ANNO DECIMO TERTIO

Georgii III. Regis.

CAP. XV.

An Act for paving, cleanſing, and lighting the *High Street*, *Eaſt Street*, and *Weſt Street*, in the Town and Pariſhes of *Graveſend* and *Milton*, in the County of *Kent*; and for lighting the other Streets; and for removing all Incroachments and Annoyances within the ſaid Town and Pariſhes.

WHEREAS the High Street, Eaſt Street, and Weſt Street, within the Town and Pariſhes of Graveſend and Milton, in the County of Kent, are very ill paved, cleanſed, and lighted: And whereas it would be a great Improvement of the ſaid Town and Pariſhes, and be very beneficial to the Inhabitants, and all Perſons reſorting thereto, if the above-mentioned Streets were properly paved and cleanſed, and if ſome Proviſion was made for lighting the ſaid Streets, and alſo the ſeveral other Streets and Places within the ſaid Town and Pariſhes, and removing and preventing all Annoyances, Preamble.

Nuiſances, and Incroachments, within the ſaid Town and Pariſhes: But the ſeveral Works aforeſaid cannot be effectually done without the Aid 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 Seneſcal or High Steward of the Corporation of Graveſend and Milton for the Time being, the Mayor of the ſaid Corporation for the Time being, the Sub-ſeneſcal or Recorder of the ſaid Corporation for the Time being, the Governor for the Time being of His Majeſty's Town and Forts of Graveſend and Tilbury, the Deputy Governor for the Time being of the ſaid Town and Forts, Anthony Arnold, John Allen, David Bolger, John Brettle, George Cooper, William Cruden, Richard Cooſens, Joſeph Clarke, the Reverend John Dolman, John Delap, James Dawſon, William Fry, Captain Francis Gildart, John Goldſmith, James Harriſon, Lawrence Holker, John Hutchinſon, James Leigh Joynes, John Kittermaſter, William Lance, William Marriott, Walter Medhurſt, George Saint Lo Man, John Millen, Walter Nynn, William Outram, the Reverend Joſeph Pote, Henry Thames Rogers, John Radiſh, William Reed, Richard Read, Auguſtine Styles, Hans Sloane, Thomas Troughton, James Terry, George Vaughan, Francis Webb, James Wade, George Wilſon, and their Succeſſors, to be elected in Manner herein-after mentioned, ſhall be, and are hereby appointed Commiſſioners for putting this Act in Execution.

Names of the Commiſſioners.

And be it further enacted, That no Perſon hereby appointed, or who ſhall be elected in Manner herein-aftermentioned, ſhall be qualified or capable of acting as a Commiſſioner in the Execution of this Act, unleſs he ſhall be, in his own Right or in Right of his Wife, in the actual Poſſeſſion and Enjoyment or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments of the clear yearly Value of Ten Pounds, Freehold or Leaſehold, ariſing within the ſaid Town and Pariſhes of Graveſend and Milton; or unleſs he ſhall be a Tenant

Qualification of Commiſſioners.

a Tenant or Occupier of Lands, Tenements, or Hereditaments, within the said Parishes of the clear yearly Rent of Twelve Pounds, and shall also be possessed of a personal Estate to the Amount or Value of Three hundred Pounds; but no Person whatsoever shall be qualified or capable of acting as a Commissioner who shall hold any Place of Profit, or be concerned or interested, directly or indirectly, in any Contract to be made by virtue of this Act: And if any Person (not being qualified or capable of acting as aforesaid) shall nevertheless presume to act as a Commissioner in the Execution of this Act, every such Person shall, for every such Offence, forfeit and pay the Sum of One hundred Pounds to any Person or Persons who will sue for the same; to be recovered in any of his Majesty's Courts of Record by Action of Debt, or on the Case, or by Bill, Suit, or Information, wherein no Essoin, Protection, or Wager of Law, or more than One Imparlance, shall be allowed; and the Person so prosecuted shall prove that he is qualified, and capable of acting as a Commissioner according to the true Intent and Meaning of this Act, or otherwise shall pay the said Penalty, without any other Proof or Evidence on the Part of the Prosecutor than that such Person hath acted as a Commissioner in the Execution of this Act.

No Penalty upon the High Steward, Governor, &c.

