



ANNO UNDECIMO

GEORGII IV. REGIS.

Cap. xvi.

An Act for paving, lighting, watching, cleansing, and otherwise improving *Brunswick Square* and *Brunswick Terrace*, and certain Streets and other public Places upon certain Grounds late Part of a Farm called the *Wick Farm*, in the Parish of *Hove* in the County of *Sussex*. [8th April 1830.]

WHEREAS a Square called *Brunswick Square*, and a Terrace and Place respectively called *Brunswick Terrace* and *Brunswick Place*, and Roads, Streets, and public Ways, have been lately formed, and other Squares, Places, Roads, Streets, and public Ways are respectively in progress, and intended to be formed on Grounds late Parts of a Farm and Lands called the *Wick Farm*, situate in the Parish of *Hove* in the County of *Sussex*, of which the Reverend *Thomas Scutt* of *Brighthelmston* in the said County, Clerk, lately claimed to be the sole Proprietor; and several Houses and Buildings have been already erected thereon, which are in great Part inhabited, and others are respectively in progress adjoining or contiguous thereto: And whereas the said *Thomas Scutt* claims to be entitled to the Freehold and Inheritance of all the Roads, Streets, Footpaths, Passages, and public Ways formed within the said District, and of the Lawn and Pleasure Ground inclosed in the Centre of the said *Brunswick Square*, and of the several Areas, Coal Vaults, and Cellars respectively made or agreed or provided to be made in front of all the Houses erected and to be erected within the said District to the South of a certain Road called or intended to be

[Local.]

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called

called the *New Western Road*, and to the East of a certain Road called the *Wick Road* (except the Turnpike Road), but the free Use of all which said Roads, Streets, Footpaths, Passages, and public Ways, by all the Inhabitants of the said District, and the Use and Enjoyment of which said Lawn and Pleasure Ground by the Inhabitants of the said Square and *Brunswick Place* in common, and the exclusive Use and Enjoyment of which said Areas, Coal Vaults, and Cellars by the respective Inhabitants of the said respective Houses, have been respectively granted or agreed to be granted to the respective Purchasers from and Lessees of the said *Thomas Scutt*: And whereas the said *Thomas Scutt* and *Isaac Lyon Goldsmid* of *Dulwich Hill House* in the County of *Surrey*, Esquire, or One of them, claim or claims to be entitled to the Freehold and Inheritance of the whole of the several other Roads, Streets, Footpaths, Passages, and public Ways, Lawns and Pleasure Grounds respectively made or set out within the said District, and the Areas of the Houses, Coal Vaults, and Cellars fronting the several other respective Houses already erected within the same, subject as aforesaid: And whereas it is expedient that effectual Provision should be made for repairing and keeping in repair, improving, managing, and regulating the said Squares, Terrace, Places, Streets, and other public Ways so already formed and to be formed upon the said Grounds included and comprised within the Boundaries herein-after specified: And whereas it would contribute to the Benefit and Safety of the Persons now residing in *Brunswick Square* and on *Brunswick Terrace* respectively aforesaid, and the several Persons now being or who shall hereafter become Inhabitants of the several other Squares, Places, Streets, and other public Ways, or intended Squares, Streets, and other public Ways, comprised within the Boundaries aforesaid, and of the Persons who shall or may have Occasion to pass along the same Places, if Provisions were made for making, paving, and keeping in repair the Footways before the said Houses, and for forming, making, stoning, gravelling, repairing, and keeping in repair the Carriageways, and also for lighting, watching, draining, watering, and cleansing the same, and for removing and preventing Nuisances, Annoyances, and Encroachments thereon, and for other the Purposes herein-after mentioned, some of which Purposes are now very imperfectly provided for by certain Deeds of Covenants; but the same cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Limits and Jurisdiction of this Act shall be deemed to be co-extensive with the District, and within the Boundaries herein described; (that is to say,) bounded by a certain Road lately set out and partly formed on the West Side of the Dwelling House being Number Forty-two on *Brunswick Terrace* on the West, by the Parish of *Brighthelmston* on the East, on the South by the Sea, and extending One hundred Feet or thereabouts to the North of a Road called the *New Western Road*, and of a certain other Road lately set out and being a Continuation of the said *New Western Road*, and communicating therefrom with the Northern Extremity of the said Road so lately set out and partly

Limits and
Jurisdiction
of the Act.

formed on the West Side of the Dwelling House Number Forty-two *Brunswick Terrace* aforesaid, and including also the Esplanades, Slopes, and Walks which have been formed on the Beach or Sea Shore in front of the said *Brunswick Square* and *Brunswick Terrace*.

II. And be it further enacted, That the said *Thomas Scutt*, together with the Right Honourable Sir *William Henry Freemantle*, the Honourable *Frederick Saint John*, *George Frederick Hotham*, Sir *George Augustus Westphal*, *George Basevi*, *Thomas Bodley*, *Hans Busk*, *Charles Augustin Busby*, *Robert Cunynghame*, *Adolphus John Dalrymple*, *Charles Scrase Dickins* the younger, *John Egan*, *Charles Gregory Greenwood*, *George Harrington*, *James Mills*, *John Round*, *Thomas Sotheby*, *William Wigney*, *Joseph Wisden*, and *Samuel Webb*, and their Successors, to be elected in manner herein-after mentioned, shall be and they are hereby appointed Commissioners for carrying this Act into execution, and shall be called "The Commissioners for repairing, lighting, watering, and watching *Brunswick Square* and *Terrace*, and the Squares and Streets adjacent." Commissioners appointed.

III. And be it further enacted, That when and so often as any of the said Persons herein-before nominated, or any of their Successors to be elected from Time to Time as herein-after mentioned, shall die, or become disqualified or refuse or decline to act as Commissioners or a Commissioner in the Execution of this Act, it shall be lawful for the surviving or remaining Commissioners and they are hereby required from Time to Time, within Six Calendar Months next after such Death, Disqualification, or Refusal to act, to cause Notice to be given by Writing to be affixed on the Market House, (if there be any,) or if there be no Market House, then to be set up in some public Places within the said District, of a Meeting of the Inhabitants who shall occupy Houses respectively assessed to the Poor's Rate in respect of Property of the Rent or actual annual Value of Twenty Pounds or upwards, without Reference to the Scale of rating to the Poor adopted in the said Parish, within a Period of not less than Three Days, for the Purpose of electing and appointing new Commissioners or a new Commissioner (as the Case may require) in the Room of such Commissioners or Commissioner so dying or becoming disqualified or refusing to act as aforesaid; and the Inhabitants present at any such Meeting shall and may elect and appoint one other fit Person, possessing the Qualification herein-after set forth, to be a Commissioner in the Place of every such Commissioner so dying or becoming disqualified or refusing to act as aforesaid; and at every such Meeting every Inhabitant assessed to the Poor's Rate in respect of Property of the Rent or actual annual Value of Twenty Pounds shall be entitled to One Vote, and every Inhabitant so assessed in respect of Property of the Rent or actual annual Value of Fifty Pounds shall be entitled to Two Votes, and every Inhabitant so assessed in respect of Property of the Rent or actual annual Value of Seventy-five Pounds shall be entitled to Three Votes, and every Inhabitant so assessed in respect of Property of the Rent or actual annual Value of One hundred Pounds shall be entitled to Four Votes, and every Inhabitant so assessed in respect of Property of the Rent or actual annual Value of One hundred and twenty-five Pounds shall Appointment of new Commissioners.

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

Qualification
of Commis-
sioners.

IV. Provided always, and be it further enacted, That no Person (except the said *Thomas Scutt*) shall be capable of acting as a Commissioner in the Execution of this Act unless he shall be at the Time of so acting, in his own Right or in Right of his Wife, in the actual Possession or in the Receipt of the Rents and Profits of Freehold Tenements or Hereditaments, or of Leasehold Tenements or Premises for an unexpired Term of not less than Sixty Years, situate within the Limits of this Act, of the actual Value of One thousand five hundred Pounds at the least above Reprizes, and rateable or to be rated or assessed under the Authority of this Act at the annual Value of One hundred Pounds or upwards, and until he shall have taken and subscribed an Oath, or, being a Quaker, made and subscribed an Affirmation, to the following Effect; (that is to say,)

Oath.

‘ I *A. B.* do swear, [*or affirm, being a Quaker,*] That I am *bonâ fide*
 ‘ in my own Right or in Right of my Wife in the actual Possession
 ‘ or in the Receipt of the Rents and Profits of Freehold Tenements
 ‘ or Hereditaments, or [*as the Case may be*] of Leasehold Tenements
 ‘ or Premises for an unexpired Term of not less than Sixty Years,
 ‘ within the Limits of an Act passed in the Eleventh Year of the
 ‘ Reign of His Majesty King *George* the Fourth, intituled *An Act*
 ‘ [*here insert the Title of this Act*], of the actual Value, above Re-
 ‘ prizes, of One thousand five hundred Pounds, and rateable under
 ‘ the Authority of the same Act, or rated (after the Declaration of
 ‘ any Rate or Rates under the Authority of the same Act) at the
 ‘ annual Value of One hundred Pounds or upwards; and that I will
 ‘ truly and faithfully, impartially and honestly, according to the best
 ‘ of my Skill and Knowledge, execute the several Trusts, Powers,
 ‘ and Authorities reposed in me, and judge and determine all Matters
 ‘ and Things which shall be brought before me as a Commissioner
 ‘ acting by virtue of the said herein-before mentioned Act.

‘ So help me GOD.’

[*Or, being a Quaker, omitting the Words ‘ So help me God.’*]

Which Oath or Affirmation it shall be lawful for any of the Commissioners for the Time being to administer.

Commission-
ers to qualify
annually,
and to deliver
Statement of
Qualification.

V. And be it further enacted, That the Commissioners (except as aforesaid) shall in every Year, during so long Time as they respectively shall continue to act as Commissioners, at a General or adjourned General Meeting of the said Commissioners to be held under this Act, between the Twenty-fifth Day of *November* and the Twenty-fifth

fifth Day of *March* in each Year, take and subscribe the Oath of Qualification herein-before set forth, and shall at every such Period, and previous to taking such Oath, deliver to the Chairman of the said Commissioners at such Meeting (who is hereby authorized and required to demand the same) a Statement in Writing of the Property of which he is possessed, and in respect of which he proposes so to qualify: Provided always, (except as aforesaid,) that any Person neglecting or refusing to deliver such Statement shall not be allowed to take and subscribe the said Oath, or to act as a Commissioner in the Execution of this Act.

VI. And be it further enacted, That in case any of the Commissioners for the Time being (except the said *Thomas Scutt*) shall neglect to attend the Meetings of the said Commissioners to be held for the Execution of this Act for the Space of One Year, or to take the Oath of Qualification pursuant to the Directions of this Act, or shall be disqualified to act as such Commissioners in the Execution of this Act as herein mentioned, it shall be lawful for the remaining Commissioners, or any Five or more of them, and they are hereby required, from Time to Time, within Six Calendar Months after such Neglect, to cause Notice to be given of a Meeting of the Inhabitants of Tenements or Premises situate within the Limits of this Act, rated as herein mentioned, and to be held as herein directed, at which Meeting such Inhabitants shall and may elect and appoint one other fit and proper Person possessed of the Qualification herein-before mentioned to be a Commissioner in the Room of each Commissioner so neglecting to attend such Meeting, or to take the Oath of Qualification as aforesaid, or being disqualified to act as such Commissioners as herein mentioned.

Commissioners neglecting to attend Meetings for One Year to be disqualified.

VII. Provided also, and be it further enacted, That no Person holding the Office of Treasurer, Clerk, Surveyor, Receiver, or Collector, or any other Office or Place of Profit, or being concerned as a Contractor either directly or indirectly under this Act, or under the Commissioners for executing the same, or being a Licensed Victualler, shall act as a Commissioner in the Execution of this Act during the Time in which such Person shall hold such Office or Place of Profit, or be concerned as such Contractor as aforesaid.

No Person holding Office, &c. to act as a Commissioner.

VIII. And be it further enacted, That if any Person not being qualified or ceasing to be qualified or being so disqualified as aforesaid to act as a Commissioner by virtue of this Act shall nevertheless act as such in the Execution thereof, (except in administering the Oath herein-before directed,) every such Person shall for every such Offence forfeit and pay the Sum of Fifty 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, Plaint, or Information, wherein no Essoign, Protection, Wager of Law, or more than One Imparlance shall be allowed; and every Person so sued or prosecuted shall, upon the Trial, prove that he was at the Time of acting qualified as aforesaid, or otherwise shall be liable to the said Penalty and Costs, without any other Proof or Evidence being given on the Part of the

Penalty for acting if not qualified.

[Local.]

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Plaintiff

Plaintiff or Prosecutor than that such Person hath acted as a Commissioner in the Execution of this Act: Provided always, that all Acts and Proceedings of any Person acting as such Commissioner, although not duly qualified, had or done previously to his being convicted of any such Offence, shall be as valid and effectual, notwithstanding a subsequent Conviction, as if such Person had been duly qualified.

Meetings of Commissioners.

IX. And be it further enacted, That the said Commissioners, or any Five or more of them, shall meet at the House known by the Name of the *Kerrison Arms Inn*, in *Waterloo Street*, or at some other convenient Place, on the Second *Monday* after the passing of this Act, between the Hours of Ten of the Clock in the Forenoon and Two of the Clock in the Afternoon, and proceed to put this Act into execution, and shall then and from Time to Time afterwards adjourn themselves to any Place within or near the Limits of this Act; and if at any Time there shall not be Five Commissioners present at any such Meeting, any One of the said Commissioners present may adjourn the Meeting to another Day; and in case of any Neglect or Omission to adjourn to a future Day, any Three of the said Commissioners or their Clerk may call a Meeting at the Place where the last Meeting was appointed to be held or was held, by Notice or Summons to be delivered at the usual Places of Abode of such of the said Commissioners as shall be resident within the Limits of this Act, or within One Mile thereof, Four Days at least before such Meeting; and at all Meetings to be held in pursuance of this Act the Commissioners shall defray their own Expences (except for the Use of the Room or Apartment where such Meetings shall be held, which shall be paid out of the Monies to be received by virtue of this Act); and no Act of the said Commissioners shall be valid unless made or done at some Meeting to be held by virtue of this Act (except the calling of Meetings as aforesaid); and all the Powers and Authorities by this Act granted to or vested in the Commissioners appointed or to be appointed by virtue hereof shall and may from Time to Time be exercised by the major Part of them present at Meetings to be holden as aforesaid, the Number of Commissioners present at any such Meeting not being less than Five (unless herein otherwise particularly provided); and in all Cases where the Number of Votes upon any Question shall be equal (including the Chairman's Vote) the Chairman shall have the casting Vote; and at every Meeting to be held under or in pursuance of this Act, the first Business shall be the Election of a Chairman to preside at the same: Provided nevertheless, that it shall be lawful for the Commissioners appointed and to be appointed by or by virtue of this Act, and they are hereby authorized, to hold any Special Meeting between their then last Meeting and the Day to which any subsequent Meeting shall have been adjourned, so that such Meeting shall be required by Three or more of the said Commissioners, and Notice thereof in Writing given to or left with the Clerk to the said Commissioners, who shall thereupon give Twenty-four Hours Notice at the least to such of the said Commissioners as shall be resident within the Limits of this Act, or within One Mile thereof, of such Special Meeting, and shall specify in such Notice the Cause or Causes of such Special Meeting; and at all such Meetings

Special Meetings may be held.

ings the Commissioners shall pay their own Expences; and all Meetings of the said Commissioners shall be held between the Hours of Ten of the Clock in the Forenoon and Two of the Clock in the Afternoon.

X. And be it further enacted, That no Order made by the Commissioners appointed or to be appointed by virtue of this Act shall be revoked or altered unless at some Special Meeting to be called as aforesaid, (of which Ten Days Notice shall be given as last aforesaid, expressing the Occasion of such Meeting,) and at which a greater Number of Commissioners, by Three at least, shall attend than were present when such Order was made.

Restrictions
as to revoking
Orders.

XI. And be it further enacted, That all Acts, Orders, and Proceedings of the said Commissioners at any of their Meetings, shall be entered in a Book or Books to be kept by their Clerk for the Time being for that Purpose, and shall be signed by the Chairman of such Meetings respectively and Two of the Commissioners then present, and all such Acts, Orders, and Proceedings shall then be deemed and taken to be original Acts, Orders, and Proceedings, and such Book or Books shall and may be produced and read as Evidence in any Court or Courts of Law or Equity whatsoever.

Proceedings
at Meetings
to be entered
in Books,
which shall
be good
Evidence.

XII. And be it further enacted, That the said Commissioners shall from Time to Time, by Writing under their Hands, appoint a Treasurer, Clerk, and Surveyor, and also a Collector or Collectors of the Rates to be made as herein-after mentioned, and such other Officers and Persons as they shall think necessary, and may remove any such Officers and other Persons as they may think proper, and appoint others in their Stead, and pay such Salaries and make such Allowances to all such Officers and Persons, out of the Monies to be received by virtue of this Act, as they the said Commissioners shall think reasonable.

Commission-
ers to appoint
Officers.

XIII. And be it further enacted, That it shall not be lawful for the said Commissioners to appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk, or the Clerk or other Person in the Service or Employ of the Partner of any such Clerk, the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner or Clerk or any Person in the Service or Employ of any such Treasurer, the Clerk to the said Commissioners; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk, shall act as Treasurer, or in any Manner officiate for the Treasurer, or being the Partner or Clerk or other Person in the Service or Employ of any such Treasurer, or being the Clerk or other Person in the Service or Employ of the Partner of any such Treasurer, shall act as Clerk in the Execution of this Act, or in any Manner officiate for the Clerk, or if any such Treasurer shall hold any Place or Office of Profit or Trust under this Act other than that of Treasurer, every Person so offending shall for every such

Clerk re-
strained from
being Treas-
urer, and
vice versa.

such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster* or elsewhere, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparance, shall be allowed.

Security to
be taken from
Treasurer and
Collector.

XIV. And be it further enacted, That it shall be lawful for the said Commissioners, or any Three or more of them, and they are hereby required, to take good and sufficient Security from the Treasurer, and also from all and every Collectors or Collector to be appointed by virtue of this Act, for the due Execution of their respective Offices.

Treasurer,
Collector,
Clerk, and
Officers to
account.

XV. And be it further enacted, That every such Treasurer, Clerk, Collector, and other Officer appointed by virtue of this Act shall, under his respective Hand, and at such Time or Times and in such Manner as the said Commissioners direct, deliver to the said Commissioners, or such Person as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to his Charge by virtue of this Act, and also of all Monies which shall have been by such Officer received by virtue or for the Purposes of this Act, and of how much thereof shall have been expended and disbursed, and for what Purposes, together with proper Vouchers for such Payments, and also a List of the Names of all such Persons as shall have neglected or refused to pay their respective Rates, and of the Monies due from them respectively, and that every such Officer shall pay all such Monies as shall remain due from him to the Treasurer for the Time being, or to such Person as the said Commissioners shall appoint to receive the same; and if any such Treasurer, Clerk, Collector, Officer, or other Person shall refuse or neglect to make and render such Account, or to produce and deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall refuse or wilfully neglect to deliver to the said Commissioners, or to such Person as they shall appoint to receive the same, within Three Days after being thereunto required by the said Commissioners, by Notice in Writing under the Hands and Seals of any Three or more of the said Commissioners given to or left at the last or usual Place of Abode of such Officer, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, or to give Satisfaction to the said Commissioners or such other Person as aforesaid respecting the same, then and in every such Case, upon Complaint made by the said Commissioners, or by such Person as they the said Commissioners shall appoint for that Purpose, of any such Refusal or wilful Neglect as aforesaid, to any Justice of the Peace for the County, City, or Place wherein such Officer so refusing or neglecting shall be or reside, such Justice may and he is hereby authorized and required to issue a Summons under his Hand and Seal for the Officer so refusing or neglecting to appear before such Justice; and upon the said Officer appearing, or having been so summoned and not appearing, without some sufficient or reasonable Excuse, or not being to be found, it shall be lawful for the said Justice to hear and determine the Matter in a summary Way; and if upon Confession of the Party, or by the
Testimony

Manner of
proceeding
in case the
Treasurer,
&c. neglect
to account.

