a less Number than Two Justices.

LXXXII. And be it further enacted, That the Costs, Charges, and Expences of obtaining and passing this Act, and incident thereto, shall be paid and discharged by the said Commissioners by and out of the first Monies which shall be in the Hands of the Treasurer to the Commissioners under the said recited Acts, or shall come into the Hands of the said Treasurer, or shall be at the Disposal of the said Commissioners, at the Time of or after the passing of this Act, in preference to all other Payments whatsoever. Expences of
this Act.

LXXXIII. 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.

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