Provided always, That nothing herein-before contained shall extend, or be construed to extend, to inflict any Penalty upon the said High Steward, Mayor, Recorder, Governor, or Deputy Governor, for or on account of acting as Commissioners in the Execution of this Act, although they shall not be qualified to act as herein before is mentioned; any Thing herein before contained to the Contrary hereof notwithstanding.

First Meeting of Commissioners.

And be it further enacted, That the said Commissioners shall meet at the Falcon Tavern, in the said Parish of Milton, on the Tuesday Sevennight next after the passing of this Act, between the Hours of Two and Four of the Clock in the Afternoon, and afterwards at such Place and Places, within the said Parishes of Gravesend and Milton, or either of them, as they shall think fit, as often as it shall be necessary for putting this Act in Execution.

For appointing Officers.

And be it further enacted, That the said Commissioners may from Time to Time chuse, elect, and appoint a Clerk, Treasurer, Collector, Surveyor, and Scavenger, and such other Officers as they shall think proper and necessary for carrying this Act into Execution, and shall take such Security for the due Execution of their respective Offices, as the said Commissioners shall think proper; and shall and may, from Time to Time, remove all or any of the said Officers, and appoint others in the Room of such of them as shall be so removed, or as may happen to die, as they shall think fit; and shall and may, out of the Monies arising by virtue of this Act, pay such Salaries, give such Gratuities, and make such Allowances, as they shall judge reasonable, to all such Officers, and also to all such other Persons as have been or shall be employed in the Execution of this Act: And in case any Clerk, Surveyor, Scavenger, or other Officer or Person, who shall be employed by the said Commissioners, shall forbear to do any Thing ordered or directed to be done, either by this Act, or by the said Commissioners relative to the Execution thereof, or shall be any-way concerned in Interest in any Bargain or Contract made, or to be made, by the said Commissioners, by Authority hereof, every Person offending in any of the Cases aforesaid shall forfeit and pay the Sum of Thirty Pounds to any Person or Persons who shall sue for the same; to be recovered in any of his Majesty's Courts of Record, by Action of Debt, Bill, Plaint, or Information, to be commenced within Three Calendar Months after the Offences shall be committed; in which Action or Suit no Protection, Essoin, or Wager of Law, or more than One Imparlance, shall be allowed; and every such Person shall also be for ever after incapable of being employed by the said Commissioners in the Execution of this Act.

Penalty on Officers offending.

Property of Pavements, &c. vested in Commissioners.

And be it further enacted, That, from and after the passing of this Act, the Right and Property of all the present and future Pavements in the said Streets called High Street, East Street, and West Street, as well the Foot-ways as the Carriage-ways, and of all Lamps, Lamp-irons, and Posts, which shall be erected or fixed, as well within the said Streets as within any other Streets

Streets or Places within the said Town and Parishes by virtue of this Act, and of all Materials, Implements, and other Things to be purchased for the Purposes of this Act, shall be, and the same are hereby vested in the said Commissioners; and they are hereby authorised and impowered to bring, or cause to be brought, any Action or Actions in the Name of their Treasurer or Clerk, or to prefer any Bill or Bills of Indictment, (as the Case shall require) against any Person or Persons who shall steal, take, or carry away, break, detain, spoil, injure, or destroy any of the said Pavements, or any Lamps, Lamp-irons, Posts, or any Materials or Things hereinbefore vested in the said Commissioners, or any Part or Parts thereof; and the said Commissioners shall also have full Power and Authority to sell and dispose of all or any Part of the old Materials to any Person or Persons who shall be willing to purchase the same; and the Money arising by such Sale shall be applied for the Purposes of this Act.

Commission to order the Streets, &c. to be paved;

And be it further enacted, That it shall and may be lawful for the said Commissioners, when and as often as they shall think proper, to order and direct all the Pavements of the said High Street, East Street, and West Street, or any Part or Parts thereof, to be taken up, and the said Streets to be paved, repaired, raised, lowered, altered, and kept properly cleansed, and lighted, in such Manner as they shall think fit; and also to cause all Incroachments, Annoyances, Obstructions, and Nuisances in the said Streets to be taken down, removed, and carried away, and also proper Drains, Gutters, and Watercourses to be made under Ground, or otherwise, for conveying Water along, out of, and from the same, when, and as often, and in such a Manner, and at such Places, as the said Commissioners shall think proper and necessary; and to cause to be dug, carted, and carried out of and brought into the same Streets, or any of them, from Time to Time, such Quantities of Gravel, Stones, and other Materials, and to employ such Artificers, Workmen, Labourers, Carters, and others, in the several Works and Matters aforesaid, as they shall think necessary; and the Person and Persons authorised

and to cause all Incroachments to be removed.

thorised, directed, or employed by the said Commissioners to execute, do, and perform the said several Works, Matters, and Things before mentioned shall, and they have hereby full Power and Authority to do, execute, and perform all such Works, Matters, and Things accordingly.