Testimony of any credible Witness or Witnesses upon Oath, (which Oath such Justice is hereby empowered to administer,) it shall appear to such Justice that any Monies remain due from such Officer, such Justice may and he is hereby authorized and required, upon Nonpayment thereof, by Warrant under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer; and if no Goods and Chattels of such Officer shall be found sufficient to answer and satisfy the said Money, and the Charges of distraining and selling the said Goods and Chattels, or if it shall appear to such Justice that such Officer had refused or wilfully neglected to render and give such Accounts, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of this Act remained in the Hands or in the Custody or Power of such Officer, and he refused or wilfully neglected to deliver or give Satisfaction respecting the same as aforesaid, then and in every such Case such Justice shall and he is hereby required to commit such Offender to the Common Gaol or House of Correction for the County, City, or Place where such Offender shall be or reside, there to remain without Bail or Mainprize until he shall have given a true and perfect Account as aforesaid, or until he shall have paid such Monies as aforesaid, or compounded with the said Commissioners for such Money, and shall have paid such Composition in such Manner as they shall appoint, (which Composition the said Commissioners are hereby empowered to make and receive,) and until he shall deliver up such Books, Papers, and Writings, or give Satisfaction in respect thereof to the said Commissioners, or to such other Person as aforesaid, but no such Offender shall be kept or detained in such Common Gaol or House of Correction for Want of sufficient Distress by virtue of this Act for any longer Space of Time than Three Calendar Months.

XVI. And be it further enacted, That no Prosecution or Commitment under the Provisions of this Act of any Treasurer, Clerk, Collector, or other Officer or Person to be appointed under the Powers of this Act, shall acquit or discharge any Surety or Security that shall or may have been taken by or given to the said Commissioners for the due and faithful Execution of his or their Office, or the Payment of the Monies received or to be received by him or them respectively.

Commitment of Offender not to discharge his Sureties.

XVII. And be it further enacted, That if any Collector to be appointed as aforesaid shall at any Time keep or retain in his Hands more than the Sum of One hundred Pounds for any longer Space of Time than Two Days, provided that the Treasurer for the Time being shall within that Time be ready to receive the same, he shall forfeit and pay a Sum not exceeding Five Pounds for every Day that he shall retain any Sum exceeding the same Sum of One hundred Pounds beyond the said Two Days.

Collector not to retain above 100*l.* at one Time.

XVIII. And be it further enacted, That if any Person who shall be employed as Treasurer, Clerk, Collector, or any other Officer or Servant who shall be in anywise employed by the said Commissioners

[*Local.*]

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Officers taking any Fee or Reward besides the Salary or

Fees appointed, to forfeit 100%.

for putting this Act or any of the Powers thereof into execution, shall exact, take, or accept any Fee or Reward whatsoever, other than such Salaries, Allowances, and Rewards as are allowed in pursuance of this Act, or shall for the Time being be appointed, allowed, and approved of by the said Commissioners for or on account of any thing done or to be done by virtue of this Act, or on any Account whatsoever relative to putting this Act into execution, or shall in anywise be concerned or interested in any Bargain or Contract made or to be made by the said Commissioners, every such Person so offending shall be incapable of ever serving or being employed under this Act, and shall over and above forfeit the Sum of One hundred Pounds to any Person or Persons who shall sue for the same.

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

XIX. And be it further enacted, That the said Commissioners may sue and be sued in the Name of their Clerk or Treasurer for the Time being; and all Actions or Suits that may be brought for the Recovery of any Penalty or Sum of Money due or payable by virtue of this Act, or for or in respect of any other Matter or Thing relating to this Act, may be brought in the Name of their Clerk or Treasurer; and no Action or Suit which may be brought, commenced, or prosecuted by or against the said Commissioners, or any of them, by virtue or on account of this Act, shall abate or be discontinued by the Death, Suspension, or Removal of such Clerk or Treasurer, or by any Act or Default of such Clerk or Treasurer done or suffered without the Consent and Direction of the said Commissioners, but the Clerk or Treasurer to the said Commissioners for the Time being shall be deemed Plaintiff or Defendant in any such Action or Suit (as the Case may be), except such Action or Actions as shall be prosecuted between the said Commissioners and their Clerk or Treasurer for the Time being: Provided also, that in all Cases in which the Clerk or Treasurer for the Time being shall in pursuance of this Act be the Plaintiff or Defendant on the Record in any Action or Actions, Suit or Suits, in which in effect the said Commissioners shall be suing or sued in the Name of such Clerk or Treasurer, such Clerk or Treasurer (although appearing as the Plaintiff or Defendant on the Record) may and shall nevertheless (if not otherwise interested or objectionable) be a good, examinable, and competent Witness in every Action or Suit either for or against the said Commissioners; and all Affidavits of Debt or Service which may be to be made preparatory to or in the Prosecution or Defence of any and every such Action, Suit, or Proceeding, shall and may be lawfully made by such Clerk or Treasurer (as the Case may be), notwithstanding he shall be nominal Plaintiff or Defendant on the Record as aforesaid: Provided also, that every or any such Clerk or Treasurer in whose Name any Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act, shall always be reimbursed and paid, out of the Monies to arise by virtue of this Act, all such Costs, Charges, and Expences as he or they shall be put to or become chargeable with by reason of his being so made Plaintiff or Defendant therein, and shall not be personally answerable or liable for the Payment of the same, or any Part of them, unless such Action or
Suit

Clerk or Treasurer to be a competent Witness.

Clerk and Treasurer to be indemnified.

Suit shall arise in consequence of his own wilful Neglect or Default, or have been brought or commenced or be defended without the Order or Direction of the said Commissioners.

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

XXI. And be it further enacted, That in the Month of *January* in every Year a true Account shall be made in Writing of all Monies received and paid by virtue of this Act during the preceding Year, ending upon the Thirty-first Day of *December* in every Year, and a Copy or Duplicate of such Account shall be deposited with the Clerk of the said Commissioners, and shall be open to the Inspection of all Persons interested.

Accounts to be made out annually.

XXII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time, at any General or Special Meeting, to appoint any Five or more of the said Commissioners to be a Committee or Committees for superintending the making of any Rate or Rates, or for ascertaining the Value of Property to be rated, or for executing or superintending the Execution of any Works, Proceedings, or Matters relating to the Execution of this Act; and every such Committee shall or may be altered, removed, or discontinued when and as the Commissioners for executing this Act at any General or Special Meeting shall from Time to Time order or direct, but no such Committee shall continue to act for any longer Space of Time than Six Calendar Months from the Time of their Appointment, unless such Committee shall be re-appointed by the said Commissioners at a General or Special Meeting to be held at the Expiration of that Period: Provided always, that any Three of the Members of any such Committee shall be sufficient to act at the Meetings of such Committee; and at every Meeting of any such Committee one of the Members present shall be elected Chairman; and all Questions, Matters, and Things which shall be proposed, discussed, or considered at any such Meeting, shall be decided by the Majority then present,

Committees may be appointed.

except

except in Cases where there shall be an Equality of Votes, when the Chairman (in addition to his own Vote as a Member of such Committee) shall have a casting Vote: Provided always nevertheless, that the Acts of such Committee shall, before the same shall be adopted and carried into execution, be confirmed by some subsequent General or Special Meeting of the said Commissioners held according to the Provisions of this Act.

Commissioners may view the new Streets, and give Notice to Lessees, &c. to pave them, or to compound for paving, &c.

XXIII. And be it further enacted, That it shall and may be lawful for the said Commissioners to view and inspect the Streets, Squares, Passages, and Places within the Limits aforesaid, which are now unpaved, or hereafter may be formed or built upon; and if upon such View they the said Commissioners shall be of opinion that any of such Roads, Streets, Squares, or other public Places, and the Carriageways and Footways thereof, or of any Part or Parts thereof, are fit and proper to be levelled, filled in, stoned, paved, or gravelled, the said Commissioners after such View shall and may order their Surveyor or Surveyors, or other Person by them appointed for that Purpose, to give Notice to the Lessee or Lessees, Assignee or Assignees, Owner or Owners of all and every the Grounds, Gardens, Houses, Shops, Warehouses, Coach Houses, Stables, Cellars, Vaults, Buildings, Tenements, or Hereditaments lying and being in such respective Roads, Streets, Squares, or other public Ways or Places as upon such View may be found fit and proper to be levelled and filled in, paved, stoned, or gravelled as aforesaid, or to leave such Notice at his, her, or their last or usual Place of Abode, or with his, her, or their Servant or Servants, or if no such Lessee or Lessees, Assignee or Assignees, Owner or Owners, or his, her, or their Place of Abode, can be found, then such Notice shall be affixed or stuck against the said Premises or any Part thereof, which Notice shall require such Lessee or Lessees, Assignee or Assignees, Owner or Owners, to meet the said Commissioners at the Time and Place to be therein named, (not being less than One Calendar Month from the Delivery of such Notice,) and either to level, fill in, stone, gravel, and pave the Footways and Carriageways before his, her, or their respective Premises, situate in any of the said Roads, Streets, Squares, or other public Places, or to level and fill in the Ground, and to compound for the stoning, gravelling, and paving the same Footways and Carriageways before his, her, or their said respective Premises, which Composition for such stoning, gravelling, and paving, the said Commissioners are hereby authorized to make; and if such Lessee or Lessees, Assignee or Assignees, Owner or Owners shall not attend, or shall not compound or agree with the said Commissioners or any Five or more of them as aforesaid, it shall and may be lawful for the respective Inhabitant or Inhabitants, Occupier or Occupiers of the said Premises, not being such Lessee or Lessees, Assignee or Assignees, Owner or Owners, to compound and agree with the said Commissioners for such stoning, gravelling, and paving, and to pay to the said Commissioners the Composition Monies that shall be so agreed on; which Composition Monies every such Inhabitant or Occupier, not being such Lessee, Assignee, or Owner as aforesaid, shall and may and is hereby authorized to deduct and retain out of his and her Rent then due or to become due, and the

the said Lessee or Lessees, Assignee or Assignees, Owner or Owners of such Premises is and are hereby required to allow such Deduction ; and in case the said Lessee or Lessees, Assignee or Assignees, Owner or Owners, or the said Inhabitant or Inhabitants, Occupier or Occupiers, shall not compound or agree with the said Commissioners as aforesaid, then it shall and may be lawful for the said Commissioners to order the said Footways and Carriageways to be levelled and filled in, stoned, gravelled, and paved, as soon as conveniently may be, and all the Charges and Expences attending such levelling and filling in, stoning, gravelling, and paving, shall be paid by the respective Lessee or Lessees, Assignee or Assignees, Owner or Owners, Occupier or Occupiers, or any of them, and shall be recovered and levied by Distress and Sale of his, her, or their Goods and Chattels, in the same Manner as the Rates and Assessments to be raised by this Act are herein-after directed to be levied and recovered : Provided nevertheless, that no such Composition as aforesaid for stoning, gravelling, and paving any of the said new Roads, Streets, Squares, or other public Places, to be entered into by virtue of this Act, shall be less than Five Sixths of the actual Value of such stoning, gravelling, and paving : Provided always, that no Person or Persons shall make, form, or construct any of the Footways or Carriageways within the Limits of this Act, with any Stone or other Materials which shall not have been previously seen and approved of by the said Commissioners or their Surveyor.

Commissioners or their Surveyor to approve of the Pavement laid down.

XXIV. And be it further enacted, That it shall and may be lawful for the said Commissioners, and they are hereby authorized and empowered, from Time to Time to alter and vary the Levels of the several Footways and Carriageways, and also the said Esplanades, Slopes, and Walks respectively, within the Limits of this Act, and to make such Alterations and Improvements in the same respectively as the said Commissioners shall think proper ; and also to cause the same Footways and Carriageways, Esplanades, Slopes, and Walks respectively, to be properly amended and kept in good Repair with Paving or other Stone or Stones, Gravel, or such other Materials as they the said Commissioners shall judge proper, and also to cause the said Roads, Streets, Esplanades, and Walks, and other Places within the Limits of this Act, to be drained, scraped, cleansed, watered, lighted, and watched in such Manner as they the said Commissioners shall think proper.

Commissioners to repair and keep in repair the Foot and Carriageways, Esplanades, Slopes, and Walks.

XXV. And be it further enacted, That no Person shall, without the Consent of the said Commissioners, alter the Form of any Carriageway or Footway within the Limits of this Act, or make any Carriageway or Footway within the said Limits, otherwise than as shall be directed by the said Commissioners, nor shall any Person dig, break, or take up the Ground or Pavement of any Carriageway or Footway, Esplanade or Walk, or the Gravel or any Materials thereof, within any of the Roads, Streets, and other public Places within the Limits of this Act, without the Permission of the said Commissioners, upon pain of forfeiting any Sum not exceeding Ten Pounds for every Offence ; and every such Person so offending shall also pay all the

No Person to alter Foot or Carriage Ways, or make Drains, without the Consent of the Commissioners.

[*Local.*]

5 D

Expences

Expences of restoring such Ground and Pavement to its former State.

Commissioners may purchase or hire or rent Ground or Buildings.

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

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

XXVII. And be it further enacted, That the said Commissioners shall and they are hereby authorized and empowered to cause all or any of the said Roads, Streets, and public Places to be scraped, cleansed, and watered when they or any of their Surveyors for the Time being shall think proper, and for the Purpose of watering to cause such Number of Wells, Pipes, and Pumps to be dug, sunk, laid down, or set up in any of the said Roads, Streets, or Places, as they shall think necessary, and from Time to Time to alter and repair the same as there shall be Occasion, and also to defray the Expences thereof out of the Monies to be raised by virtue of this Act, provided that no such Well, Pipe, or Pump shall be sunk, laid down, or set up so as to injure any House or other Building in, or any Vault or Cellar made under, any of the said Roads, Streets, or other Places: Provided always nevertheless, that no such Pump shall be set up in the new Western Road or the Turnpike Road.

Lamp Irons to be put up and Streets named, &c.

XXVIII. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby empowered from Time to Time to cause such Lamp Irons or Lamp Posts, or other Posts, Chains,

Chains, or Rails, to be put or fixed upon or against the Walls or Palisadoes of any Houses, Tenements, Buildings, or Inclosures, (doing no Damage or Injury thereto,) or to be put up and erected in such other Manner within all or any of the said Roads, Streets, and Places, as they shall think proper, and also to cause such Number of Lamps of such Sizes and Sorts to be provided and affixed and put upon such Lamp Irons and Lamp Posts as they shall think necessary for lighting all or any of such Roads, Streets, and Places, and cause the same to be lighted with Gas, Oil, or otherwise, for such Number of Hours in every Twenty-four Hours as they shall think necessary, and also to cause such a Number of Watch-houses or Watchboxes to be provided, erected, or affixed as they shall think necessary for watching all or any of the Streets, Roads, and Places within the Limits of this Act, and also to cause the said Lamp Irons, Lamp Posts, and Watchboxes, and also the several Houses and other Buildings within the several Streets, Roads, and Places, to be numbered, and also to cause to be affixed on a conspicuous Part of One or more House or Houses, Building or Buildings, at or near each End, Corner, or Entrance of such Streets, Roads, and Places respectively, the Names by which the same respectively are to be called or known, in such Manner as they shall judge most proper for distinguishing the same.

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

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

XXX. And

Penalty for wilfully destroying or injuring Lamps, or defacing Numbers.

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

How Persons accidentally breaking Lamps are to be dealt with.

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

Carriage-ways, Foot-ways, &c. vested in the Commissioners, subject

XXXII. And be it further enacted, That all and singular the Beach down to the High Water Mark, and the Carriageways, Foot-ways, and other public Ways within the Limits of this Act, (subject to the free Use and Enjoyment thereof by all the Inhabitants within the same Limits, and by all other His Majesty's Subjects, to be used

as

as and for public Ways only,) and also the Lawns and Pleasure Grounds inclosed and to be inclosed in the respective Centres of the said *Brunswick* and other intended Squares, (subject to the Use and Enjoyment of the said Lawn and Pleasure Grounds inclosed in the Centre of the said *Brunswick Square* by the Inhabitants of the same Square and of *Brunswick Place* aforesaid respectively, in common, and as to the Lawns and Pleasure Grounds to be inclosed in the said other intended Squares, subject to the Use and Enjoyment of the same respectively by the respective Inhabitants of the said other intended Squares respectively, in common,) and also all and singular the Areas made and to be made in front of all or any of the several Houses erected and to be erected within the Limits of this Act, subject to the Liberty of making and of exclusively using and enjoying the same respectively by the respective Inhabitants of the said several Houses respectively, and also subject to the like Liberty of making and exclusively using and enjoying Coal Vaults and Cellars made and to be made beyond the said Areas respectively, to the Extent of and under the public Footways, the same being arched with Brick Work of not less than Nine Inches Thickness, and in a substantial Manner, to the Satisfaction of the Surveyor of the said Commissioners, shall respectively from and immediately after the passing of this Act be and remain vested in the Commissioners for the Time being for carrying this Act into execution.

to the Use and Enjoyment thereof by Inhabitants.

XXXIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, at any Time or Times hereafter, when and as often as they shall find it necessary to alter or change, or cause to be altered or changed, the Foundation or Level of any or either of the said Streets, Ways, and public Places, and also from Time to Time to cause to be cut or made in, through, over, under, or adjoining to any of the Streets, Ways, Lanes, Passages, or public Places within the said Limits, any new Common Sewers, Tunnels, Gutters, Drains, Sinks, Ditches, or Watercourses, for the more effectually draining and cleansing the District comprised within the said Limits, and also from Time to Time to cause any of the present or any future Common Sewers, Tunnels, Gutters, Sinks, Drains, Ditches, or Watercourses, or any Part or Parts thereof respectively, to be stopped up, opened, scoured, cleansed, widened, straightened, deepened, or repaired, or the Form or Line thereof to be turned, varied, or changed, in such Manner as they the said Commissioners shall think fit; and the Charges and Expences attending or in any Manner relating to the making, stopping, opening, scouring, cleansing, widening, straightening, deepening, turning, altering, or repairing such Common Sewers, Tunnels, Gutters, Sinks, Drains, Ditches, or Watercourses, shall be borne by the whole District, without any separate Apportionment, and shall be paid by the said Commissioners out of the Rates herein-after authorized to be raised: Provided always, that nothing herein-before contained shall authorize or empower the said Commissioners for the Time being to alter or vary the Foundation or Level of any or either of the said Streets, Ways, or public Places abutting or adjoining to the said Parish of *Brighthelmston* except for the Purpose of repairing the same Streets, Ways, or public Places.

Commissioners may make public Drains, &c.

[Local.]