Penalty on altering Pavements, &c. without Consent of the Commissioners.

And be it further enacted, That if any Person shall at any Time or Times make, or cause to be made, any Alteration in the Form of the Pavements within the said High Street, East Street, or West Street, without the Consent of the said Commissioners for that Purpose first had and obtained, the Person making or causing such Alteration to be made, shall, at his, her, or their own Costs and Charges, within Fourteen Days after Notice given for that Purpose by the Surveyor or Clerk to the said Commissioners, cause the said Pavement to be put into the same State, Condition, and Form, as the same was in before such Alteration was made; and in case of his, her, or their Neglect or Refusal so to do within the Time aforesaid, the said Commissioners shall and may cause the said Pavement to be put into the same State, Condition, and Form as such Pavement was in before such Alteration was made; and all Expences attending the same shall be reimbursed the said Commissioners by the Person who caused such Alteration to be made without such Consent as aforesaid; and in case all such Expences shall not be paid to the said Commissioners, or to their Order, within Fourteen Days after such Expences shall be incurred, the same shall be levied and recovered in such and the like Manner as the Rates or Assessments laid and assessed by virtue of this Act can or may be levied and recovered, together with all Charges and Expences attending the Recovery thereof.

Commissioners may contract for paving, &c. and cause a certain Proportion of the old Materials to be used.

And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby authorised and impowered, from Time to Time, to contract and agree with any Person or Persons for the paving, repaving, repairing, raising, lowering, amending, altering, and cleansing the said High Street, East Street, and West Street, and all such Contracts shall specify the

Works to be done, the Prices to be paid for the same, and the Time and Times when such Works shall be performed and completed, and also the Penalties to be suffered in case of Nonperformance thereof; and all such Contracts and Agreements shall be signed by the said Commissioners, or any Seven or more of them, and by the Person or Persons contracting to perform such Works, and the said Commissioners are hereby authorised to pay such Sum or Sums of Money for such Works, out of the Money to be raised for the Purposes of this Act; and all the Foot-ways within the said High Street, East Street, and West Street, where the same can be done, shall be paved with Stones, called Maidstone Flats, or some other smooth Stones with a Kirb Stone; and the Horse and Carriage-ways within the said Streets shall be paved with the Materials, and in the Proportions herein-after mentioned; that is to say, Two-third Parts at the least of the Carriage-way within the said High Street shall be repaved with the old Materials of the said Street, (if such old Materials shall be found sufficient and fit for that Purpose), and One-half Part at the least of the Carriage-ways, within the said East Street and West Street shall be repaved with the old Materials of those Streets, (if such Materials shall be found sufficient and fit for that Purpose), and the remaining Parts of the Carriage-ways within the said High Street, East Street, and West Street, shall be paved with good Kentish Blue Stones or Sized Pebbles, or with such other hard Stones or Materials, as the said Commissioners shall think most proper.

Commissioners, &c. to take necessary Materials for paving, according to Law.

And be it further enacted, That the said Commissioners, or any Surveyor or other Person to be employed by them, or any Person or Persons to be appointed or employed by such Surveyor or other Person, shall and may, and they are hereby authorised and impowered to dig for, take, and carry away any Gravel and other Materials fit and proper for the paving and covering the Pavement of the said High Street, East Street, and West Street, or which they shall adjudge necessary or fitting to be used in and about the same, or for any of the Purposes of this Act, in such Place and Places, and in such Man-

ner, as any Surveyor of the Highways of and for the Parishes of Gravesend and Milton is by Law impowered to do for repairing Highways within the same.

Commissioners may cause Pavements to be repaired upon Complaint of any Two Housekeepers.

And be it further enacted, That if any Two Housekeepers within the said High Street, East Street, or West Street, shall make Complaint in Writing under their Hands to the said Commissioners, of any Defect or Want of Repair in any of the Pavements thereof, after the same shall have been new paved, repaved, or repaired, by virtue of this Act; then, and in every such Case, the said Commissioners, upon any such Complaint, shall forthwith cause the Pavement so complained of to be inspected; and if the same shall be found defective, and so reported to be to the said Commissioners, they the said Commissioners shall forthwith cause the same to be repaved or repaired by their Contractor or Paviour: And if the Contractor or Paviour to the said Commissioners to whom such Order shall be given, shall not, within Eight Days next after the Receipt thereof, repair the said defective Payments; then, and in every such Case, the said Contractor or Paviour shall forfeit and pay the Sum of Five Shillings for every Day such defective Pavement shall remain unrepaired, after the Expiration of the said Eight Days.

The Limits of the *High Street*, *East Street*, and *West Street*, ascertained.

And, in order to prevent Disputes touching the Limits of the said High Street, East Street, and West Street, to be paved and cleansed as aforesaid; be it further enacted and declared, by the Authority aforesaid, That the Limits of the said Streets shall, for the several Purposes of this Act, be deemed and taken to extend and be as follows; (that is to say), The Limits of the said High Street shall be deemed and taken to be from the South End of a Messuage or Tenement in the said High Street, now in the Occupation of Vincent Arnold, on both Sides the Way, unto the North End of a certain Key or Wharf called The Town Key; the Limits of the said East Street shall be deemed and taken to be from the West End of a Messuage or Tenement, now in the Occupation of John Francis, known by the Sign of The Queen's Head, situate at the Corner of the said East Street, on both Sides the Way, unto

unto the East End of a Messuage or Tenement in the same Street, now in the Occupation of Ellen Joynes, Widow; (exclusive of such Part of the same Messuage or Tenement as was formerly called or known by the Name of The Brigantine); and the Limits of the said West Street shall be deemed and taken to be from the East End of a Messuage or Tenement, now in the Occupation of Captain William Outram, at the Corner of the said West Street, on both Sides the Way, unto a Place called The Gully Hole in the same Street; any Usage or Custom to the Contrary hereof notwithstanding.

And, for defraying the Charges and Expences of paving, repaving, repairing, and cleansing the said High Street, East Street, and West Street, and other the Purposes of this Act; be it further enacted, That, from and after the passing of this Act, a Rate or Assessment shall Once in every Year be made and assessed by the said Commissioners, or any Seven or more of them, upon the Owner or Proprietor of every House, Shop, Yard, Warehouse, Storehouse, Stable, Cellar, Vault, Building, Piece of Land or Ground, Wharf, Key, or other Tenement or Hereditament, within the said High Street, East Street, and West Street, or any Shop, Warehouse, Storehouse, Stable, Cellar, Vault, Building, Yard, Piece of Land or Ground, or any other Tenement or Hereditament, which shall belong to and be used and occupied by any Person or Persons inhabiting any House or other Building, situate in any of the said Streets, and also upon the Owner or Proprietor of every House, Shop, Yard, Warehouse, Storehouse, Stable, Cellar, Vault, Building, Piece of Land or Ground, Wharf, Key, or other Tenement or Hereditament, situate on the North Side of the said West Street, towards the River Thames, so as the said Rate or Assessment, to be made as aforesaid, shall not in any One Year exceed in the Whole the Sum of Eight-pence in the Pound, of the yearly Rent or Value of all such Houses, Shops, Yards, Warehouses, Storehouses, Stables, Cellars, Vaults, Buildings, Pieces of Land or Ground, Wharfs, Keys, or other Tenements or Hereditaments, according to the Rack-rent or full yearly Value thereof; which said Rate or Assessment shall,

Rates to be paid by Occupiers, &c.;