5 E

XXXIV. And

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

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

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

XXXV. And be it further enacted, That for preventing any Sink or Refuse Water from remaining in any Cesspool or other Place within any House, Building, Ground, or Land, so as to cause a Stench or Nuisance, public or private, and for preventing the same running on or over the Surface of the Streets, Ways, Lanes, Passages, or public Places, or the Channels thereof, and in case the Owner or Owners, Occupier or Occupiers of the Messuages, Buildings, Lands, or Tenements from or in which such Sink or other Refuse Water shall arise or remain, shall neglect or refuse to remove such Sink or Refuse Water, and abate such Stench or Nuisance, for Ten Days next after he, she, or they shall have been required so to do by a Notice in Writing signed by Five of the said Commissioners, and delivered to or left at the then or then last or usual Place or Places of Abode of such Owners or Occupiers, and in case such Owners or Occupiers shall not reside within the Limits of this Act, or within the Distance of One Mile therefrom, then at the Messuage, Building, Land, or Tenement to which such Sink or Cesspool belongs, it shall and may be lawful to and for the said Commissioners, or their Surveyor or Surveyors for the Time being, or any other Person or Persons appointed by them, and they are hereby respectively authorized and empowered from Time to Time to open, scour, cleanse, widen, straighten, deepen, turn, alter, vary, stop up, or repair any of the present or future private Tunnels, Gutters, Sinks, Drains, Ditches, Sewers, or Watercourses running into, over, under, through, or adjoining upon any of the present or future Streets, Ways, Lanes, Passages, or public Places within the said Limits, or to make or cause to be made any new private Tunnels, Gutters, Sinks, Drains, Ditches, Sewers, or Watercourses, from any House, Building, Ground, or Land, or any Part thereof, in, through, under, over, or adjoining to any such Street, Way, Lane, Passage, or Place within the said Limits, for the Purpose of conveying and draining any Sink or other Refuse Water from such House, Building, Ground, or Land, or any Part thereof, into such present or future Common Sewer, or public Tunnel, Gutter, Sink, Drain, Ditch, or Watercourse, or otherwise, so made or hereafter to be made as herein-before is directed, as the said Commissioners shall see proper; and the Costs, Charges, and Expences thereof shall be reimbursed to the said Commissioners by the Owner or Owners or Occupier or Occupiers, within Seven Days next after Demand made; and in case of Nonpayment of such Costs, Charges, and Expences, the same shall be levied by Distress and Sale of the Goods and Chattels of such Owner or Owners or Occupier or Occupiers, under the Authority
of

of a Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace acting for the said County of *Sussex*: Provided always, that in case the Costs, Charges, and Expences of making, stopping, opening, scouring, cleansing, widening, straightening, deepening, turning, altering, or repairing any public or private Tunnel, Gutter, Sink, Drain, Ditch, or Watercourse, shall be paid by any such Occupier or Occupiers, it shall be lawful for him, her, or them to deduct or retain the same out of his, her, or their Rent, and the Proprietor or Proprietors, Landlord or Landlords, is and are hereby required to allow the same accordingly to such Occupier or Occupiers.

XXXVI. And be it further enacted, That where any Opening is now or shall hereafter be made in the paving or flagging of any of the Streets, Lanes, or public Places, for the Purpose of conveying or shooting Coals or other Things into any Vault or Cellar under the same, or for the Purpose of admitting Light into any Room or Cellar, the Covering or Grating to such Opening shall be made at the Expence of the Person or Persons requiring the same, and shall be made of Iron or such other Materials, of such Dimensions, and in such Manner and Form as the said Commissioners shall direct and approve of; and such Grating and Covering shall from Time to Time be repaired, varied, and altered, at the like Expence of the Person or Persons for whose Use and Benefit the same shall be made or continued, 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, according to such Direction or Appointment as aforesaid, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds for every Week the said Offence shall be continued.

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

XXXVII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to enter into any Contract or Contracts with any Person or Persons, Company or Companies whatsoever, for paving, making, or repairing the Footways or Carriageways, Esplanades, Slopes, or Walks within the Limits of this Act, or any of them, with Stone, Gravel, or other Materials, or for draining or cleansing or for watering the said District, and the said Streets, Roads, and Ways, and other Places therein, or any of them, or for taking away, collecting, and removing the Dirt, Dust, Cinders, and Ashes within the Limits of this Act, or for lighting the same Streets, Roads, and other Places, or any of them, or any Part thereof, either with Oil or with Gas, or with any other Material, or in any other Manner whatsoever, or for furnishing Lamps, Lamp Irons, Lamp Posts, Watchboxes, Posts, Chains, Pales, Rails, and other Things necessary for the Purposes aforesaid, or any Materials for the same, or for doing and performing all or any of the Works by this Act authorized or directed to be done and performed by them, or for supplying any of the Materials for the same; which Contract or Contracts shall specify the several Works to be done and the Prices

Power for the Commissioners to contract for the Works directed to be done by this Act.

to

to be paid for the same, and the Time or Times when the same Works shall be completed, and the Penalties to be suffered in case of Non-performance thereof, and shall be signed by Five or more of the said Commissioners, and also by the Person or Persons contracting to perform such Works respectively; which Contract or Contracts, or a Copy or Copies thereof, shall be entered in a Book to be kept for that Purpose by the said Commissioners; but no Contract above the Value or Sum of Twenty Pounds shall be entered into, unless previous to the making of any such Contract Fourteen Days Notice at the least shall be given in One or more of the public Newspapers published in the Town of *Brighton*, expressing the Intent of entering into such Contract, in order that any Person or Persons willing to undertake the same may make Proposals for that Purpose, to be offered and presented to the said Commissioners at a certain Time and Place in such Notice to be mentioned: Provided always, that if the said Commissioners shall be of opinion that it will not be advantageous to contract with the Person or Persons offering the lowest Price, it shall be lawful for the said Commissioners to contract with such other Person or Persons as they shall think proper: Provided always, that where any Work or Business or Materials to be done, found, or provided for the Purposes of this Act, shall be reasonably supposed to amount to or exceed the Sum of One hundred Pounds, the said Commissioners shall and they are hereby required to enter into a Contract or Contracts for the Performance or Delivery thereof.

Works amounting to 100*l.* or upwards must be contracted for.

Surveyors to inspect Works contracted for.

XXXVIII. And be it further enacted, That the said Commissioners shall cause all and every the Works to be done in pursuance of this Act to be inspected by their Surveyor or Surveyors, or by such other Person or Persons as they shall for that Purpose appoint; and in case the same shall not be well and sufficiently performed according to the Terms, Intent, and Meaning of such Contract or Contracts, or shall not be finished and completed at or within the Time or Times specified in such Contract or Contracts, then the said Commissioners may cause an Action to be brought in any of His Majesty's Courts of Law at *Westminster* against any such Contractor or Contractors for any Penalty contained in his or their Contract or Contracts, and on Proof of his or their signing the said Contract or Contracts, or Nonperformance thereof at the Time or Times for that Purpose to be therein mentioned, the said Commissioners shall be entitled to and shall recover the full Penalty contained in any such Contract or Contracts, which, when recovered, shall be applied for the Purposes of this Act: Provided always, that it shall be lawful for the said Commissioners (if they think fit) to compound and agree with any Contractor or Contractors for any Penalty incurred by him or them for the Breach or Nonperformance of any such Contract or Contracts, for such Sum or Sums of Money as the said Commissioners shall think proper, not being less than the Injury or Damage sustained by the Breach or Nonperformance of such Contract or Contracts, and all Costs, Charges, and Expences which shall be occasioned thereby; and it shall be lawful for the said Commissioners to cancel or make void any Contract or Contracts with any Person or Persons whomsoever, by mutual Consent, if they shall think proper.

XXXIX. And

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

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

XL. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up by Order of the said Commissioners in pursuance of this Act, the Body or Bodies Politic or Corporate, or Person or Persons whomsoever, making, furnishing, or supplying any Gas used or burnt for lighting any Highway, Street, or Place, or any Houses, Buildings, or other Premises within the Limits of this Act, shall at their own Expence, immediately after receiving Notice by Parol or in Writing, to be given or left at their Office or usual Place of transacting their Business, of any such Escape of Gas, from any Person or Persons, cause the most speedy and effectual Measures to be taken to stop or prevent such Gas from escaping; and in case the said Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, shall not, within Twenty-four Hours next after such Notice by Parol or in Writing being given of any such Escape of Gas, effectually stop and prevent the Gas from escaping, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the said Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds for each and every Day after the Expiration of Twenty-four Hours from the Time of giving any such Notice during which the Gas shall be suffered to escape as aforesaid; which Penalty shall from Time to Time be recoverable in a summary Way, on the Oath or Affirmation of One or more credible Witness or Witnesses, before One or more Justice or Justices of the Peace for the said County of *Sussex*, and shall and may be recovered, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of any such Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, by the Warrant of any Justice or Justices of the Peace as aforesaid, to be granted in like Manner and subject to the like Provisions as are herein directed touching other Penalties to be recovered by virtue of this Act.

For stopping the Escape of Gas.

XLI. And be it further enacted, That if any Body or Bodies Politic or Corporate, Company or Companies of Proprietors, or any other Person or Persons whomsoever, making, furnishing, or supplying

Penalty for conveying Washings into any River, &c.

[*Local.*]

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any

any Gas used or burnt for lighting any Highway, Street, or Place, or any House, Building, or other Premises within the Limits of this Act, shall at any Time drain or convey, or cause or suffer to be drained or conveyed, or to run or flow, any Washings or other waste Liquids, Substances, or Things whatsoever which shall arise or be made in the Prosecution of the said Gas Works, into any River, Brook, or running Stream, Reservoir, Canal, Aqueduct, Waterway, 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 the Water contained therein, or any Part thereof, shall or may be spoiled, fouled, or corrupted, then and in every such Case any such Body or Bodies Politic or Corporate, Company or Companies of Proprietors, or other Person or Persons as aforesaid, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than One Impar lance, shall be allowed; and such Penalty shall be paid to the Person or Persons who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Twelve Calendar Months after the Time when such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased: Provided also, that over and above, and in addition to the said Penalty of Two hundred Pounds (and whether such Penalty shall or shall not be sued for or recovered), in case any of the said Washings or other waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be drained, conducted, or conveyed, or caused or suffered to run or flow, in manner aforesaid, into any 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, Injury, Damage, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Person or Persons whomsoever to the said Body or Bodies Politic or Corporate, Company or Companies of Proprietors, or any of them, or other Person or Persons, making, furnishing, or supplying any Gas used or burnt for lighting any Highway, Street, or Place, or any House, Building, or other Premises within the Limits of this Act, and such Body or Bodies Politic or Corporate, Company or Companies of Proprietors, or other Person or Persons, shall not within Twenty-four Hours after such Notice given stop and prevent all and every such Washings, waste Liquids, noisome or offensive Liquids, Substances, or Things from being drained, conducted, or conveyed, or from running or flowing in manner aforesaid, and every such other Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case the said Body or Bodies Politic or Corporate, Company or Companies of Proprietors, or other Person or Persons so offending shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be so drained, conducted, or conveyed, or caused or suffered to run

run or flow in manner aforesaid, or such other Annoyance, Nuisance, Injury, or Damage, Act or Thing, shall be so done or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered and levied in like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered and levied, and shall be paid to the Informer or Informers, or to the Person or Persons who in the Judgment of the Justice or Justices before whom the Conviction shall take place shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed.

XLII. And be it further enacted, That all and every the Pipes or other Conduits to be used or laid for the Conveyance of Gas in, under, through, along, across, or round any Road, Street, or other Place within the Limits of this Act, shall be so laid at the greatest practicable Distance, and whenever the Width of the Carriageway in such Street or Place will allow thereof, at the Distance of 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, across, or round any of the said Roads, Streets, or other Places within the Limits of this Act, excepting in Cases where it shall be unavoidably necessary to lay the Gas Pipes across any of the said Water Pipes, in which Cases the said Gas Pipes shall be laid over and above the said Water Pipes at the greatest practicable Distance therefrom, and shall form therewith a Right Angle, and in such Cases the said Gas Pipes so crossing the said Water Pipes shall be at least Nine Feet in Length, so that no Joint of any of the said Gas Pipes shall be nearer to any Part of the said Water Pipes than Four Feet at least; and in laying down the said Gas Pipes the said Contractor or Contractors, or other Person or Persons supplying Gas, shall in no Case join Two or more Gas Pipes together previous to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall in such Trench properly form the Jointing with the other Pipes to be added thereto with proper and sufficient Materials, and shall also make and keep all and every such Pipes, and all Pipes connected or communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively, air-tight, and in all and every respect prevent the said Gas from escaping therefrom and from any Part thereof, upon pain of forfeiting for every Offence the Sum of Five Pounds.

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

XLIII. And be it further enacted, That whenever the Water of any Company of Proprietors for supplying the Inhabitants of any Houses within the Limits of this Act with Water shall be contaminated by any Gas used or burnt for lighting any Highway, Street, or Place, or any House, Building, or other Premises within the Limits of this Act, the Body or Bodies Politic or Corporate, or Person or Persons, making, furnishing, or supplying such Gas, shall forfeit and pay the Sum of Twenty Pounds, to be sued for and recovered as any Penalty is hereby directed to be sued for and recovered, and shall be applied to and for the Use and Benefit of the said Company supplying Water as aforesaid; and in case any such Water shall be contaminated or affected by Gas in any way whatsoever, then and in every such Case the said Body or Bodies Politic or Corporate, Company or Companies of Proprietors,

To prevent Escape of Gas and Contamination of Water.

Proprietors, or other Person or Persons, making, furnishing, or supplying such Gas, shall, within Twenty-four Hours next after the Notice thereof in Writing signed by the Treasurer or other Officer of and for such Water Company as aforesaid, or by any Person making use of such Water, to be left at the usual Office or Place of transacting Business of the said Body or Bodies Politic or Corporate, or other Person or Persons, cause the most proper and effectual Measures to be taken to stop and prevent Gas from escaping from their Mains, Works, or Pipes, or contaminating or affecting the Water of such Company as aforesaid; and in case the said Body or Bodies Politic or Corporate, or other Person or Persons, making, furnishing, or supplying Gas, shall not, within Twenty-four Hours next after each and every such Notice so left as aforesaid, effectually stop and prevent the Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent all and every such Contamination whereof Notice shall be given as aforesaid, that then the said Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, shall on each and every Complaint forfeit and pay to the Treasurer or other Officer for the Time being of such Water Company as aforesaid, for the Use and Benefit of the same Company, 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 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 as aforesaid, or by and in the Name of any One or more of the Directors of the said Company, at the Option of the Parties prosecuting such Information, against the said Body or Bodies Politic or Corporate, or other Person or Persons, making, furnishing, or supplying Gas, before any Justice of the Peace for the said County of *Sussex*, with Costs, to be assessed by such Justice, and to be levied by Distress and Sale of the Goods and Chattels of the said Body or Bodies Politic or Corporate, or other Person or Persons, making, furnishing, or supplying such Gas, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of such Justice, which Warrant such Justice is hereby empowered to grant; and such Penalty or Penalties, when so levied, shall be paid to the Treasurer or other Officer for the Time being of such Water Company, for the Use of such Water Company.

For ascertaining if the Water be contaminated.

XLIV. And be it further enacted, That in any Case in which it shall be or become a Question, upon such Complaint as aforesaid, whether the said Water be contaminated or affected by the Gas of the said Body or Bodies Politic or Corporate, or other Person or Persons, making, furnishing, or supplying any Gas used or burnt for lighting any Highway, Street, or Place, or any House, Building, or other Premises within the Limits of this Act, it shall be lawful for the Company of Proprietors, or other the Owners or Proprietors of any Waterworks, to dig to and about and search and examine the Mains, Pipes, Conduits, and Apparatus of the said Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, for the Purpose

Purpose of ascertaining whether such Contamination proceed or be occasioned by the Gas of the said Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid; and if it shall appear that the said Water has been contaminated by any Escape of Gas as aforesaid, the Costs and Expences of the said Digging, Search, and Examination, and of the Repair of the Pavement of the Roads, Street or Streets, which shall be taken up or disturbed, shall be borne and paid by the said Body or Bodies Politic or Corporate, or Person or Persons as aforesaid; which Costs and Expences of Digging, Search, and Examination shall be ascertained and determined, if necessary, by such Justice as aforesaid, and be recovered in like Manner as any Penalty may be recovered by virtue of this Act: Provided always, that if upon such Examination it shall appear that such Contamination has not arisen from any such Escape of Gas from any of the Mains, Pipes, or Conduits of the said Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, then and in such Case the said Company of Proprietors, or other the Owners or Proprietors of such Waterworks, shall bear and pay all the Costs and Expences of such Search, Examination, and Repair as aforesaid, and shall also make good to the said Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, any Loss, Injury, or Damage which may be occasioned to the said Mains, Pipes, Conduits, or Apparatus of the said Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, in and by such Search and Examination, the Amount of such Injury, Loss, or Damage to be ascertained and determined by such Justice or Justices of the Peace as aforesaid.

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

Persons supplying Gas liable to be indicted for a Nuisance.

XLVI. And be it further enacted, That so often as any Main or Pipe belonging to any Water Company or Gas Company within any of the Streets or other public Places within the Limits of this Act shall require to be repaired, the Surveyor or Clerk of the said Commissioners shall forthwith give Notice thereof in Writing to the Water Company or Gas Company or other Person to whom he

[Local.] 5 G apprehends

Restrictions as to Water or Gas Companies breaking up Streets.

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

Expences of
relaying and
repairing the

XLVII. And be it further enacted, That the Charges and Expences of filling in and ramming down such Ground as shall have been so opened

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

Pavement
to be borne
by the Gas
and Water
Companies.

XLVIII. And be it further enacted, That if at any Time or Times hereafter any Person shall dig or make, or cause to be dug or made, any Hole, or leave or cause to be left any Hole, in or adjoining to any Street or public Place, formed or to be formed or forming within the Limits of this Act, for the Purpose of making any Area or Areas, Vault or Vaults, or the Foundation or Foundations to or for any House or Houses or other Buildings, or for any other Purpose whatsoever, and shall not forthwith inclose the same in a good and sufficient Manner, to the Satisfaction of the Surveyor of the said Commissioners for the Time being, or shall keep up or cause to be kept up and continued any such Inclosure for any longer Time than shall be absolutely necessary in the Opinion of the said Commissioners or their Surveyor, or shall not (when thereunto required by such Surveyor) well and sufficiently fence or inclose such Hole or Holes, Area or Areas, or Space or Spaces, open or left open and intended for an Area or Areas, Foundation or Foundations, or for any other Purpose whatsoever in or adjoining to any such Street or public Place formed or to be formed or forming as aforesaid, within Six Hours after he shall be required so to do by the said Surveyor or Surveyors to the said Commissioners, and in the Manner and with such proper or sufficient Materials as such Surveyor or Surveyors shall direct, and to his Satisfaction, then and in every such Case the Person so offending shall forfeit and pay for every such Offence, and for every such Refusal or Neglect, any Sum not exceeding Five Pounds: Provided always, that nothing herein contained shall extend to compel any Water Company to fence in or inclose any Trench or Opening which may be made by them during the Progress of any Works which they are by Law authorized to do or perform, provided such Works shall be completed before Sun-set of the Day on which the same shall be commenced.

Holes dug
to be fenced
round.

XLIX. And be it further enacted, That every House, Wall, or Building hereafter to be erected or built, repaired, altered, or enlarged,

Houses
building or
repairing to
be fenced in

larged, within the said Limits, by means whereof any or either of the public Ways shall be in any Manner obstructed or rendered dangerous or unsafe, shall be well and sufficiently fenced in and inclosed by and at the Expence of the Owner or Occupier thereof, before such House, Wall, or Building shall be begun to be erected and built, altered, repaired, enlarged, or taken down, and shall so continue during such Time as the said Commissioners or their Surveyor under this Act shall judge necessary, or shall order and direct; and if the Owner of such House, Wall, or Building shall refuse or neglect so to fence in and inclose the same as aforesaid, then and in either of the said Cases every such Owner shall, for every Day such Offence shall be continued, forfeit and pay any Sum not exceeding Forty Shillings; and moreover, in case of such Refusal or Neglect, it shall be lawful to and for the said Commissioners immediately afterwards to cause such House, Wall, or Building to be well and sufficiently fenced in and inclosed; and the Person so neglecting or refusing as aforesaid shall (over and above the said Penalty) repay all the Charges and Expences thereof to the said Commissioners upon Demand made by them or their Clerk for the Time being; and upon Refusal to pay or discharge the same the said Charges and Expences may, together with the Costs of recovering the same, be recovered in such Manner as is herein-after directed for the Recovery of Penalties.