shall, from Time to Time, be paid to the Collector or Clerk for the Time being, appointed by the said Commissioners, by the Tenant or Occupier, Tenants or Occupiers, of any such Houses, Shops, Yards, Warehouses, Storehouses, Stables, Cellars, Vaults, Buildings, Pieces of Land or Ground, Wharfs, Keys, or other Tenements or Hereditaments; and every such Tenant or Occupier, having paid such Rate or Assessment, is hereby impowered to deduct and retain, out of his or her Rent, such Sum or Sums of Money as he or she shall respectively pay on account thereof, for the respective Owners or Proprietors of all such Houses, Shops, Yards, Warehouses, Storehouses, Stables, Cellars, Vaults, Buildings, Pieces of Land or Ground, Wharfs, Keys, or other Tenements or Hereditaments, as aforesaid, and all such Owners and Proprietors are hereby required to allow such Deductions and Payments upon the Receipt of the Residue of their Rents; and if any such Tenant or Occupier shall refuse or neglect to pay such Rate or Assessment within Ten Days after Demand thereof, by Notice in Writing under the Hand of the said Collector or Clerk, to be delivered to or left at the Dwelling-house of such Tenant or Occupier, the same shall and may be levied on every such Tenant or Occupier by Distress and Sale of his or her Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of any One or more Justice or Justices of the Peace of or for the Corporation of Gravesend and Milton, (which Warrant or Warrants the said Justice or Justices is and are hereby authorised and required to grant, upon Information on Oath of such Neglect or Refusal, which Oath such Justice or Justices is and are hereby impowered and required to administer without Fee or Reward), returning the Overplus (if any be) of the Money to be raised by such Distress and Sale, after deducting all Costs and Charges attending the same to the Owner or Owners of such Goods and Chattels so distrained, on Demand; and where any such House, Shop, Yard, Warehouse, Storehouse, Stable, Cellar, Vault, Building, Piece of Land or Ground, Wharf, Key, or other Tenement or Hereditament, shall be let or demised to more than One Tenant or Occupier, any One of such Tenants or Occupiers

who may deduct the same out of their Rents.

cupiers shall be deemed the Tenant or Occupier thereof respectively, for the Purposes of this Act; and the said Rate or Assessment, and all or any Arrears thereof, shall be levied by Distress and Sale of all or any of the Goods or Chattels, in or upon any such House, Shop, Yard, Warehouse, Storehouse, Stable, Cellar, Vault, Building, Piece of Land or Ground, Wharf, Key, or other Tenement or Hereditament; and in case any such Tenant or Tenants, Occupier or Occupiers shall remove out of, or quit the Possession of any House, Shop, Yard, Warehouse, Storehouse, Stable, Cellar, Vault, Building, Piece of Land or Ground, Wharf, Key, or other Tenement or Hereditament, before such Rate or Assessment shall be paid by him, her, or them; or if the Goods and Chattels of such Tenant or Tenants, Occupier or Occupiers, shall not be sufficient to defray such Rate or Assessment, and all or any Arrears thereof; or if it happen that any such House, Shop, Yard, Warehouse, Storehouse, Stable, Cellar, Vault, Building, Piece of Land or Ground, Wharf, Key, or other Tenement or Hereditament, shall be untenanted or unoccupied at the Time the said Rate or Assessment shall be due or payable; then, and in every such Case, such House, Shop, Yard, Warehouse, Storehouse, Stable, Cellar, Vault, Building, Piece of Land or Ground, Wharf, Key, or other Tenement or Hereditament, shall be, and the same is and are hereby made a Security for and chargeable with every or any such Rate or Assessment, and the same shall and may be levied, as aforesaid, by Distress and Sale of the Goods and Chattels which shall be afterwards found upon the same Premises, or by Distress and Sale of the Goods and Chattels of the Owners or Proprietors thereof respectively: And in case such Owners or Proprietors shall neglect or refuse to pay the same for the Space of Twenty-one Days next after the same shall be demanded of him, her, or them, by Notice in Writing under the Hand of the said Collector or Clerk, to be delivered to or left at the Dwelling-house or usual Place of Abode of such Owner or Owners, Proprietor or Proprietors, in case such Owner or Proprietor shall reside within the said Town or Parishes of Gravesend and Milton; and in case such Owner or Proprietor shall not re-

How Rates are to be recovered from Persons quitting Possession.

ſide within the ſaid Town and Pariſhes then, under the Hand and Seal or Hands and Seals of any One or more Juſtice or Juſtices of the Peace for the County, City, Borough, Town, or Place, where ſuch Owner or Proprietor ſhall live or reſide; and the Money ariſing by ſuch Rate or Aſſeſſment ſhall be, and the ſame is hereby veſted in the ſaid Commiſſioners, and ſhall be by them applied for the ſeveral Purpoſes of this Act.

Leſſees deemed Owners.