Scaffolds not
to be erected
without
Licence.

L. Provided always, and be it further enacted, That no Person shall erect or place, set up or build, in any Street or public Place within the Limits of this Act, at any Time or Times hereafter, any Hoard or Scaffolding, or place or erect any Posts, Bars, Rails, Boards, or other Thing, by way of Inclosure, for the Purpose of making Mortar, or of depositing, or sifting, or screening, or slacking, any Brick, Stone, Lime, Sand, or other Materials for building or repairing any House, Tenement, or Building, or for other Works, or for any other Purpose, without Leave or Licence first had and obtained under the Hand or Hands of the Surveyor or Surveyors for the Time being of the said Commissioners, who is and are hereby required to grant the same forthwith, for the Purpose of making Mortar, and depositing, or screening, sifting, or slacking, any Brick, Stone, Lime, Sand, or other Materials for building or repairing any House or other Tenement or Erection, specifying therein the Length of Time for which the same when so erected and set up may be continued, and giving such other Directions respecting the same as he may think necessary, on being paid by every Person so applying for such Licence the Sum of Sixpence; and if any Person shall erect, place, set up, or build, or cause or permit to be erected, placed, set up, or built, any such Hoard, Scaffolding, or any Inclosure, Posts, Bars, or Rails, or any other Matter or Thing for the Purposes aforesaid, or for any other Purpose, without the Leave or Licence of such Surveyor, signed as aforesaid, so had and obtained, or shall erect, set up, or build the same, or cause or permit the same to be set up or erected, in any other Manner, or to be continued for any longer Time, than shall be allowed or expressed in such Licence, or in some Renewal thereof for a Time to be therein specified (and for which Renewal no further Fee or Reward shall be demanded or taken), then and in either of the said Cases such Person, or the Person by whom he shall or may be employed,

ployed, shall forfeit and pay a Sum not exceeding Ten Shillings for every Day that the same shall have been and shall be set up and continued; and it shall be lawful for the said Commissioners, or for their said Surveyor for the Time being, to cause the same to be pulled down and removed, and the same and all the Materials thereof, and of every Part thereof, to be kept and detained until such Person shall pay to the said Surveyor, or to the Person in whose Custody the same shall be, all the Penalties incurred by such Person, together with the Charges of pulling down, removing, and keeping the same, to be ascertained and determined by the said Surveyor or Surveyors; and in case the same shall not be claimed, and the Penalties and Charges shall not be paid, within the Space of Five Days next after the pulling down and Removal thereof, then it shall be lawful for the said Commissioners or their Surveyor to order or cause the same to be appraised and sold, and the Money arising therefrom (after deducting all the said Charges) shall be paid to the Treasurer of the said Commissioners, or to such other Person as they shall in that Behalf direct.

LI. And be it further enacted, That no Door, Gate, or Shutter of any Building, Yard, Area, or Inclosure within the Limits of this Act shall open into or towards any Road, Street, Footpath, or Way, or be suffered to continue so to open, unless the Hanging Post thereof shall be fixed or placed so far from the Centre of any Part of such Road, Street, Footpath, or Way as that no Part of such Door, Gate, or Shutter shall in opening or when open project over any Part of such Road, Street, Footpath, or Way (save and except the Door or Doors of any Coach-house or Coach-houses in any Mews or Mewses); and the Occupier or Occupiers of any Building, Yard, or Inclosure having any Door, Gate, or Shutter opening outwards, contrary to the Meaning of this Act, shall, within Fourteen Days after Notice to him, her, or them given, either personally or in Writing, from the Surveyor of the said Commissioners for the Time being, cause such Door, Gate, or Shutter to be hung so that no Part of the same in opening or when open shall project over any Part of such Road, Street, Footpath, or Way; and in default thereof the said Surveyor is hereby authorized to cause the Door, Gate, or Shutter to be hung according to the Intent of this Act; and the Person guilty of such Neglect or Default shall, upon Complaint made to any Justice or Justices of the Peace acting in and for the said County of *Sussex*, and upon Conviction upon the Oath of One credible Witness, pay to such Surveyor such Sum as the said Justice or Justices shall direct, to defray the Expences of making the Alteration and hanging of such Door, Gate, or Shutter, and shall also forfeit and pay a further Sum not exceeding Forty Shillings for his, her, or their Neglect therein, to be fixed by and at the Discretion of the Justice or Justices before whom such Conviction shall be made; and which said Expences shall and may be recovered from the Person or Persons liable to pay the same in like Manner as any Penalty may be recovered by virtue of this Act.

Gates opening outwards to be altered.

LII. And be it further enacted, That in case any Slaughter-house, Hogstye, Necessary House, or other noisome or offensive Building or
 [Local.] 5 H Place

Slaughter-houses, &c. may be removed.

Place whatsoever, within or near to any of the Roads, Streets, or public Places, shall by the said Commissioners be deemed a Nuisance to any of the Inhabitants or Persons residing within the said Limits, it shall be lawful for the said Commissioners, upon Complaint thereof made by any Inhabitants or other Person, by Notice under the Hand of their Clerk, to order such Nuisance or Offence to be removed; and in case the same shall not be removed within Three Days after such Notice given to the Person who ought to remove the same, or left at his last or usual Place of Abode, such Person shall forfeit any Sum not exceeding Five Pounds for every Day the same shall continue unremoved after the Expiration of the Time mentioned in such Notice, unless an Appeal as herein-after mentioned shall be prosecuted with Effect against such Order of the said Commissioners; and in case Notice of any such Appeal shall be given, the said Penalty shall not be inflicted until after the said Appeal is decided: Provided always, that nothing herein contained shall authorize or empower the said Commissioners to prevent or order to be removed any such Nuisance or Offence which may or shall exist in the Parish of *Brighthelmston* aforesaid.

Footways to
be swept
daily during
Frost and
Snow.

LIII. 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 in any of the said Streets and Places, during the Continuance of Frost, or after or during the Fall of Snow, from Time to Time and at all Times hereafter, shall Once in every Day, before the Hour of Ten of the Clock in the Forenoon of each Day, and at all such other Times as the Commissioners shall require or direct, 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; and every Owner or Occupier who shall neglect so to do shall for every such Offence forfeit and pay any Sum not exceeding Ten Shillings; and the Owner or Owners of any House or other Tenement within the Limits of this Act which may be let furnished or in divided Apartments shall be deemed and taken, for the Purpose of this Provision, to be the Occupier or Occupiers of every such House or other Tenement respectively.

Time for
emptying
Necessa-
ries, &c.

LIV. And be it further enacted, That if any Person shall empty or begin to empty any Boghouse or Boghouses, or take away any Night Soil from any House or Houses or Premises within the said Streets or other public Places, or shall come with any Cart or Carriage for that Purpose, (save and except between the Hours of Twelve of the Clock in the Night and Four of the Clock in the Morning from *Lady Day* to *Michaelmas* in every Year, and between Twelve of the Clock at Night and Five of the Clock in the Morning from *Michaelmas* to *Lady Day* in every Year,) or if any Person shall put or cast or spill, or cause or suffer to be spilt or cast, out of any Cart or Tub or otherwise, any Night Soil or other Filth, in or near any of the said Roads, Streets, Ways, or other public Places, it shall be lawful for any Constable, Headborough, Patrol, Beadle, or Watchman, (and he is hereby strictly charged, required, and directed so

to do,) or for any other Person whomsoever, without any Warrant or other Authority than this Act, to apprehend and carry any Person guilty of the said Offences, or any of them, to any Watch-house or other Place of Confinement or Security, and from thence to convey him, as soon as conveniently may be, before some One of His Majesty's Justices of the Peace for the said County of *Sussex*, or in case such Person shall not be so apprehended, then and in such Case it shall be lawful for any One of His Majesty's Justices of the Peace to issue his Warrant to apprehend such Person, and the said Justice (upon Oath or Affirmation made of such Offence or Offences as aforesaid) shall commit every such Offender or Offenders to the Common Gaol or House of Correction for the said County of *Sussex* for any Time not exceeding Thirty Days, to be computed from the Day of Commitment; and the Owner of every Cart, Carriage, Horse, or Beast, who shall so employ or suffer or allow, so to be employed, his or her Cart, Carriage, Horse, or Beast in and about the emptying or removing such Night Soil, or coming for that Purpose, (save and except within the Hours hereby allowed,) or the Employer or Employers of any Person who shall so put, spill, or cast out any such Night Soil, shall forfeit and pay the Sum of Five Pounds for every such Offence; and any Person may seize such Carts or Carriages, or the Horses or Beasts drawing the same, with the Gears and Harness, and remove and take such Carts or Carriages, Horses or Beasts, Gears and Harness, to such Places within the Limits of this Act, or as near thereto as may be appointed by the said Commissioners, there to be detained until the Owner or Owners, Employer or Employers, shall pay the said Penalty, together with all Costs, Charges, and Expences incurred in or about or relating to the Seizure, removing, or keeping of the said Carts or Carriages, Horses or Beasts, or in any Manner incidental thereto; and in case the said Penalty, and all Costs, Charges, and Expences, shall not be paid within Five Days next after such Seizure, then and in every such Case all such Carts, Carriages, Horses, Beasts, and Gears and Harness, shall be appraised and sold, and the Money arising therefrom shall be applied in Payment of such Penalty, Costs, Charges, and Expences, and after deducting the same the Overplus (if any) shall be paid to the Owner or Owners thereof, when he, she, or they shall apply for the same; and the whole of such Penalty shall belong and be paid to the Person giving Information of such Offences, and apprehending the Offender or Offenders, and seizing, removing, and detaining any such Cart or Carriage, and Horses or Beasts, Gears and Harness.

LV. And be it further enacted, That if any Person shall, within the Distance of Five hundred Yards from any Dwelling House situate in or upon any Road, Street, or Place within the Limits of this Act, burn any Rags or Bones or other offensive Substance, for making Manure, Ivory, or other Black, or Ammonia, or for any other Purpose of Trade, Manufacture, or Commerce, or place, deposit, or keep any Night Soil, or the Emptyings, Cleansings, or Filth taken from any Privy, Drain, or Cesspool, or the Refuse, Offal, Garbage, Filth, or Sweepings of any Slaughter-house, or any Soap Lees, Ammoniacal Liquor, or any other noisome or offensive Matter whatsoever, in or upon any open or inclosed Ground, Place, or Wharf within the aforesaid Distance from any such Dwelling House as aforesaid, otherwise than

Further
Powers for
preventing
Nuisances.

than in the covered Cart or other Carriage wherein the same may be brought or carried, or shall empty or discharge any Cart or other Conveyance containing the same otherwise than at Once from and out of the same into some other Cart or Conveyance directly or by means of a Shoot or some other similar Contrivance, or shall detain or permit such Cart or other Conveyance to remain within the Distance aforesaid from any Dwelling House more than Twelve Hours after any such offensive Matter as aforesaid shall have been placed therein, or if any Person shall use any such Cart or Conveyance for the Reception of any of the offensive Matters above enumerated, the same not being properly constructed to prevent as much as may be the Escape of any noisome or offensive Smell, or any Gas or Effluvia, tending to the Injury of the Health or the Annoyance of any of the Inhabitants of the Neighbourhood, or any of His Majesty's liege Subjects, every Person so offending as aforesaid shall for each and every such Offence forfeit and pay any Sum not exceeding Ten Pounds; and the further Sum of Twenty Shillings shall be forfeited and paid by every Person detaining any such Cart or other Conveyance as aforesaid, contrary to the Directions herein-before contained, for every Hour that the same shall be so detained beyond Twelve Hours; and the Occupier or Occupiers of any Place or Wharf at, in, or upon which, or the Owner or Owners of any such Cart or Conveyance by means of which, or the Employer or Employers of any Person by whom any such Offence shall be committed, shall be taken and deemed to be each and every of them a principal Offender also, and for each such Offence shall forfeit and pay as herein-before is mentioned: Provided always, that nothing herein contained shall authorize or empower the said Commissioners to prevent or interfere with any such Offence which may be committed in the said Parish of *Brighthelmston*.

For preventing dangerous Annoyances.

LVI. And be it further enacted, That if any Person shall place or put out, or cause or permit to be placed or put out, any Garden or other Pots, (except the same shall be perfectly secured to the Satisfaction of the said Commissioners or their Surveyor from falling,) or any other Matter or Thing, from or on the Outside of the Front or any other Part of any House or Houses, Buildings or Premises, over or next unto any Road, Street, or other public Place within the Limits of this Act, and shall not immediately remove all such Matters or Things on being thereunto required by the said Commissioners, or their Surveyor, Inspector, or other Person employed by them, or having removed such Matters or Things on being required so to do as aforesaid, shall again be guilty of any such Offence, or shall at any Time leave the Coal Plate or other Covering of or belonging to any Hole or Funnel leading to any Cellar unfastened, or without being properly fastened and secured from moving, or shall leave open after Sunrise and before Sunset the Aperture of any Coal or other Cellar, or the Door or Window of or Opening leading into any Area, Cellar, or other underground Room or Apartment, without having placed or left a sufficient Fence round the same to warn and prevent Persons passing in the said Roads, Streets, and public Places from falling into such Apertures, Coal Holes, Areas, Cellars, or other underground Rooms, Apartments, or Openings, or shall leave open after

after Sunset and before Sunrise the Aperture of any Coal or other Cellar, or the Door or Window of or Opening leading into any Area, Cellar, or other underground Room or Apartment, without having sufficiently guarded or protected the same, and placed and left a sufficient Light therein to warn and prevent Persons passing in the said Roads, Streets, and public Places from falling into such Apertures, Areas, Cellars, or other underground Rooms, Apartments, or Openings, then and in every such Case the Person who shall be guilty of any such Offence shall forfeit and pay any Sum not exceeding Five Pounds; and the Owner or Occupier of the House or Building where any such Matter of Annoyance shall happen shall also be deemed and taken to be a principal Offender, and shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

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

Punishing
Persons
firing Chim-
nies.

LVIII. And be it further enacted, That if any Person shall, upon any of the Footways or Foot Pavements, or upon the said Esplanades, Slopes, or Walks, run, draw, drive, or carry any Truck, Wheelsledge, Wheelbarrow, Handbarrow, Bier, or any other Carriage or other Vehicle whatsoever, or roll any Cask or Tub (except to or from any Carriage or Cart) for the necessary loading or unloading of any Carriage or Cart, or shall wilfully ride, lead, or drive any Horse or other Beast or Cattle whatsoever on any of the said Footways or Foot Pavements, or wilfully permit or suffer any Horse or other Beast or Cattle which such Person may be riding, driving, or leading to go thereupon, or shall tie or fasten any Horse or other Cattle to any House, Wall, Railing, or Fence, Post, Tree, or other Thing whatsoever, across any of the said Footways or Foot Pavements; or hang up, place, or expose to Sale any Goods, Wares, or Merchandize whatsoever, or any Fruit, Vegetables, or Garden Stuff, Butcher's Meat, Offal, or other Matter or Thing, in or upon or so as to project over or upon the Footway or Carriageway of any Road, Street, or public Place, or beyond the Line or on the Outside of the Window or Windows, or in or on the Area or Areas of the House, Shop, or Place at which the same shall be so hanged up, placed, or exposed to Sale; or set any Cask, Tub, Pail, Bucket, Stool, Bench, Showboard, Chopping Block, Basket, or Stall on or in any of the Footways or Foot Pavements or Carriageways; or erect, set up, put, or place, or continue, any Blind, Shade, Coverlid, Awning, or any other Matter or Thing, so as in any way to cause any Obstruction or Impediment in the Footway or on the Foot Pavement; or shall in any Road, Street, Yard, Mews, or public Place hang out or cause to be hung out any Linen or Clothes; or shall hoop, fire, cleanse, wash, or scald any Cask or Tub; or hew, saw, or cut any Stone, Wood, or Timber, or bore any Timber; or make or repair, or wash or clean, any Coach, Chaise, Waggon,

For prevent-
ing various
Obstructions
and Nui-
sances on
Pavements.

[*Local.*]

5 I

Sledge,

Sledge, or other Carriage, or the Wheels, Body, Springs, or other Part of any Coach, Chaise, Waggon, Sledge, or other Carriage (except such as may want immediate Repair from any sudden Accident on the Spot, and which cannot conveniently be removed for that Purpose); or shall sift, screen, wet, slack, or mix any Lime, or wet, mix, or make any Mortar (except with the Consent of the said Commissioners or of their Surveyor for the Time being, and also having previously erected a Hoard according to the Regulations herein-before contained in that Behalf); or shoe, bleed, or farry any Horse or other Beast (unless in case of any sudden Accident); or clean, dress, drive, or turn loose any Horse or other Beast or Cattle; or shall show or expose any Stallion or Stone Horse, or shall exercise or expose to Sale any Horse or Horses or other Beast or Beasts (except only in such Place or respective Places as the said Commissioners or their Surveyor for the Time being shall direct or appoint for any of the above Purposes, or as to exercising any Horse, except in going or returning through the said Limits); or kill, slaughter, or scald, singe, dress, or cut up any Animal, either wholly or in part; or beat or dust any Carpet or Hearth Rug; or shall drive any Carriage or Carriages for the Purpose of breaking, exercising, or trying Horses; or if any Person shall permit his or her Dog to go at large after public Notice given (by the Direction of any Justice of the Peace for the said County of *Sussex*) by any Beadle or Crier within the Limits of this Act during such Time as such Notice shall direct Dogs to be confined on Suspicion of the Existence of Canine Madness within or near the Limits of this Act; or shall leave any Cart, Waggon, Truck, or other Carriage or Obstruction in any Street, Road, Path, or Causeway (otherwise than during a reasonable Time necessary for loading or unloading the same); or shall throw, cast, or lay, or shall cause, permit, or suffer to be thrown, cast, or laid, or to remain, any Ashes, Dust, Dirt, Rubbish, Offal, or Vegetables, or any other Offal, Dung, Soil, Blood, or other Filth or Annoyance, or any other Matter or Thing, in or upon the Carriageway, Footway, or Pavement of any such Road, Street, or other public Place, or upon the said Esplanades, within the Limits of this Act, (except Sand and Ashes during Frost,) or upon the Beach or Sea Shore or Sands facing *Brunswick Square* or *Brunswick Terrace*, or either of them, above the Low-water Mark of the highest Spring Tide; or shall hang out or expose, or cause to be hung out or exposed, any Linen, Clothes, or other Articles or Things whatsoever, to dry or air, in or upon any of the Roads, Streets, or public Ways or Places, or Esplanades, within the Limits of this Act, or upon any Part of the Beach or Sea Shore facing *Brunswick Square* or *Brunswick Terrace* respectively aforesaid, or either of them; or shall wilfully break, or aid, abet, or assist in wilfully breaking, any Glass or Window Panes or Windows in or belonging to any Dwelling House or Building; or shall make or assist in making any Bonfire; or wantonly discharge or fire any Gun, Pistol, or Blunderbuss or other Fire Arms; or let off, set fire to, or throw any Crackers, Squib, Rocket, or other Firework; or shall fly any Kite, drive any Hoop, or play at Football or any other Game or Games, to the Annoyance of any Inhabitant, Passenger, or Traveller; or shall make or cause any unnecessary Stoppage of any Coach, Cart, Waggon, or Carriage, or otherwise occasion any kind

of Obstruction or Annoyance in or upon any such Road, Street, or public Place; or shall obstruct or incommode, hinder or prevent, the free Passage of any Carriageway, Footway, or Causeway, or prejudice or annoy in any Manner whatsoever any Person travelling, passing, or going thereon; or if any Person shall drive any Cattle, or ride or drive any Horse, Mule, or other Beast or Animal, or any Carriage whatsoever, in any Part of the said Limits, in a furious or improper Manner, so as to endanger the Life or Limb of any Person, or shall not, in riding or driving any Horse or other Animal, or any Carriage whatsoever, keep the customary or proper Side of the Road, or shall in any Manner wilfully or carelessly prevent any other Person from passing him, or any Carriage under his Care, within such Road, Street, or public Place, or by Negligence or Misbehaviour prevent, hinder, or interrupt the free Passage of any Carriage or Vehicle of His Majesty's Subjects within any such Road, Street, or Place; or if any Person shall affix any Posting Bill or other Paper to or against any Dwelling House, Wall, or Building, without the Consent of the Owner or Occupier thereof, or write upon or otherwise deface or mark the same by means of Chalk, Paint, or any other Material whatsoever; then and in every such Case every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and it shall be lawful for any Constable or other Peace Officer, 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 him before such Justice or Justices of the Peace for the said County of *Sussex*, in order to his Conviction of such Offence.