And be it further enacted, That no Perſon or Perſons whomſoever ſhall, on account of any Ground-rent iſſuing out of or payable for any Houſe, Shop, Yard, Warehouſe, Storehouſe, Stable, Cellar, Vault, Building, Piece of Land or Ground, Wharf, Key, or other Tenement or Hereditament, or on account of his or their Reverſion or Intereſt therein, be conſidered, deemed, taken, or adjudged to be the Owner or Owners, Proprietor or Proprietors thereof; but the Leſſee or Leſſees of ſuch Perſon or Perſons, or their Aſſigns, ſhall, during the Term for which ſuch Houſe, Shop, Yard, Warehouſe, Storehouſe, Stable, Cellar, Vault, Building, Piece of Land or Ground, Wharf, Key, or other Tenement or Hereditament ſhall be demiſed, ſhall be conſidered, deemed, taken, and adjudged, for all and every the Purpoſes of this Act, to be the Owner or Proprietor thereof, and ſhall, during ſuch Term, bear and pay all Rates or Aſſeſſments whatſoever by virtue hereof, to be borne or defrayed by the Owner or Proprietor of ſuch Houſes, Shops, Yards, Warehouſes, Storehouſes, Stables, Cellars, Vaults, Buildings, Pieces of Land or Ground, Wharfs, Keys, or other Tenements or Hereditaments; any Thing herein contained to the Contrary notwithſtanding.

Not to make void any Contract between Landlord and Tenant.

Provided always, That nothing herein contained ſhall be deemed or taken to make void any Contract, Covenant, or Agreement, between any Landlord and Tenant, touching or concerning the paving the ſaid High Street, Eaſt Street, and Weſt Street, or any of them, or the keeping in Repair the Pavements thereof.

Additional Rates.

And, as a further Proviſion for defraying the Charges and Expences of carrying this Act into Execution, be it further enacted, That One Rate or Aſſeſſment ſhall alſo, Once in every Year, be made, laid, and aſſeſſed, by the ſaid Commiſſioners, or any Seven or more of them, upon

upon all and every Person and Persons who do or shall inhabit, hold, use, occupy, or enjoy, any House, Shop, Yard, Warehouse, Storehouse, Stable, Cellar, Vault, Building, Piece of Land or Ground, Wharf, Key, or other Tenement or Hereditament, situate in the said High Street, East Street, and West Street, or any of them, or situate on the North Side of the said Street called The West Street, towards the River Thames, in such Sum and Sums of Money as the said Commissioners shall judge necessary; so as such last-mentioned Rate or Assessment shall not exceed in the Whole the Sum of Sixpence in the Pound in any One Year of the yearly Rent or Value of such House, Shop, Yard, Warehouse, Storehouse, Stable, Cellar, Vault, Building, Piece of Land or Ground, Wharf, Key, or other Tenement or Hereditament, with the Appurtenances thereunto respectively belonging, or therewith used or enjoyed, according to the Rack-rent or full yearly Value thereof respectively; and the same shall be raised, collected, and recovered, by such Ways and Means, and in such Manner, as the Rates or Assessments on Tenants or Occupiers are herein-after directed to be recovered; and the Money arising by the said last-mentioned Rate or Assessment shall be, and the same is hereby vested in the said Commissioners, and shall be by them applied for the several Purposes of this Act.

Poor's Rates may be inspected.

And be it further enacted, That it shall and may be lawful for the said Commissioners, or any Person or Persons by them authorised under their Hands for that Purpose, from Time to Time to inspect the Poor's-rates and Land-tax Assessments of and for the said Town and Parishes, and to take Copies or Extracts therefrom, which the Overseers of the Poor, or Collectors of the Land-tax, or other Person or Persons having the Custody thereof respectively, is and are hereby required to permit and suffer to be made and taken, on producing such Order, without Fee or Reward; and on Refusal so to do, every such Overseer of the Poor, or Collector of the Land-tax, shall forfeit and pay the Sum of Five Pounds for each such Offence, to be levied and recovered in Manner herein-after mentioned.

And, for the Relief of all such Persons as shall pay the said last-mentioned Rate or Assessment, be it further enacted

Persons paying the last-mentioned Rate to be excused doing Statute-duty.

acted, That all and every Person and Persons (except as hereafter excepted) who shall be assessed, and shall pay the said last-mentioned Rate or Assessment for the Purposes of this Act, shall, during all such Time as they shall actually continue to pay the same, be excused and discharged from doing more than One Moiety of any Statute Duty or Labour towards the Repair of the Highways within the said Town and Parishes, and from all Composition-money in lieu thereof, for or in respect of any House, Building, or other Tenement or Hereditament, in respect whereof he, she, or they, shall pay such Rate or Assessment as aforesaid; any Law, Usage, or Custom to the Contrary hereof notwithstanding.

No Persons to to be excused who keep Teams.

Provided always, That nothing herein contained shall extend, or be construed to extend, to excuse any Person or Persons keeping any Team, Draught, or Plough, from any Statute or Highway Duty or Labour, which they ought to do and perform, or from the Payment of any Composition-money in lieu thereof.

All Persons liable to pay additional Rates, &c.

And be it further enacted, That if any additional Rate or Assessment shall at any Time or Times hereafter be laid upon the Inhabitants of the said Town and Parishes by the Justices of the Peace of the Corporation of Gravesend and Milton, at their General or Quarter Sessions, for and towards repairing any of the Streets or Highways within the said Town and Parishes, all and every Person and Persons whatsoever within the said Town and Parishes shall be liable to pay their Proportion of such additional Rate or Assessment, in the same Manner as they would have been if this Act had not been made; any Thing in this Act contained to the Contrary hereof in any-wise notwithstanding.

Money to be raised by Annuities.

And, in order forthwith to raise a Sum of Money sufficient to carry the Purposes of this Act into Execution, be it further enacted, That it shall and may be lawful to and for any Person or Persons to contribute, advance, and pay into the Hands of the said Commissioners, for the Purposes aforesaid, any Sum or Sums of Money, not exceeding in the Whole the Sum of Eight hundred Pounds, for the absolute Purchase of One or more Annuity or Annuities, to be paid and payable

able during the full Term of the natural Life of such Contributor or Contributors respectively, being of the Age of Forty Years or upwards, or the natural Life of such other Person or Persons, being of the same Age of Forty Years or upwards, as shall be nominated by or on the Behalf of such Contributor or Contributors respectively, at the Time of Payment of his, her, or their Contribution-money, so as the said Annuity or Annuities do not exceed the Rate of Ten Pounds for every One hundred Pounds; and so in proportion for any greater or less Sum of Money than One hundred Pounds, to be contributed, advanced, and paid, as aforesaid: And all Annuities, to be purchased as aforesaid, shall be and are hereby charged upon, and shall be paid and payable by, the said Commissioners, out of the Monies to arise by or from the Rates or Assessments directed to be raised and assessed as aforesaid, by Four equal Quarterly Payments; the First Payment to be made to the respective Purchasers thereof, or their Assigns, at the Expiration of the first Quarter after Payment of their respective Purchase-monies, the Rate whereof shall be settled and adjusted at a publick Sale of the said Annuities, by the said Commissioners, to the best Bidder for the same; and all and every the Contributor or Contributors, upon the Credit of this Act, duly paying the Contribution or Purchase-money for any such Annuity or Annuities, and his, her, and their respective Executors, Administrators, and Assigns, shall have, receive, and enjoy, and be intitled, by virtue of this Act, to have, receive, and enjoy, the respective Annuity or Annuities so to be purchased out of the several Rates or Assessments by this Act appointed for the Payment thereof as aforesaid, during the Term of the natural Life of the Person to be nominated by each such Contributor or Purchaser, as aforesaid; and that all and every such Purchaser and Purchasers, and their Executors, Administrators, and Assigns, shall have good, sure, absolute, and indefeasible Estates and Interests in the Annuity or Annuities so by him or them respectively to be purchased, according to the Tenor and true Meaning of this Act;

Annuities not to be subject to Land-tax.

and that none of the said Annuities shall be subject or liable to any Tax or Assessment, charged or to be charged, on Land, by Authority of Parliament; and that every such Purchaser or Contributor shall, upon Payment of his, her, or their Purchase-money, as aforesaid, have a Receipt or Receipts for the same; and also an Order on Parchment (which may be made without any Stamps) for the Payment of the said Annuity or Annuities, for and during the natural Life or Lives of the Person or Persons respectively who shall be so nominated as aforesaid; which Order shall be signed by the said Commissioners, and after signing thereof, shall be firm, valid, and of good Effect in the Law, according to the true Purport and Meaning thereof, and of this Act.

Rates to be lowered in proportion as Annuitants drop.