LIX. And be it further enacted, That not only shall the said Penalties herein-before mentioned become payable and be recovered, but it shall be lawful for any Person appointed or to be appointed by the said Commissioners, without any Warrant or other Authority than this Act, to seize any such Truck, Wheelsledge, Wheelbarrow, or Carriage, Horse, Beast, or Cattle, Cask, Tub, Pail, Bucket, Stool, Bench, Showboard, Chopping Block, Stall, Basket, Blind, Shade, Coverlid, or Awning, or other Thing, Stone, Wood, or Timber, Coach, Chaise, Waggon, or other Carriage, together with the Horse or Horses, Ass or Asses, Mule or Mules (if any) thereunto belonging, with the Harness, Gears, and Accoutrements thereof, or any such Goods, Wares, Merchandize, Fruit, Vegetables, or Garden Stuff, Butcher's Meat, or other Things, or any of them; and in case any of the Goods or Things so seized shall be perishable, or shall be Articles of Food, then the same shall be immediately forfeited, and the Person who shall make such Seizure shall deliver or cause to be delivered the Goods so seized to the Overseer or Overseers of the Poor of the Parish in which the same Goods shall have been so seized as aforesaid, the same to be given and distributed by such Overseer or Overseers unto or among the poor Inhabitants of the same Parish; but otherwise such Person making such Seizure shall cause the Goods, Carriages, Horse or Horses, Ass or Asses, Mule or Mules, or any Materials or Things so seized, to be removed to any Place appointed for the Reception thereof within the Limits of this Act, (if any such there

Further Powers for the like Purposes.

there be,) or otherwise to such Place or Places as he or they shall judge convenient, giving parol or written Notice of such Place or Places whereunto the same shall be removed, unto the Owner, Driver, or other Person having any Interest in the Goods, Carriages, Horse or Horses, Ass or Asses, Mule or Mules, Materials or other Things so seized or removed, if he, she, or they shall be then and there present or otherwise known to the Person so seizing the same; and the same shall be there kept and detained until such Owner, Driver, or other Person interested as aforesaid shall cause to be paid the said Penalty, together with the Charges for taking or removing the same, and of keeping such Horse or Horses, Ass or Asses, Mule or Mules (if any); and in case the Goods, Carriages, Horse or Horses, Ass or Asses, Mule or Mules, Materials or other Things so removed, not being perishable or Articles of Food, shall not be claimed, and the said Penalty and Charges paid within Five Days next after such Removal thereof, then and in every such Case it shall be lawful for the said Commissioners, or their Surveyor or Inspector, or other Person appointed by the said Commissioners, to order the same to be appraised and sold, and the Overplus of the Money arising by such Sale to be returned to the Owner or Owners thereof, after deducting the said Penalty, and such Costs, Charges, and Expences attending such seizing, removing, keeping, appraising, and selling the same, as the said Commissioners shall ascertain and allow.

Width of
Streets.

LX. And be it further enacted, That all the Streets, Roads, and Places to be hereafter set out and made within the Limits of this Act, and which shall have Houses or Buildings built or set out to be built on both Sides thereof, shall be of the clear Width of Thirty Feet at the least, to be measured from the Area or Fence (if any) in front of the Houses or Buildings on each or either Side thereof, and where there shall not be any such Area or Fence on both Sides or on one Side, then the Distance to be measured from the front Elevation of the Houses or Buildings respectively not having such Area or Fence, and so that no House, Area, or Fence shall be at a less Distance than Fifteen Feet from the Centre of such Street, Road, or Place, in a regular and continuing Line; and if any Person shall erect any House or Building in any such Street, Road, or Place hereafter to be set out or made within the said Limits, of which the Elevation or the front Area or Fence shall be nearer than Fifteen Feet from the Centre of such Street, Road, or Place, then and in every such Case such House or Building shall be deemed an Encroachment, Nuisance, and Annoyance within the Intent and Meaning of this Act, and it shall be lawful for any Five or more of the said Commissioners, by Writing under their Hands, to cause the same to be pulled down and removed by such Person as they shall direct or appoint, and the Costs and Charges of pulling down and removing the same shall, when ascertained by Five or more of the said Commissioners, be paid and reimbursed to the said Commissioners, or to their Order, by the Owner or Owners of such Houses or Buildings; and in default of Payment thereof within Seven Days next after Demand in Writing made in that Behalf by the Clerk to the said Commissioners, by leaving the same at the usual Place of Abode of such Owner or Owners, if resident within the Limits of this Act or One Mile therefrom, or otherwise

wise on the Premises, shall and may be recovered in like Manner as any Penalties and Forfeitures are by this Act authorized to be recovered, and, when received, the same shall be paid to the Treasurer to the said Commissioners, to be applied for the Purposes of this Act: Provided always, that where any Houses shall be erected fronting the back Parts of other Houses, or the back Premises attached thereto, the same shall not be deemed or taken to be a Street within the Meaning of the Provision herein-before contained.

LXI. And be it enacted, That no House or other Building shall be erected within the Limits of this Act, unless the same shall have at each End thereof, if adjoining any other House or Building, a Party Wall made substantially of Brick or Stone, if made with Bricks to be Nine Inches thick, and if of Stone to be Twelve Inches thick at the least, with proper Cement or Mortar, and binding Timbers from the Foundation up to and Eighteen Inches above the Line of the Roof, and that no Bond or other Timber shall be introduced so as to come into contact with or within Six Inches from any other Bond Timber or other Timber Work, and no such Party Wall shall be built of Chalk or Chalkstone; and every Person acting contrary thereto shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings for every Week during which such Offence shall be continued.

New Houses
to have Party
Walls.

LXII. And be it further enacted, That the said Commissioners may from Time to Time, at their own Expence, cause all or any of the Penthouses, Porches, Sheds, projecting Windows, Palisades, Rails, Posts, Fences, Steps, Cellar Windows, Cellar Doors, Hatchways, Signs, Sign Posts, Showboards, and other Obstructions and Projections whatsoever, which are already erected, affixed, set up, laid down, or being against or in front of or belonging to any Houses or other Buildings whatsoever, and all or any Posts, Fences, or Trees, in any of the said Streets or other public Places, which the said Commissioners shall adjudge to be public Annoyances or Nuisances, by reason of their obstructing, annoying, or endangering the Passage of His Majesty's Subjects, to be taken down, filled up, removed, and carried away, or otherwise altered or reformed, in such Manner as by the said Commissioners shall be thought most proper and expedient; the said Commissioners nevertheless first giving Thirty Days Notice of their Intention to the respective Owners or Occupiers of such Houses or other Buildings, and causing as little Damage to be done in effecting every such Removal or Alteration as the Nature of the Case will allow.

Projections,
&c.

LXIII. And be it further enacted, That the several Occupiers of Houses and other Buildings situate in the several Streets within the said Limits, and every of them, are hereby authorized and required, at their Expence respectively, within Thirty Days next after Notice from the said Commissioners, to cause all and every the Penthouses, Porches, Sheds, projecting Windows, Palisades, Rails, Posts, Fences, Steps, Cellar Windows, Cellar Doors, Hatchways, Signs, Sign Posts, Showboards, Watering Places, and other Obstructions and Projections whatsoever, which shall hereafter be erected, set up, affixed,

Penthouses,
&c. hereafter
erected to be
removed by
Occupiers.

[*Local.*]

5 K

laid

laid down, or be, against, in front of, or belonging to their respective Houses or Buildings, which the said Commissioners shall adjudge to be public Nuisances by reason of their obstructing, annoying, or endangering the Passage of His Majesty's Subjects, to be taken down, filled up, removed, and carried away, or otherwise altered or reformed, in such Manner as shall be directed by the said Commissioners; and in case the Occupier of any such House or other Building as aforesaid shall neglect or refuse to cause any thing so adjudged to be a public Nuisance to be removed within the Time aforesaid, then and in every such Case the said Commissioners may cause the same to be removed or altered accordingly, and the Expence attending such Removal or Alteration shall and may be recovered from the Occupier of such House or Building in manner herein-after directed: Provided always, that the Occupier of any such House or Building, being a Tenant at Rack Rent, and having either paid such Expence in the first Instance, or having repaid the same to the said Commissioners, and not being the Person who originally made or occasioned such Nuisance, shall and may deduct and retain the Amount thereof out of his Rent, and the Proprietor or Person entitled to the Rent is hereby required to allow the same accordingly.

Spouts to be put up for carrying Water from Roofs of Houses.

LXIV. And be it further enacted, That the several Occupiers of Houses or other Buildings in the several Streets or other public Places, and every of them, are hereby authorized and required, at their own Expence respectively, within Thirty Days next after Notice from the said Commissioners, to cause to be affixed and placed, and for ever afterwards to keep in repair, a Spout or Trough of the whole Length of each House or Building, with a Pipe or Trunk to be fixed to the Front or Side of such House or Building, so as to carry off or conduct the Water from the Roof of such House or Building underneath the Foot Pavement into the Common Channel, and so as to prevent the Water from falling upon or incommoding Foot Passengers; and in case the Occupier of any such House or other Building as aforesaid shall neglect or refuse to cause such Spouts, Troughs, Pipes, or Trunks to be affixed for the Purpose aforesaid, or to repair the same when necessary, then and in every such Case the said Commissioners may cause the same to be forthwith affixed, placed, or repaired, and may recover the Expence thereof from the Occupier of such House or Building in manner herein-after directed; and the Occupier of any such House or Building, being a Tenant at Rack Rent, and having either paid the Expence of affixing any such Spouts, Troughs, Pipes, or Trunks in the first Instance, or having repaid the same to the said Commissioners, shall and may deduct and retain the Amount thereof out of his or her Rent, and the Proprietor or Person entitled to the Rent is hereby required to allow the same accordingly.

Cattle wandering to be seized.

LXV. And be it further enacted, That if any Sheep, Goat, Horse, Cow, Swine, or other Beast shall at any Time be found wandering about any of the said Streets or public Places, it shall be lawful for any Person appointed by the said Commissioners to seize and impound such Sheep, Goat, Horse, Cow, Swine, or other Beast in such Place as the said Commissioners shall appoint, and the same there

there to detain until the Owner or Owners thereof shall, for every such Sheep, Goat, Horse, Cow, Swine, or other Beast so impounded, pay a Sum of Five Shillings to the Person impounding the same, together with the Fees and the reasonable Charges and Expences of impounding and keeping the same; and in case the said Sum, Charges, and Expences shall not be so paid within Five Days after such impounding, it shall be lawful for the said Commissioners to sell or cause to be sold the same; and the Money arising from such Sale, after deducting the said Sum and Sums of Money, and the Charges and Expences of impounding, keeping, and selling such Sheep, Goat, Horse, Cow, Swine, or other Beast, shall be paid, on Demand, to the Owner or Owners of the said Sheep, Goat, Horse, Cow, Swine, or other Beast.

LXVI. And be it further enacted, That in case any Person shall release or attempt to release any Sheep, Goat, Horse, Cow, Swine, or other Beast which shall be seized for the Purpose of being impounded under the Authority of this Act, from the Pound or Place where the same shall be so impounded, or shall pull down, damage, or destroy the same Pound or Place, or any Part thereof, or any Lock or Bolt 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 Sheep, Goat, Horse, Cow, Swine, or other Beast seized or so 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 County of *Sussex*, either upon the Confession of the Party or Parties offending, or upon the Oath of One credible Witness, and which Oath the said Justice is hereby authorized and empowered to administer, be committed by such Justice, by Warrant under his Hand and Seal, to the Common Gaol or House of Correction for the said County of *Sussex*, there to remain, without Bail or Mainprize, for any Time not exceeding Three Calendar Months.

Punishment
of Persons
guilty of
Poundbreach.

LXVII. And be it further enacted, That the said Commissioners shall and they are hereby required to provide, either by Contract or otherwise, a sufficient Number of Scavengers or Persons for the Purposes of cleansing the Streets, Lanes, and Places of and within the said Limits; and that such Scavengers or Persons employed, or who shall contract to cleanse the said Streets, Lanes, and Places, shall on the *Wednesday* and *Saturday* of every Week, between the Hours of Seven and Twelve of the Clock in the Forenoon of those Days respectively, and upon such other Days and at such other Hours as the Commissioners shall or may from Time to Time appoint, sweep and collect together, and as soon as possible afterwards take and carry away and remove, all Dirt, Dust, Filth, or Rubbish in and from such Streets, Lanes, and Places respectively, and from any House and Premises within the said Limits, if required so to do by the Owner or Occupier thereof, and shall, by Sound of Bell, or otherwise, as the said Commissioners shall direct, give Notice to the Housekeepers and Inhabitants within the said Limits of his or their Approach

Commission-
ers to appoint
Scavengers.

Their Duty.

Approach and Coming for the Purpose of taking away the Dust, Dirt, and other Filth (except the Soil of and from any Privy) from their respective Houses and Premises; all which Dust, Dirt, Ashes, and Filth (except as aforesaid), as well as all such as may be swept up and collected together as aforesaid, the said Scavengers or other Persons as aforesaid shall immediately, or as soon afterwards as may be, carry away or cause to be carried away to the Place or Places appointed or which shall be appointed by the said Commissioners for depositing the same, upon pain of forfeiting any Sum not exceeding Five Pounds for every Neglect; and every Person acting as such Scavenger for the Time being shall cause the Words "Scavenger's Cart" to be painted in large Roman Letters on the Front or other conspicuous Part of the Carts or Carriages which he or they shall use for the Purposes aforesaid, on pain of forfeiting any Sum not exceeding Ten Shillings for every Neglect therein; and if any such Scavenger or other Person acting or employed as such as aforesaid shall wilfully sweep, put, or throw Dust, Dirt, Ashes, or Filth into the Sewers, Drains, Sinks, or Watercourses within the said Limits, every Person so offending shall forfeit and pay for each and every such Offence any Sum not exceeding Five Pounds.

Persons unauthorized not to take Dust or Cinders.

LXVIII. And be it further enacted, That the Right and Property of and in all Dust, Cinders, and Ashes within the Limits of this Act shall belong exclusively to the Person who shall from Time to Time be appointed by or shall contract with the said Commissioners to take away, collect, and retain the same; and if any Person other than the Person so appointed by or contracting with the said Commissioners for that Purpose, or the Person employed under the Person so appointed or contracting as aforesaid, shall on any Pretence whatsoever go about to collect or gather, or shall receive or carry away, any Dust, Cinders, or Ashes within the Limits of this Act, it shall and may be lawful for any Justice of the Peace for the said County of *Sussex*, upon Complaint to him made, to grant a Warrant to bring before him, or any other Justice of the Peace for the County aforesaid, such Offender or Offenders, and also for any Person who shall see any such Offence committed to seize, and also for any other Person to assist in seizing, the Offender or Offenders, together with the Horses, Asses, Cattle, Carts, Trucks, Wheelbarrows, or other Carriages, Gears, Harness, Implements, Sacks, or Bags made use of for carrying the same away, and by the Authority of this Act, and without any other Warrant, to convey him, her, or them before such Justice of the Peace for the said County of *Sussex*; and such Justice is hereby authorized and required to examine upon Oath the Person apprehending such Offender, or any Witness or Witnesses who shall appear to give Information or Evidence touching such Offence; and if the Party or Parties shall be convicted of going about to collect or gather, or of receiving or carrying away, any Dust, Cinders, or Ashes from any House or other Premises within the Limits of this Act, not being the Person employed or appointed by or contracting with the said Commissioners to collect the Dust, Cinders, and Ashes from the Houses and Premises therein, or not acting with or under his Authority, he shall forfeit and pay for every Offence the Sum of Ten Pounds; and one Moiety thereof shall be paid to the Informer or Informers,

Informers, or to the Person who shall apprehend the Offender or Offenders, and the other Moiety shall be paid and belong to the Person so employed by or contracting with the said Commissioners as aforesaid; and if such Offender or Offenders shall not on Conviction pay the said Penalty, such Justice is hereby required to direct such Horses, Asses, Cattle, Carts, Trucks, Wheelbarrows, or other Carriages, Gears, Harness, Implements, Sacks, or Bags which shall have been so seized, to be appraised and sold; and after deducting out of the Monies to arise by such Sale the Penalty incurred, together with the reasonable Charges and Expences of such Warrant, and of such Distress, Appraisement, and Sale, the Overplus thereof (if any) shall be returned, upon Demand, to the Party or Parties whose Horses and other Things shall be appraised and sold; and in case there shall have been no such Seizure as aforesaid, or if the Horses, Asses, Cattle, Carts, or other Things which shall be appraised and sold shall not produce a sufficient Sum of Money to pay the said Penalty, Charges, and Expences, then such Justice is hereby required to commit such Offender or Offenders to the Common Gaol or House of Correction for the said County of *Sussex*, there to be kept to hard Labour for any Time not exceeding Three Calendar Months nor less than Twenty Days, unless such Penalty, Charges, and Expences, and every Part thereof, shall be sooner paid and satisfied.

LXIX. And be it further enacted, That the said Commissioners shall from Time to Time appoint and employ such Number of able-bodied Watch-house Keepers, Sergeants of the Night, Watchmen, Patrols, Street Keepers, and other Persons as they shall think sufficient for the proper Protection of the Inhabitants, Houses, and Property, Streets and other Places within the Limits of this Act, by Day and by Night, and provide all such Watchmen, Watch-house Keepers, Sergeants of the Night, Patrols, and Persons as aforesaid, with such Clothing, Arms, Ammunition, and Weapons, and shall assign to them such Beats or Rounds and Duties, and appoint such Hours for them to be on Duty, and also such Wages, Rewards, and Gratuities or Remunerations for their Services, and also make such Rules, Orders, and Regulations relative to such Watch-house Keepers, Sergeants of the Night, Watchmen, Patrols, Street Keepers, and other Persons, and their Duties, as to the said Commissioners shall seem meet; and also shall and may offer and give, as well to the said Persons as to any others not specially employed by them, such Gratuities and Rewards for apprehending Felons and other Offenders, within the Limits of this Act as to them shall seem proper; and shall and may defray the Expences of prosecuting any such Felons and Offenders, for the Protection of the Inhabitants within the Limits of this Act, or in defending any of the said Persons or other Officers of the said Commissioners in the Execution of their Duty, as they shall think proper; and the said Wages, Rewards, Gratuities, and the Costs of such Prosecutions or Defences, and all other Expences that may be incurred by the said Commissioners for the Protection and Guard of the Inhabitants, shall and may be paid by the said Commissioners or their Treasurer out of the Monies arising from the Rates directed to be raised by this Act.

Watchmen to
be appointed.

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

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

Penalty on
Watchmen,
&c. misbe-
having.

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

Penalty on
Publicans
harbouring
Watchmen,
&c.

LXXII. And be it further enacted, That if any Victualler, Publican, or other Person selling spirituous or other Liquors, shall knowingly entertain or harbour any such Watchman, Sergeant, Patrol, Beadle, or other Officer or Person, to be appointed as aforesaid, during the Time he ought to be on Duty by virtue or in pursuance of this Act, then and in every such Case every such Victualler, Publican, or other Person selling such Liquors as aforesaid shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Power to re-
ward disabled
Watchmen,
&c.

LXXIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to give such Rewards in Money to the Watchmen, Night Patrols, and Beadles respectively to be appointed as aforesaid, who may be disabled or wounded in the Execution of their Office, as they the said Commissioners shall think reasonable, such Money to be paid out of the Monies to be raised by virtue of this Act.

Penalty on
Persons
assaulting
Watchmen.

LXXIV. And be it further enacted, That if any Person shall obstruct or assault any Watchman, Sergeant, Night Patrol, or Beadle to be appointed or employed by virtue hereof, in the Execution of his Duty, every Person so offending, upon being convicted thereof before One, or more Justice, or Justices of the Peace of the said County, shall be liable to a Penalty not exceeding Five Pounds, or such Justice or Justices may commit any such Person to the Common Gaol or House of Correction for the said County of *Sussex*, for any Time not exceeding Three Calendar Months.

Commission-
ers to provide
Fire Engines.

LXXV. And be it further enacted, That it shall and may be lawful for the said Commissioners, and they are hereby authorized, from and out of the Money to be raised by virtue of this Act, and as soon as conveniently may be after the passing of this Act, to purchase or provide One or more Engine or Engines for extinguishing of Fire, and such Number of Water Buckets for the Supply of such Engine

or Engines, and to provide such Pipes or flexible Tubes and other Apparatus as may be necessary for such Engine or Engines, and to hire or purchase and keep such Horses for the Use of the same as they the said Commissioners shall think fit; and to erect and purchase as aforesaid, and to hold to them and their Successors, or to hire and rent, a proper Place or Places for keeping such Engine or Engines, Buckets, and Apparatus; and to hire or employ a proper Number of Persons or Firemen to attend the same, and with such Wages or Salaries, and with or without Clothing and Badges, and from Time to Time to displace all or any of such Persons or Firemen, and to appoint others in their Stead; and also to give to such Firemen or other Persons such Rewards for their Exertions in Cases of Fire, and to make such Rules and Orders for the Regulation of such Firemen, and for working such Engines occasionally, and keeping the same ready and in order for protecting the said District against Damage by Fire, as the said Commissioners shall think fit; and such Firemen or other Persons hired or employed as aforesaid shall in all Cases of Fire be at liberty to take and use, for the Purpose of extinguishing any such Fire, or working the said Engines thereat, any Water provided for watering the said District.

LXXVI. And in order to raise Money for carrying the several Purposes of this Act into execution, be it further enacted, That One or more Rate or Rates for the Purpose of paving, stoning, gravelling, repairing, and keeping in repair, watering, lighting, draining, cleansing, and watching the several Roads, Streets, and Places, Esplanades, Slopes, and Walks within the Limits of this Act, and also for securing, raising, and paying any Monies which shall or may be borrowed, and any Annuity or Annuities which shall or may be granted, under the Authority of this Act, and the Interest of such Monies, and also for answering and satisfying the other Purposes of this Act, shall be made, levied, or assessed by the said Commissioners, at yearly, half-yearly, and quarterly Periods, or oftener if they shall think necessary, upon all and every Person or Persons who shall inhabit, hold, use, or occupy any House, Shop, Warehouse, Coach-house, Stable, Cellar, Vault, Building, Workshop, Manufactory, Garden, Ground, Land, Tenement, or Hereditament whatsoever, or any Part or Portion of any House, Building, Land, Tenement, or Hereditament, being a separate Tenement, situate, lying, and being in any of the Roads, Streets, or Places, or within the Limits of this Act, (save and except the said Chapel called *Saint Andrew's*, which is now exempted by Law from the Payment of any Rate or Rates,) according to the yearly Value thereof respectively, to be ascertained in manner herein-after mentioned; and the said Rate or Rates shall from Time to Time be collected and paid yearly, half-yearly, or quarterly, or oftener, if the said Commissioners shall think proper, in every Year, and shall commence from such Time after the passing of this Act as the said Commissioners shall think proper; and every future Rate shall commence from the Time the last Rate ended, and not otherwise.

Rates to be made for defraying Expences.

LXXVII. Provided always nevertheless, and be it further enacted, That no Rate or Rates to be levied or assessed as aforesaid shall exceed

Rates not to exceed certain Amounts.

exceed in any One Year the Sum of Four Shillings in the Pound, according to the yearly Rent or Value of such Houses, Shops, Warehouses, Coach-houses, Stables, Cellars, Vaults, Buildings, Workshops, Manufactories, Gardens, Grounds, Lands, Tenements, and Hereditaments.

How the Value of Premises is to be ascertained.

LXXVIII. And be it further enacted, That the annual Value of all such Houses, Shops, Warehouses, Coach-houses, Stables, Cellars, Vaults, Buildings, Workshops, Manufactories, Gardens, Grounds, Lands, Tenements, or Hereditaments, so to be respectively rated and assessed as aforesaid, shall be settled and ascertained according to the real Rack Rent or full yearly Value thereof, as the said Commissioners shall think proper and direct; and the Money so rated and assessed under or in pursuance of this Act shall from Time to Time be paid to the Collectors to be appointed as aforesaid at such Time and Times in every Year and in such Manner as the said Commissioners shall order and direct, and shall be paid over by such Collectors into the Hands of the Treasurer to the said Commissioners, or of such Banker or other Person or Persons as they the said Commissioners shall order or direct for that Purpose.

Commissioners may inspect Rate Books, and obtain Copies or Extracts.

LXXIX. And in order to enable the said Commissioners to form a proper Judgment of any Rate or Rates to be made in pursuance of this Act, be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, at all reasonable Times, to inspect, or by Writing signed by them or any Three of them to grant Authority to their Clerk or Collector for the Time being, at such Times as aforesaid, to inspect any of the Rates made towards the Relief of the Poor within the said Parish of *Hove*, and to be raised or collected within the Jurisdiction of this Act, or the Books wherein the Assessment thereto shall be entered, they the said Commissioners paying to the Vestry Clerk or other Officer having the Custody of such Rates or Books for the Time being the Sum of One Shilling for every such Inspection of the same, and also by Writing signed as aforesaid to require a Copy of such Rate or Books, or any Extracts therefrom, paying for such Copies or Extracts at and after the Rate of Sixpence for every One hundred Words, and so in proportion for any greater or less Number; and if any Person or Persons in whose Custody or Power any of the said Rates or Books shall be, shall, when thereunto required in manner aforesaid, refuse or neglect to produce the same to the said Commissioners or their Clerk or Collector for the Time being, as the Case may be, or to make and deliver, or cause to be made and delivered, such Copies or Extracts, on being paid for the same at and after the Rate aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Lodgers of Houses let out in Apartments to be deemed the Occupiers.

LXXX. And be it further enacted, That where any House, Building, or Tenement in respect whereof any Rate shall be made shall be let out in Apartments by the Lessee, Tenant, or Landlord, any One or more of such Lodgers may be deemed the Occupier or Occupiers thereof for the Purposes of this Act; and every such Lodger who shall pay any such Rate or any Part thereof, or from whom

whom the same or any Part thereof shall be recovered in pursuance of this Act, shall and may deduct the same from and out of the next Rent due and payable from him, her, or them to such respective Lessee, Tenant, or Landlord, and the Receipt for such Payment shall be a sufficient Discharge for such Lodger or Lodgers, to his, her, or their Landlord, for so much Money as he, she, or they shall pay, or shall be levied on him, her, or them by virtue of this Act: Provided always, that no such Lodger or Lodgers shall at any Time be required to pay, or be subject or liable to pay, any greater Sum for or towards the Discharge of the said Rates or any of them, or the Arrears thereof, than the Amount of the Rent actually due and payable by such Lodger or Lodgers to the Lessee, Tenant, or Landlord of the Premises occupied by him, her, or them.

LXXXI. Provided always, and be it further enacted, That the Lessee, Landlord, or Owner of any House, Building, or Tenement which shall be let out ready-furnished to a Lodger or Lodgers, or, furnished or unfurnished, in separate Apartments, for Counting-houses or other Purposes, at a Rent or Rents exceeding in Amount the yearly Sum of Twenty Pounds, may be assessed and rated for the same for the Purposes of this Act; and the Rate to be payable in respect of any such House, Building, or Tenement may be recovered either from the Lodger or any Person occupying or renting the same, as herein-before is mentioned, or from the Lessee, Landlord, or Owner of the said Premises; and the same may be levied by Distress and Sale of the Goods and Chattels of such Lessee, Landlord, or Owner, wheresoever the same may be found: Provided always, that no such Lodger shall be subject or liable to pay any greater Sum for or towards the Discharge of such Rates, or any of them, or the Arrears thereof, than the Amount of the Rent actually due and payable by such Lodger to the Lessee, Landlord, or Owner of the Premises occupied by him or her.

Rates on Houses furnished or let out into Counting-houses may be recovered from the Landlords.

LXXXII. Provided always, and be it further enacted, That if any House or Premises shall appear to be situated partly within the Limits of the Jurisdiction of the Commissioners under this Act, and partly in any Street or Place not within such Limits, such House or Premises shall be assessed to the Rates to be raised by virtue of this Act for a proportionable Part only of the Rent thereof; and it shall be lawful for the said Commissioners for executing this Act, or any Person appointed by them at some Meeting to be holden for that Purpose, and they or he are or is hereby respectively authorized and required, to apportion and settle at how much and what Part of the Rent of such House and Premises the same shall be assessed.

Houses partly within and partly without the Limits of this Act to be assessed.

LXXXIII. And to prevent Disputes in certain Cases touching the Designation of Landlord or Owner, Lessee or Lessees, intended to be made liable to Rates by this Act, be it enacted, That the Person receiving or claiming to be entitled to the Rent of every House, Tenement, or Hereditament, or Part of a Tenement, immediately payable by the Tenant or Occupier thereof, shall be deemed or taken to be the Landlord or Owner, Lessee or Lessees of the same, for the Purposes of this Act, and shall continue to be rated, and liable to

Who shall be deemed Landlord of Premises for the Purposes of this Act.

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Agreements
between
Landlords
and Tenants
not to be
affected.

the Payment of all and every such Rates as herein-before mentioned, until some other Person shall be rated to or pay the same: Provided always, that nothing in this Act contained shall be construed, deemed, or taken to impeach, alter, or make void any Contract or Agreement now existing for any Lease, or any Agreement made or to be made between any Landlord and Tenant in any Lease now granted or hereafter to be granted pursuant to any Contract or Agreement now existing; any thing in this Act contained to the contrary thereof notwithstanding.

Recovery of
Rates from
Persons
removing.

LXXXIV. And be it further enacted, That when any Person who hath been so rated and assessed shall quit or shall be about to quit his Lands, Grounds, Houses, Shops, Warehouses, Coach-houses, Stables, Cellars, Vaults, Buildings, Tenements, or Hereditaments, before he shall have paid such Rate or Rates, and shall afterwards refuse or neglect to pay the same when due, and demanded by the Collector or Collectors authorized to receive the same, then and in every such Case it shall be lawful for the said Collector or Collectors or any of them (Oath being made by him or them that he or they hath or have Cause to suspect that such Person is removing or hath removed his 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 County of *Sussex*, to collect and levy such Rates, and all Arrears due thereon, for the Quarter of a Year, Half Year, or other Period for which a Rate shall be assessed, wherein such Removal or Sale shall begin to be made as aforesaid, to be considered as due although previously to the Time for Payment of the Rate for such Period, by Distress and Sale of the Goods and Chattels of the Party so beginning to quit, remove, or take away any such Goods or Furniture as aforesaid; and if within Five Days next after such Distress shall be made, the said Rates, and all Arrears due thereon, together with the reasonable Charges of taking and keeping the said Distress, shall not be paid, the said Collector or Collectors shall cause the said Goods and Chattels to be appraised and sold, or such Part thereof as shall be sufficient to pay such Rates, together with all Arrears due thereon, and the reasonable Charges of making such Distress, and of keeping and selling the same, returning the Overplus (if any) to the Owner or Owners of such Goods and Chattels respectively.

Collectors
may demand
Receipts
from Persons
about to
remove.

LXXXV. And be it further enacted, That in order to avoid the Loss which frequently happens by Tenants or Occupiers of Houses, Tenements, or Hereditaments, or Parts of Tenements, removing from the same before the Quarter Day on which the Rates charged on the said Houses, Tenements, or Hereditaments, or Parts of Tenements, shall become due and payable, it shall be lawful for the Collector or Collectors to be appointed as aforesaid, Twenty-eight Days before every such Quarter Day, or at any other subsequent Time before such Quarter Day, to demand and receive the respective Rates to be made by virtue of this Act, and which would be due and payable on such Quarter Day, and in case of Nonpayment thereof, to enforce the Payment of such Rates in the same Manner and with the same Powers as in case of Nonpayment of such Rates upon or after

the Quarter Day on which the same would have become due and payable.

LXXXVI. And be it further enacted, That in case any Person shall remove out or from, or quit the Possession of any House, Building, Land, Tenement, or Hereditament, or Part of a Tenement, before any Rate or Rates to be charged thereon by virtue of this Act shall be paid and discharged, and if any Person shall enter into the Occupation of any House, Building, Land, Tenement, or Hereditament, or Part of a Tenement, out of or from which any Person shall have removed before such Rate or Rates shall have been paid and discharged, then and in every such Case the Person so removing out of or from, or quitting Possession of, and the Person entering into the Occupation of, any such House, Building, Land, Tenement, or Hereditament, or Part of a Tenement, shall be respectively subject and liable to the Payment of all such Rates in proportion to the Time that such Person shall have possessed or occupied the same respectively, in the same Manner as if the Person so removing or quitting as aforesaid had remained in the Possession and Occupation of such House, Building, Land, Tenement, or Hereditament, or Part of a Tenement, or the Person so entering into the Occupation thereof had been originally rated and assessed in such Rates; which Proportion shall, in case of Dispute, be settled by any Two Justices of the Peace for the said County of *Sussex*, whose Determination shall be final.

Persons removing and others coming in to pay Rates in proportion.

LXXXVII. And be it further enacted, That whenever it shall appear to the said Commissioners that there shall be any Omission or Error in any Rate or Assessment of or in the Name of any Person, or of any House, Shop, Warehouse, Coach-house, Stable, Cellar, Vault, Building, Tenement, or Hereditament liable to be rated for the Purposes of this Act, it shall be lawful for the said Commissioners to cause to be added or corrected in the said Rate or Assessment the Name of the Person omitted or erroneously stated, and a Description of the Property in respect of which he, she, or they ought to be rated; and every such Addition or Correction made in any of the said Rates shall be as valid and effectual as if the same had been part of the original Rate at the Time when it was first made.

Omissions and Errors in Rates may be rectified.

LXXXVIII. And be it further enacted, That in case any Person charged with any such Rate or Rates shall refuse or neglect, after Demand made by the Collector or Collectors for the Time being, to pay the Money rated or assessed upon him, and all Arrears thereof, it shall be lawful for any One of His Majesty's Justices of the Peace for the said County of *Sussex*, and he is hereby authorized and required, to summon by Writing under his Hand each and every Person so charged, and who shall have so refused or neglected to pay as aforesaid, (on Oath being made before such Justice by the Collector for the Time being of his having attended at the Place of Abode of each and every such Person, and of his having refused or neglected to pay the same,) to appear at a Time and Place to be mentioned in such Summons before such Justice, or before any Justice or Justices of the Peace for the said County of *Sussex*, who shall be then and there present; and it shall be lawful for

Recovery of Rates.

for any Person appointed to collect and receive such Rates, or for any other Person, to serve such Summons upon each and every Person so refusing or neglecting to pay as aforesaid, either by delivering the same to the Person thereby intended to be summoned, or by leaving the same at his last or usual Place of Abode, or at or on the Premises for or in respect whereof the Rate or Rates mentioned in such Summons shall remain due and owing; and if any Person so summoned shall refuse or neglect to attend at the Time and Place mentioned in such Summons, or if he do or shall attend and shall not make it appear to such Justice that he is not chargeable with such Rate or Rates under this Act, then each and every Person who shall have been so summoned shall pay as well such Rate as the reasonable Costs and Charges of such Summons; and in all Cases where the said Rate, Costs, and Charges shall not be paid upon the Return of such Summons, it shall be lawful to and for such Justice who shall have issued the same, or any other Justice of the said County of *Sussex*, and he is hereby authorized and required, on Oath being made before him of the due Service of such Summons as aforesaid, or in case any such Person so refusing to pay as aforesaid shall have removed out of the said District, then on Proof of such Summons having been duly issued as aforesaid, to grant a Warrant or Warrants under his Hand and Seal, authorizing and directing such Collector, or any Constable or Constables, Headborough or Headboroughs, Beadle or Beadles, to levy such Rate or Rates respectively, and all Arrears thereof, and the Expences of the Summons, and of the Warrant, by Distress of the Goods and Chattels of the Party so neglecting or refusing; and if, within Five Days after such Distress or Distresses shall be made, the said respective Rates and all Arrears thereof shall not be paid, together with the Costs and Charges of taking and keeping the same, it shall be lawful for such Collector, Constable or Constables, Headborough or Headboroughs, Beadle or Beadles, to cause the said Goods and Chattels, or a sufficient Part thereof, to be appraised and sold, rendering to the said Person the Overplus (if any), after deducting the said Rates or Assessments, and all Arrears thereof, and the reasonable Costs and Charges attending such Distress and Sale, which Costs and Charges, in case of Dispute, shall be settled and ascertained by One of His Majesty's Justices of the Peace for the said County of *Sussex*; and in default of such Distress it shall be lawful for any Justice or Justices to commit such Person to the Common Gaol or House of Correction for the said County, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months, unless Payment shall be sooner made of such Sum or Sums of Money as shall have been found to be due and in arrear upon all or any such Assessment or Assessments as aforesaid, together with all Costs, Charges, and Expences attending the Recovery thereof, such Costs, Charges, and Expences to be ascertained and determined by the said Justice or Justices respectively.

Form of
Distress.

LXXXIX. And be it further enacted, That every Warrant of Distress for the Nonpayment of any Rates to be made under this Act shall be in the Words or to the Effect following; (this is to say,)
Country

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

Rate Books
to be received
as Evidence.

XCI. And be it further enacted, That the Books of Rates to be delivered by the Collector or Collectors or other Officers to the said Commissioners, and all Entries afterwards made therein, in manner by this Act directed, shall be received as Evidence of the Rates imposed by virtue of this Act.

Commis-
sioners may
release poor
Persons
from Rates.

XCII. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners to exonerate and release any poor 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 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.

Commis-
sioners may
borrow
Money on
Mortgage or
Bond.

XCIII. And for the more speedily raising Money for carrying the Purposes of this Act into execution, be it further enacted, That it shall be lawful for any Five or more of the said Commissioners, at any Time after the passing of this Act, at a Special Meeting to be called for that Purpose, to borrow and take up at Interest, by way of Mortgage or on Bond, any Sum of Money not exceeding the Sum of Two thousand Pounds; and also, from Time to Time thereafter, to borrow and take up at Interest, by way of Mortgage or on Bond, such further Sum or Sums of Money as they shall judge necessary for all or any of the Purposes of this Act, upon the Credit of the Rates to be made, levied, and collected by virtue of this Act, or upon the Credit of or by way of Charge upon any Lands, Tenements, or Hereditaments, or other Property which shall or may be vested in the said Commissioners for any of the Purposes of this Act, and, by Writing under their Hands and Seals, to assign or convey all or any Part of the said Rates or Assessments, or any such Messuages, Lands, Tenements, or Hereditaments, or other Property whatsoever, to such Person or Persons as shall lend or advance any Money thereon, or to his, her, or their Trustee or Trustees, as a Security for the Principal Money to be advanced, with lawful Interest for the same; and the Charges and Expences of such Assignment or Conveyance to be made as herein-after mentioned shall be from Time to

‘ Act of Parliament, be well and truly paid the full and just Sum of
 ‘ this Day advanced and lent by him [*or her*] the
 ‘ said upon the Credit of the said Act, together
 ‘ with the Interest of such Sum of whilst the same shall
 ‘ remain unpaid, after the Rate of *per Centum per*
 ‘ *Annum*, by quarterly Portions or Payments, then this Obligation
 ‘ to be void. Signed and sealed in the Presence of .’

And all such Assignments or Conveyances and Bonds shall be numbered in regular arithmetical Order (but the Assignments to be numbered in one Series and the Bonds in another); and every such Security shall be good, valid, and effectual in the Law, and shall entitle the Person or Persons to whom the same shall be made, his, her, or their Executors, Administrators, and Assigns, to the Payment thereof, and to all Profit and Advantage thereof, according to the true Intent and Meaning of this Act.

Commis-
sioners may
raise Money
by Annuity
or Tontine.

XCV. And be it further enacted, That in case the said Commissioners shall think it advisable to raise all or any Part of the Money authorized to be raised for the Purposes of this Act by granting Annuities for One or more Life or Lives, or for Term of Years, or by way of Tontine, instead of such Mortgages or Bonds as aforesaid, then and in such Case it shall be lawful for the said Commissioners, or any Five or more of them, and they are hereby authorized and empowered so to do, and in such Case, by Writing under their Hands and Seals, to grant any Annuity or Annuities to or in Trust for any Person who shall contribute, advance, and pay into the Hands of the Treasurer of the said Commissioners any Sum or Sums of Money for the Purchase of such Annuity or Annuities; which Annuity or Annuities shall be granted and made payable during the Life or Lives either of the Purchaser or Purchasers thereof, or the Life or Lives of any Person or Persons whomsoever, to be nominated by or on the Behalf of such Purchaser or Purchasers at the Time of the Payment of his, her, or their Purchase Money, and shall be charged upon and made payable out of the Rates to be made under the Powers of this Act, or upon or out of any Messuages, Lands, and Hereditaments, or any Property for the Time being vested in the Commissioners by virtue of this Act, as in the Grant or Grants of such Annuity or Annuities shall be expressed; and so often as any Money for the Purposes of this Act shall be raised by way of Tontine, then such Tontine shall be in such Classes at Interest, and with such Benefit of Survivorship, and subject to such Rules, Orders, and Regulations as the said Commissioners shall make respecting the same, which shall be binding and conclusive upon all the Contributors thereto; and the Grant of every such Annuity shall be in the Words or to the Effect following, with such Additions, Omissions, and Variations as Circumstances may require; (that is to say,)

Form of
Grant of
Annuity.

‘ WE Five of the Commissioners
 ‘ acting in pursuance of an Act passed in the Eleventh Year of
 ‘ the Reign of His Majesty King *George* the Fourth, intituled [*here*
 ‘ *set forth the Title of this Act*], in consideration of the Sum of
 ‘ paid by to the
 ‘ Treasurer appointed in pursuance of the said Act, [*the Payment*
 ‘ *whereof*

‘ *whereof is hereby acknowledged,*] do hereby grant unto the said
 ‘ an Annuity or yearly Sum of
 ‘ to be paid out of the Rates to be raised, levied, and collected by
 ‘ virtue of the said Act, or to be payable out of and charged upon all
 ‘ that, *et cetera* [*here describe the Messuages, Lands, Hereditaments,*
 ‘ *or other Property to be charged*]; which Annuity or yearly Sum of
 ‘ shall be paid to the said
 ‘ or his [*or her*] Assigns, during the Term of his [*or her*] Life
 ‘ [*as the Case may be*], to the said his [*or*
 ‘ her] Executors, Administrators, or Assigns, during the Life of
 ‘ or during the Lives of
 ‘ and the Life of the Survivor, upon the Day of
 ‘ the Day of the
 ‘ Day of and the Day of
 ‘ in every Year, during the Life or Lives of him, her, or them the said
 ‘ at the ; the first quarterly
 ‘ Payment thereof to be made upon the Day of
 ‘ next ensuing the Date hereof. In witness whereof we the said
 ‘ Commissioners have hereunto set our Hands and Seals, the
 ‘ Day of in the Year of our Lord .’

And every such Grant of Annuity shall be good, valid, and effectual in the Law; and every Annuity so to be granted as aforesaid shall be and is hereby charged upon and shall be payable and paid by the Treasurer to the said Commissioners, or any other Person or Persons in that Behalf concerned, out of the Rates or Assessments or other Property charged therewith, according to the Grant of such Annuity: Provided always, that nothing herein contained shall be deemed, construed, or taken to extend to make the Commissioners who shall sign, execute, or give any of the Assignments, Bonds, or other Securities so hereby authorized or directed to be given, personally, or their respective Estates, Lands, or Tenements, Goods and Chattels, liable to the Payment of any of the Monies to be borrowed or secured, or Annuities so to be granted in pursuance of this Act, by reason of their giving or executing any such Assignments, Bonds, or other Securities as aforesaid: Provided nevertheless, that before any such Money shall be borrowed or raised by the said Commissioners for the Purposes of this Act, Fourteen Days Notice at the least shall be given in some Newspaper published in the Town of *Brighthelmston* aforesaid, signifying the Intention of borrowing or raising such Money.

Commis-
sioners not to
be personally
liable.

XCVI. And be it further enacted, That it shall be lawful for the several Persons entitled to any of the Securities for the Money to be borrowed, secured, or raised as aforesaid, and their respective Executors, Administrators, or Assigns, [*as the Case may be,*] at any Time by Writing under their Hands and Seals to assign and transfer such Securities, and all Benefit and Advantage thereof, to any Person or Persons whomsoever; and every such Assignment or Transfer may be in the Words or to the Effect following; (that is to say,)

Securities
may be
transferred.

‘ I *A. B.* being entitled to the Sum of
 ‘ [*or Annuity of*] secured to
 ‘ and his or her Assigns, [*or his or her Executors, Administrators,*
 ‘ and Assigns, *as the Case may be,*] by virtue of an Assignment, [*or*
 ‘ [*Local.*] 5 O Bond

Form of
Transfer of
Security.

in the same Form, or as near as may be possible, and be put into a Box or Wheel, and the Number or Numbers of such Assignments or Securities shall be drawn separately out of the said Box or Wheel by the Clerk to the said Commissioners; and after every such Ballot the said Commissioners shall cause Notice, signed by their Clerk, to be given to or left at the last or usual Place of Abode of the Person who shall be entitled to the Money to be paid off pursuant to such Ballot, and when there is only One Creditor, to give Six Calendar Months Notice to such Creditor of the Intention of the said Commissioners to pay him or her as aforesaid; and every such Notice shall express the Sum to be paid off, together with the Interest due thereon, and that the same will be paid on a Day and at a Place specified in such Notice at the Expiration of Six Calendar Months from the Day of giving or leaving such Notice as aforesaid; and the Interest of the Principal Money to be so paid off shall, from and after the End of Six Calendar Months from the Day of giving or leaving such Notice as aforesaid, cease and be no longer paid or payable, unless such Money shall be demanded pursuant to such Notice and not paid; but the Principal Money in respect whereof such Notice shall be given, and also the Interest thereof to the End of the said Six Calendar Months, shall nevertheless be payable on Demand: Provided always, that nothing herein contained shall extend or be construed to extend so as to require the said Commissioners to pay off and discharge any Monies lent on the Credit of the said Rates or Assessments or other Property by way of Annuity, until all other the Creditors on the same Fund or Funds shall be paid off and discharged, and the several Parties so lending Money by way of Annuity shall agree to accept the Sum or Sums of Money offered by the said Commissioners for the Repurchase of such his, her, or their Annuity or Annuities.

XCIX. And be it further enacted, That when and as often as any Sum of Money shall be borrowed on the Credit of the said Rates, the said Commissioners shall and they are hereby authorized and required to appropriate a Sum, not less than Two Pounds *per Centum per Annum* on every such Sum so borrowed, over and besides the Interest payable thereon; and the same annual Sum is hereby charged on and directed to be answered out of the said Rates, in order to form an accumulating Fund for the gradual Payment of the Principal Sum and Sums of Money from Time to Time to be borrowed and remaining unpaid; and that as often as the said Sinking Fund shall amount to the Sum of Five hundred Pounds, the same shall be applied in Payment of an equal Amount of the said Principal Money to become due on the Credit or Security of the said Rates, and according to the Priority of the Date of the respective Securities, or in case of even Dates, then by Ballot between the Persons holding Securities of even Dates as aforesaid, or in Redemption of any Annuity or Annuities then subsisting and payable out of the said Rates, as to the said Commissioners shall appear most advantageous.

Commissioners to form a Sinking Fund.

C. Provided always, and be it further enacted, That if the said Commissioners shall at any Time appropriate, by way of accumulating Fund as aforesaid, a greater Sum than Two Pounds *per Centum per Annum* on the Sum to be borrowed on the Credit of the said Rates,

Sinking Fund may be varied.

it

it shall and may be lawful for them, from Time to Time as they shall see proper, to alter and vary such Rate or Per-centage so as the same be not reduced to a less Sum or Rate than Two Pounds *per Centum per Annum*.

Commis-
sioners may
borrow Mo-
ney at a
lower Rate
to pay off
Securities at
a higher Rate
of Interest.

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

Commis-
sioners or
Treasurer
not to be
personally
liable.

CII. Provided always, and be it enacted, That the said Commissioners or their Treasurer for the Time being as aforesaid shall not be liable or responsible to pay out of their or his own Assets any Sum or Sums of Money which they may hereafter borrow under the Powers of this Act.

Application
of the Mo-
ney borrow-
ed under
this Act.

CIII. And be it further enacted, That the Monies to be produced from the said Rates, and to be borrowed or advanced upon Mortgage or at Interest, or received for the Purchase of any Annuities upon the Credit or Securities of this Act, and all other Monies to be received by the said Commissioners by virtue of this Act, shall be applied, in the first place, in paying and discharging the Expences attending the obtaining and passing of this Act, and, in the next place, in paying from Time to Time the Interest of the Principal Money to be borrowed or secured, and the Annuities to be granted as aforesaid, and in carrying into execution the several Purposes of this Act, and the Residue thereof shall from Time to Time be applied in paying off the Principal Monies to be borrowed or secured, and in re-purchasing the Annuities to be granted in manner aforesaid.

For making
Provision
for maintain-
ing and orna-
menting
Squares, &c.

CIV. And for making Provision for ornamenting, maintaining, and improving the Centre of *Brunswick Square* aforesaid, and the Centres of the said other intended Squares, within the Limits of this Act, and for repairing and keeping in repair the Iron Railings and Fencings inclosing or to inclose the same Centres respectively, be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and required, from Time to Time, to roll, maintain, and keep in good Order and Condition, or cause to be rolled, maintained, and kept in good Order and Condition, the Lawn, Pleasure Grounds, and Walks formed and to be formed and already inclosed in the Centre of the said *Brunswick Square*, and the Lawns, Pleasure Grounds, and Walks to be formed and inclosed in the respective Centres of the said other intended Squares, and also to plant the same respectively, from Time to Time, and main-
tain

tain and preserve the Trees and Shrubs to be therein respectively planted, and also to amend and repair, or cause to be amended and repaired, the Railings and Fences of the same Centres respectively; and it shall also be lawful for the said Commissioners, and they are hereby authorized and empowered, from Time to Time to cause such Improvements and Alterations to be made in the Centres of the same Squares respectively as to the said Commissioners shall appear necessary or expedient, and also to enter into such Contracts and make such Regulations and Orders of and concerning the said Squares respectively, for effecting the Purposes aforesaid, and to appoint such Gardeners and Keepers to take care of the same Squares respectively, and at such Salary or Salaries, as they the said Commissioners shall think proper.

CV. And be it further enacted, That the Centre of the said *Brunswick Square*, and the Lawn, Pleasure Grounds, and Walks thereof, shall be used and enjoyed by the several Inhabitants of the same Square, and of *Brunswick Place* aforesaid; and the Centres of the several other intended Squares, and the Lawns and Pleasure Grounds thereof respectively, shall be used and enjoyed by the several Inhabitants of the same Squares respectively, but respectively in such Manner and according to such Rules, Orders, and Regulations as the said Commissioners shall direct and establish.

Squares, &c,
by whom
to be used.

CVI. And be it further enacted, That it shall be lawful for the said Commissioners, if they shall think proper, to grant or authorize the Use and Enjoyment of the said Centre of *Brunswick Square* aforesaid, and of the Lawns, Pleasure Grounds, and Walks thereof, unto and by the Inhabitants of Houses situate on *Brunswick Terrace* aforesaid, upon such Payments and other Terms as to the said Commissioners shall seem reasonable and proper, and which Payments shall be applied in like Manner as the Rates herein-after authorized to be made; provided nevertheless, that the annual Sum to be paid by every Inhabitant of a House on *Brunswick Terrace* to whom such Privilege may be granted shall amount to One Pound One Shilling at the least.

Power to
grant Right
of Admission
to Inhabi-
tants of
*Brunswick
Terrace.*

CVII. And be it further enacted, That if any Person shall make or cause to be made any Key or Keys for the Purpose of opening any Lock or Locks affixed on or to the Gate or Gates of the Centres, Areas, or middle Spaces of any of the said Squares respectively, without the Permission in Writing of the said Commissioners, or shall sell, or cause or procure to be sold, without such Permission as aforesaid, any such Key or Keys to any Person, or shall knowingly use any Key or Keys so unlawfully made or sold in opening any such Lock as aforesaid, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds; and the Gardener or Gardeners, Keeper or Keepers of such Squares respectively, appointed by the said Commissioners, is and are hereby authorized and empowered to seize, detain, and keep any such Key or Keys as aforesaid, and to cause the Person so making or selling, or causing or procuring to be made or sold, such Key or Keys as

Penalty on
Persons
making, sell-
ing, or using
Keys for
opening the
Gates, with-
out Permis-
sion of the
Commis-
sioners.

[*Local.*]

5 P

aforesaid,

aforesaid, to be summoned before some Justice of the Peace for the County of *Sussex*, to be dealt with according to Law.

Penalty on Persons committing Nuisances, or behaving disorderly in the Squares.

CVIII. And be it further enacted, That if any Person shall wilfully commit any Spoil, Waste, Damage, Depredation, Annoyance, Disorder, or Nuisance, in, to, upon, or about any of the Paths, Walks, Grass Plots, or Shrubberies of any of the Centres, Areas, or middle Spaces of any of the said Squares respectively, or shall, by riotous, disorderly, or wilful Misbehaviour, molest or interrupt the free Passage of any Person using or passing along the same, then and in every such Case the Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds; and such Offender or Offenders shall and may be apprehended by the Gardener or Gardeners, Keeper or Keepers of the same Squares respectively, who may convey such Offender or Offenders before some Justice of the Peace for the said County of *Sussex*, to be dealt with according to Law.

Recovery and Application of the Penalties last mentioned.

CIX. And be it further enacted, That the said last-mentioned Penalties may, in case of Nonpayment thereof, be recovered and levied, together with the Costs of the Proceedings for the Recovery and levying of the same, in the same Manner as is herein directed concerning the Recovery and levying of any other Penalties or Forfeitures to be inflicted or imposed by this Act, or by virtue of any Rule or Order made in pursuance hereof, and shall be paid to the said Commissioners, and shall be by them applied for the Purpose of ornamenting, maintaining, and repairing such Squares.

Rates for ornamenting and repairing Squares.

CX. And for raising Money to enable the said Commissioners to carry the said several last-mentioned Purposes into effect, be it further enacted, That One or more Rate or Rates, for the Purpose of ornamenting, maintaining, and improving the Centres, Areas, and middle Spaces of the said Squares respectively, already formed and laid out, or hereafter to be formed and laid out within the Limits of this Act, and of repairing and keeping in repair the Railings and Fences of the same Centres, Areas, and middle Spaces respectively, shall be made, levied, and assessed by the said Commissioners at yearly, half-yearly, or quarterly Periods, or oftener, as they the said Commissioners shall respectively think necessary, upon all and every Persons and Person who shall inhabit, hold, use, occupy, possess, enjoy, or be entitled to any House or Tenement erected or to be erected in the same Squares respectively and in *Brunswick Place* aforesaid, according to the yearly Value of such Houses respectively, but so nevertheless as that the Rate or Rates, Assessment or Assessments so to be levied and assessed, do not exceed in any One Year One Shilling in the Pound, according to the yearly Rent or Value of such Houses or Tenements respectively; the Rates or Assessments to be paid by the respective Inhabitants, Owners, or Occupiers of the Houses in the said *Brunswick Place* and in each such Square to be kept separate and distinct from the Rates or Assessments paid by the respective Inhabitants, Owners, or Occupiers of the Houses in the other Squares respectively; and the same Rates and Assessments respectively to be respectively paid and applied for and towards the ornamenting, improving, maintaining, and repairing

repairing of the Centres of such Squares respectively wherein or adjoining which the Persons respectively paying the same Rates and Assessments respectively shall or may be respectively Inhabitants.

CXI. And be it further enacted, That the said Commissioners shall and may have such and the like Powers and Remedies for compelling and enforcing the Payment of the several Rates herein-before directed to be levied and assessed for the Purpose of repairing and keeping in repair, and of ornamenting, maintaining, and improving, the said Centres of the said Squares respectively, as are herein-before provided for recovering and compelling Payment of any of the other Rates herein-before directed to be levied and raised for the other Purposes mentioned in this Act.

Rates recoverable in manner as the other Rates before mentioned.

CXII. And for preserving an Uniformity of Appearance in the respective Fronts of the several Houses respectively erected and to be erected in *Brunswick Square* and *Brunswick Place* and on *Brunswick Terrace* respectively aforesaid, be it further enacted, That the several Areas in front of the several Houses respectively erected and to be erected in *Brunswick Square* and *Brunswick Place* and on *Brunswick Terrace* respectively aforesaid, shall at all Times hereafter, at the Costs and Charges of the several Proprietors of the said Houses respectively, be and remain inclosed with open Iron Palisadoes Four Feet high, let into a Stone Curb of Eight Inches by Six Inches, of the now existing Pattern, or of some other Pattern to be approved by the said Commissioners; and, at the like Costs and Charges, a Balcony shall be and remain erected and maintained at all Times hereafter in front of each Window on the Drawing-room Floor of the same several Houses, which said Balcony shall project not exceeding Two Feet from the Front of the said several Houses, and shall be surmounted by an Iron Railing of the now existing Pattern, or of some other Pattern to be approved by the said Commissioners; and no Viranda or other Projection (except such Balconies as aforesaid) shall at any Time be set up in front of any of the said respective Houses; but the present Front Elevations of the said several Houses shall at all Times hereafter be in all things maintained unaltered, and without Variation, and the Fronts of the same Houses, and the Chimney Shafts thereof respectively, be and remain covered with *Parker's* or Roman Cement, of one uniform Stone Colour; and in case any of the said Houses shall at any Time or Times hereafter be burnt down, destroyed, or damaged by Fire, the same shall, as soon as may be afterwards, at the like Costs and Charges, be rebuilt, or well and substantially repaired and amended, according to the original Plan and Elevation thereof, and the Front thereof be and remain covered with *Parker's* or Roman Cement, of one uniform Colour as aforesaid; and also that the respective Proprietors or Occupiers for the Time being of the said several Houses shall and do, at their respective proper Costs and Charges, at the End of every Three Years, to be computed from the Twenty-fifth Day of *March* One thousand eight hundred and twenty-nine, paint or cause to be painted the outside Woodwork and Ironwork in front of the said several and respective Houses and Premises with Two Coats of Paint in Oil at the least, and of such Colour or Colours as shall be ordered and directed by the

For preserving Uniformity in the Exterior of the Houses in Brunswick Square, &c.

the said Commissioners; and that no Shop Window shall be made or set up, or any Sign Board, or other Notification of Trade, Business, or Calling whatsoever, shall be set up or affixed to or in any of the said Houses; and no Trade or Business whatsoever shall at any Time or Times hereafter be exercised or carried on in or upon any of the said Houses or Premises, or any Part thereof, (except the Trade or Business of an Hotel Keeper in or upon the House being Number Forty-two on *Brunswick Terrace* aforesaid,) or any other Calling or Employment be carried on or exercised to the Annoyance or Injury of any of the Houses or Premises adjoining; and further, that the Chimnies of any domestic Office or Offices, or other Buildings, now already built or hereafter to be built behind any of the said several Houses within the Distance of Ninety Feet, to be computed from the respective Fronts of the said Houses respectively, shall be carried up against the respective Bodies of the said Houses to the full Height of the respective Chimnies of the same Houses respectively; and every Person who shall act contrary to or in anywise deviate from or neglect to comply with any of the aforesaid Particulars or Provisions, and shall not, within Two Calendar Months after he shall be required so to do by the said Commissioners, remove, alter, amend, or otherwise supply such Contrariety, Deviation, or Neglect to the Satisfaction of the said Commissioners, shall forfeit the Sum of Two Pounds for every Week after the Expiration of the said Two Calendar Months during which such Offence shall continue; and it shall be lawful for the said Commissioners to order every such Contrariety, Deviation, or Neglect to be in all things removed, altered, amended, supplied, or otherwise, as the Case shall require, for the complete Observance of the said several Particulars and Provisions, at the Costs and Charges of the Proprietor or Proprietors of the House or Houses in respect of which such Contrariety, Deviation, or Neglect shall happen, to be recovered by Action of Debt in any of His Majesty's Courts of Record at *Westminster*.

Penalty for Neglect.

Restriction as to building South of *Brunswick Terrace*.

CXIII. And be it further enacted, That no Building, Erection, or Inclosure whatever shall at any Time hereafter be made, erected, or set up, by or by the Means, Privity, or Procurement of the said Commissioners for the Time being, on the South Side of *Brunswick Terrace* or *Brunswick Square* aforesaid (save and except any open Iron or other Fence or Fences with or without a Stone Curb or Stone Curbs, and any Lamp Posts and Lamps).

Regulation as to Sale of Fish on the Beach.

CXIV. And be it further enacted, That no Fish whatever shall be sold by Fishermen or others on the Beach above the High-water Mark, or at any other Place within the Limits of this Act, either to Persons to sell again or to private Individuals; and every Person who shall sell or offer for Sale any Fish at any Time, shall for every Offence, upon Conviction before any One or more Justice or Justices of the Peace for the said County, upon the Oath of at least One Witness, or the Confession of the Offender, forfeit and pay any Sum not exceeding Five Pounds: Provided nevertheless, that nothing herein contained shall extend or be construed to extend to prevent Fishmongers selling Fish in their own Shops or other Premises.

CXV. And

CXV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners or any Five or more of them, and they are hereby authorized and empowered, from Time to Time as often as to them shall seem necessary, at a Special Meeting to be called for that Purpose, to make, ordain, constitute, and appoint such Bye Laws, Rules, Regulations, and Orders as they shall think fit for regulating and preserving Order at the Meetings to be from Time to Time held by the said Commissioners for carrying into execution this Act, and for ascertaining, fixing, altering, preventing, and regulating the Stands of Hackney Coaches or other Carriages, Flies, Chairs, and Bathing Machines, or any of them, from Time to Time, and punishing the Misconduct or Misbehaviour of Hackney Coachmen, Chairmen, and Persons attending such Coaches, Flies, and Bathing Machines, such Bye Laws, Rules, Orders, or Regulations not being repugnant to the Laws of that Part of the United Kingdom called *England*, or this Act; and the said Commissioners may from Time to Time, as they shall think fit, repeal, alter, or amend such Bye Laws, Rules, Orders, and Regulations, or any of them, and shall ascertain and impose what reasonable pecuniary Penalties and Forfeitures shall be incurred by Persons breaking or avoiding the same, or any of them, provided that no such Penalty or Forfeiture shall exceed the Sum of Five Pounds for any One Offence; and all such Bye Laws, Rules, Orders, and Regulations, and the Fines and Penalties for the Breach or Nonobservance thereof, shall from Time to Time, as often as they shall be made, repealed, altered, or amended, be painted on Boards, and fixed in some public Places within the said District, and inserted Twice at least in One of the Newspapers circulated in the said County of *Sussex*; and such Bye Laws, Rules, Orders, and Regulations shall be subject to Appeal in manner herein-after mentioned; but no such Bye Law, Rule, Order, or Regulation shall be of any Force or Effect until Seven Days after the same shall have been affixed in manner aforesaid.

Commissioners may make Bye Laws.

CXVI. And whereas the Practice of undressing on the Sea Beach, and bathing in the Sea, within the said Limits, is a great Annoyance to the Inhabitants and Visitors thereof; be it therefore enacted, That if any Person shall undress on the Sea Beach, or shall bathe in the Sea, between the Hours of Five of the Clock in the Morning and Ten of the Clock in the Evening, (except from a Bathing Machine,) at any Place on the Sea Coast in front of the said Limits, or within Three hundred Yards from the Western Boundary thereof, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings: Provided always, that the said Commissioners shall affix up a Notice of the Prohibition herein-before contained, painted on a Board, at such Distance of Three hundred Yards.

To prevent bathing, except from Machines.

CXVII. And be it further enacted, That if any Person shall obstruct or molest any of the said Commissioners or any Officer in the Performance or Execution of any Duty, Matter, or Thing hereby authorized or directed to be done, every Person so offending shall for every such Offence forfeit any Sum not exceeding Five Pounds.

Penalty on obstructing Commissioners, &c.

[*Local.*]

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CXVIII. Pro-

In case of
Nonpayment
of Compensa-
tion for
Damages.

CXVIII. Provided always, and be it further enacted, That when and as often as any Sum of Money shall be directed or ordered by any Justice or Justices of the Peace to be paid in pursuance of the Directions of this Act, as or by way of Compensation or Satisfaction for any Materials, Costs, Damages, Spoil, or Injury, of any Nature or Kind soever, done or committed by the said Commissioners, or any Person acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Commissioners to the Party or Parties entitled to receive the same within Five Days after Demand in Writing shall have been made, stating the Order of such Justice or Justices, from the Clerk to the said Commissioners, or their Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Commissioners by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices of the Peace; which Warrant any such Justice or Justices is and are hereby authorized and required to grant, under his Hand and Seal or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Surplus shall be returned, on Demand, to the said Commissioners or their Treasurer for the Time being, as the Case may be.

Treasurer to
be reim-
bursed.

CXIX. Provided always, and be it further enacted, That the said Treasurer shall and may, by and out of any Monies which shall come to his Hands by virtue of this Act, retain to and reimburse himself all such Costs, Charges, and Expences as he may personally be put to by Distress and Sale of the Goods and Chattels of such Treasurer, or otherwise, under any Warrant or Warrants to be issued by any such Justice or Justices as aforesaid.

Damages,
&c. in case
of Dispute,
to be settled
by Justices.

CXX. And be it further enacted, That where by this Act 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, the Amount of such Damages or Charges, in case of Dispute respecting the same, shall be settled, ascertained, 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; which Justice or Justices 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
Application
of Penalties.

CXXI. And be it further enacted, That all Fines, Penalties, and Forfeitures inflicted or imposed by this Act, or by virtue of any Rule

or Order made in pursuance hereof, (the Manner of levying and recovering whereof is not herein-before particularly directed,) may, in case of Nonpayment thereof, be recovered in a summary Way, by the Order and Adjudication of some Justice or Justices of the Peace for the said County of *Sussex*, on Complaint to him or them for that Purpose exhibited, and afterwards 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 respective Offenders, or Person or Persons liable to pay the same, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices, who is and are hereby authorized and required to summon and examine any Witnesses upon Oath or Affirmation of and 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 as herein-after directed; (that is to say,) one Half of such Penalties to the Informer, and the other Half to the said Commissioners or their respective Treasurer or Clerk, to be applied for the Purposes of 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, in which Case the whole shall be paid to the Informer; and it shall be lawful for the said 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 Seven Days from the Time of taking any such Security, and which Security the said Justice and 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; and thereupon 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 in the said County, there to remain without Bail or Mainprize for any Time not exceeding Twelve Calendar Months, or until such Offender or Offenders shall have paid such Penalty or Penalties, and all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such
Justice

Justice or Justices, or shall otherwise be discharged by due Course of Law: Provided always, that in all Cases when the Penalty imposed by this Act shall exceed the Sum of Five Pounds, no Proceeding before Justices shall be had and taken for the Recovery thereof before a less Number than Two Justices.

Commissioners exempt from personal Liability.

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

Forms of Information and Conviction.

CXXIII. And for the more easy Prosecution and Conviction of Offenders against this Act, be it further enacted, That all and every Justices and Justice of the Peace before whom any Person or Persons shall be convicted or prosecuted of or for any Offence against this Act shall and may cause the Information and Conviction respectively to be drawn in the Forms following, or in other Words to the same Effect; (that is to say,)

County of Sussex, } BE it remembered, That on the
 to wit. } Day of A. B. of
 informeth me [or us] of His Majesty's Justices of the
 Peace for the said County of *Sussex*, that
 of in the County of [here describe
 the Offence, with the Time and Place, and follow the Act as near as
 may be], contrary to the Provisions of an Act made in the Eleventh
 Year of the Reign of King *George* the Fourth, intituled [insert the
 Title of this Act], which hath imposed a Forfeiture of
 for the said Offence. Taken the Day of
 before me

County of Sussex, } BE it remembered, That on the
 to wit. } Day of in the Year of
 the Reign of and in the Year of our
 Lord A. B. is convicted before me, One of
 His Majesty's Justices of the Peace for the said County of *Sussex*,
 for [here specify the Offence, and when and where committed], con-
 trary to the Form of the Statute made in the Eleventh Year of the
 Reign of King *George* the Fourth, intituled [here set forth the Title
 of this Act], and I do hereby declare and adjudge that the said
 hath forfeited for the said Offence the
 Sum of [or shall be committed to
 for the Space of as the Case may be.]
 Given under my Hand and Seal, the Day and Year first above
 written.

Justices may proceed by Summons in the Recovery of Penalties.

CXXIV. And be it further enacted, That in all Cases in which by 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

Offence against this Act, to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the 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.

CXXV. And be it further enacted, That in all Cases wherein it may be necessary for any Person or Party to serve any Summons, or any Notice, or any Writ or other Proceeding at Law or in Equity, upon the said Commissioners under this Act, Service thereof respectively upon the Clerk or Treasurer of such Commissioners, or left at the Office of such Clerk or Treasurer, or at his last or usual Place of Abode, or at the Office of such Commissioners, or in case the same respectively shall not be found or known, then Service upon any other Agent of or Officer employed by such Commissioners, or left at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Commissioners under this Act.

Mode of serving Notices.

CXXVI. And be it further enacted, That where any Distress shall be made for any Money to be raised by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in any Proceeding relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall afterwards be done by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity may recover full Satisfaction for the special Damage by an Action on the Case.

Distress not to be unlawful for Want of Form.

CXXVII. And be it further enacted, That all such Commissioners as are or shall be Justices of the Peace may act as Justices in all Matters under the Authority of this Act, notwithstanding their being Commissioners; and in all Cases where any Justice or Justices of the Peace is or are authorized by this Act to examine any Person or Persons on Oath or Affirmation, it shall be lawful for such Justice and Justices, and he and they is and are hereby required, to administer such Oath or take such Affirmation; and in all Cases where any Parties, Witnesses, Officers, or Commissioners, or other Persons, are to be heard or examined by, before, or in the Presence of the said Commissioners, in any Case, Matter, or Thing relating to this Act, it shall be lawful for such Commissioners to administer an Oath, or to take the Affirmation of such Parties, Witnesses, or Persons.

Commissioners being Justices may act.

CXXVIII. And be it further enacted, That no Inhabitant of any Place within the Limits of this Act shall be deemed an incompetent Witness in any Action, Suit, or Information, Complaint, Appeal, Prosecutions or Proceedings, to be had, made, prosecuted, or carried on under the Authority of this Act, by reason of such Person being rated or liable to be rated by virtue of this Act.

Inhabitants may be Witnesses.

[*Local.*]

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CXXIX. Pro-

Appeal to the
Commissioners.

CXXIX. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved or overrated by any Rate or Assessment, or any other Matter or Thing to be made or done under or in pursuance of this Act, he, she, or they may appeal and complain thereof to the said Commissioners at one of their Meetings, provided that such Appeal be made within Four Calendar Months next after such Rate or other Cause of Complaint shall have been made or shall have arisen, who may examine the Appellant or Appellants, or any Witnesses, upon Oath, touching or concerning the Matter of such Appeal, and grant or refuse Relief to the Person or Persons appealing or not, and make such Order therein as to them shall seem meet.

Appeal to the
Quarter Sessions.

CXXX. Provided also, and be it further enacted, That if any Person or Persons shall find himself, herself, or themselves aggrieved by any Order, Direction, or Appointment of the said Commissioners, or by means of any Rate to be made under or in pursuance of this Act, or any Order or Conviction of One or more Justice or Justices of the Peace, or of any Bye Law, Rule, or Order made in pursuance hereof, it shall be lawful for such Person or Persons to appeal to any General or Quarter Sessions of the Peace to be held in and for the said County of *Sussex* within Four Calendar Months next after the Cause of the Complaint shall have arisen, or if such Sessions shall be held before the Expiration of One Calendar Month then next, then such Appeal shall be made to the secondly succeeding Sessions, either of which Courts of Sessions is hereby empowered to hear and finally determine the Matter of the said Appeal, and to make such Order therein as to them shall seem meet, which Order shall be final and conclusive to and upon all Parties; provided that the Person or Persons so appealing shall give or cause to be given at least Fourteen Days Notice in Writing of his, her, or their Intention of appealing as aforesaid, and of the Matter or Cause thereof, to the said Commissioners, or other the Respondent or Respondents, and within Five Days after such Notice shall enter into a Recognizance before some Justice of the Peace for the same County of *Sussex*, with sufficient Securities, conditioned to try such Appeal at the then next General Sessions or Quarter Sessions of the Peace which shall first happen, and to abide the Order of and pay such Costs as shall be awarded by the Justices at such Quarter Sessions or any Adjournment thereof; and such Justices, upon hearing and finally determining the Matter of such Appeal, shall and may, according to their Discretion, award such Costs to the Party appealing or appealed against as they shall think proper, and their Determination in or concerning the Premises shall be conclusive and binding on all Parties, to all Intents and Purposes whatsoever.

Rates may be
amended
without
quashing.

CXXXI. Provided always, and be it further enacted, That on Appeal from the said Rates or Assessments or any of them, for the Purposes of this Act, the Justices at such General or Quarter Sessions shall and may amend the same in such Manner as may be necessary for giving Relief, without quashing or altering such Rates or Assessments with respect to other Persons mentioned in the same; but if upon Appeal from the whole of any Rate, it shall be found necessary

to set aside the same, then and in such Case the said Justices shall and may order a new Rate or Assessment to be made in the Manner herein directed.

CXXXII. Provided always, and be it further enacted, That no Rate nor any Proceeding to be had touching the Conviction of any Offender or Offenders against this Act, or any Order made, or any other Matter or Thing done or transacted in or relative to the Execution of this Act, shall be vacated or quashed for Want of Form, or be removed or removable, by Certiorari or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*.

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

CXXXIII. Provided also, and be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action or Actions for any Irregularity, Trespass, or other Proceeding made or committed in execution of this Act, if Tender of sufficient Amends shall be made, by or on behalf of the Party or Parties who shall have committed any such Irregularity, Trespass, or other wrongful Proceeding, before such Action brought; and in case no Tender shall have been made, it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he or they shall think fit, whereupon such Proceedings, Order, and Adjudication shall be made, had, and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Plaintiff not to recover in any Action after Tender of sufficient Amends.

CXXXIV. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of or under the Authority of or colour of this Act, until Twenty-one Days Notice has been given thereof in Writing to the Clerk to the said Commissioners, nor after sufficient Satisfaction, or Tender thereof, has been made to the Party or Parties aggrieved, nor after Six Calendar Months next after the Fact committed for which such Action or Actions, Suit or Suits, shall be so brought; and every such Action shall be brought, laid, and tried where the Cause of Action shall have arisen, and not in any other County or Place; and the Defendant or Defendants in such Actions or Suits may plead the General Issue, or give this Act and every special Matter in Evidence, at any Trial or Trials which shall be had thereupon; and if the Matter or Thing shall appear to have been done under or by virtue of this Act, or if it shall appear that such Action or Suit was brought before Twenty-one Days Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or if any Action or Suit shall not be commenced within the Time before limited, or shall be laid in any other County or Place than as aforesaid, then the Jury or Juries shall find a Verdict or Verdicts for the Defendant or Defendants therein; and if a Verdict or Verdicts shall be found for such Defendant or Defendants, or if the Plaintiff or Plaintiffs in such Action or Actions, Suit or Suits, shall become Nonsuit, or suffer a Discontinuance of such Action or Actions, or if, upon any Demurrer or Demurrers in such Action or Actions, Judgment shall

Limitation of Actions.

shall be given for the Defendant or Defendants therein, then and in any of the Cases aforesaid such Defendant or Defendants shall have his, her, or their Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants may have for his, her, or their Costs in any other Case by Law.

Proceedings not to be removed by Certiorari.

CXXXV. And be it further enacted, That no Order, Judgment, Record of Conviction, or other Proceeding whatsoever, touching or concerning the Conviction of any Offender or Offenders against this Act, shall be quashed or vacated for any Informality therein, or be removed or removable, by Writ of Certiorari or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*; any Law, Statute, or Usage to the contrary thereof in anywise notwithstanding.

All Provisions heretofore subsisting for paving, &c. the District to cease and determine.

CXXXVI. And be it further enacted, That all Provisions heretofore subsisting for the paving, lighting, draining, watering, cleansing, and watching the said District, or any Part thereof, or for insuring against Loss or Damage by Fire any of the Buildings within the said District, or for regulating the Buildings, or preserving the Uniformity in the Buildings, within the said *Brunswick Terrace*, *Brunswick Square*, and *Brunswick Place*, shall, from and after the passing of this Act, cease and determine, but without Prejudice to the Payment of all Arrears of any Rate or Rates before the passing of this Act authorized to be levied.

Defining Meaning of certain Words.

CXXXVII. And be it further enacted, That the Word "Person" throughout this Act shall be deemed and construed to extend to and to include any One or more Person or Persons, and of either Sex; and that the Word "Officer" shall be deemed and construed to apply to any One or more Person or Persons holding any Office or Appointment, Offices or Appointments, under the said Commissioners, or acting under their Authority by virtue of this Act; and that the Word "Streets" shall be deemed and construed to extend and apply to all and every or any of the present and future Streets, Lanes, and other public Passages and Places within the Limits of this Act.

Saving of Rights.

CXXXVIII. And be it further enacted, That nothing in this Act contained shall affect the Rights and Privileges of the Lords for the Time being of the Hundred and Manor of *Preston*, and of the Manor of *Hova Villa et Hova Ecclesia*.

Public Act.

CXXXIX. 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.