Provided always, and be it further enacted, That when One full Fourth Part in the Whole of the Annuities which shall be purchased by and with the said Sum of Eight hundred Pounds, to be contributed for that Purpose as aforesaid, shall cease or determine by the Death of any Person or Persons on whose Life or Lives the same shall be so purchased as aforesaid; that then, and from thenceforth, every succeeding Rate or Assessment which shall be made, laid, or assessed, by the said Commissioners, on the said Owner or Owners, Proprietor or Proprietors, as aforesaid, shall be lowered or reduced from the aforesaid Rate of Eight-pence in the Pound, and shall be from Time to Time made, laid, and assessed, at and after the Rate of Sixpence in the Pound only, until One-half Part in the Whole of the same Annuity or Annuities shall cease and determine; and that from and after the said One-half Part in the Whole of the said Annuities shall have so ceased and determined, every succeeding Rate or Assessment shall, in like Manner, be lowered or reduced from the said Rate of Sixpence in the Pound, and be, from Time to Time, made, laid, and assessed as aforesaid, at and after the Rate of Four-pence in the Pound only, until Three-fourth Parts in the Whole of the Annuity or Annuities shall cease and determine as aforesaid; and that from and after Three-fourth Parts in the Whole of the said Annuities shall have so ceased and determined

as aforesaid, every succeeding Rate or Assessment shall, in like Manner, be lowered or reduced from the said Rate of Four-pence in the Pound, and shall, from Time to Time, be made, laid, and assessed as aforesaid, at and after the Rate of Two-pence in the Pound only, until the Whole of the same Annuity or Annuities shall cease and determine as aforesaid; and that then, and as soon as the Whole of the said Annuities shall cease and determine, the Power and Authority by this Act granted for making any Rate or Assessment on the Owner or Owners, Proprietor or Proprietors, of Houses, Buildings, or other Tenements or Hereditaments whatsoever, as aforesaid, shall entirely cease, determine, and be absolutely null and void; any Thing in this Act to the Contrary hereof notwithstanding.

Annuitants dying, others may purchase, but not to be above the Value of 200*l.*

Provided always, and be it further enacted, That when and as often as any Person or Persons, on whose Live or Lives any Annuity or Annuities shall be purchased as aforesaid, shall die, it shall and may be lawful for any other Person or Persons to purchase of the said Commissioners One or more Annuity or Annuities, upon the Life or Lives of such Person or Persons, and upon such Terms and Conditions, and payable in such Manner, as before mentioned, so that the Sum or Sums of Money to be paid for the Purchase of the said last-mentioned Annuities shall, during the Existence of the same Annuities, at no Time exceed in the Whole the Sum of Two hundred Pounds.

Commissioners may borrow an additional Sum of 700*l.* at common Interest.

And, for the better and more speedy carrying the Purposes of this Act into Execution, be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby impowered, from Time to Time, as often as they shall judge it necessary for the Purposes aforesaid, to borrow and take up at Interest any further Sum or Sums of Money, not exceeding in the Whole the Sum of Seven hundred Pounds, (over and above the said Sum of Eight hundred Pounds herein-before authorised to be borrowed and taken up for Annuities on Lives as aforesaid), upon the Credit of any of the said Rates or Assessments authorised to be made by virtue of this Act; and by any Writing or

Writings,

Writings, on Parchment, to be signed by the said Commissioners, (without any Stamp thereupon), to assign all or any of the said several Rates or Assessments, or any Part or Parts thereof, to any Person or Persons who shall advance and lend such Money thereon, as a Security or Securities for such Sum or Sums of Money so to be advanced and lent, with such Interest for the same, as shall be agreed upon, (not exceeding the Rate of Four Pounds Ten Shillings per Centum, per Annum); which Interest shall be payable and paid half-yearly by the said Commissioners, out of the Money from Time to Time to arise by or from the said Rate or Rates, Assessment or Assessments, as aforesaid.

When the Surplus-money in the Hands of the Commissioners amounts to a certain Sum, it is to be applied in paying off Debts.

And, in order that the Principal Money to be borrowed and taken up at Interest, as aforesaid, may be discharged and paid off as soon as can be done, be it further enacted, That when and as often as there shall be in the Hands of the said Commissioners any Sum or Sums of Money, arising by the Sale of such last-mentioned Annuities, and such Surplus Monies as shall at any Time or Times be in the Hands of the said Commissioners, which, together or alone, shall amount to the Sum of Fifty Pounds, the said Commissioners shall and are hereby required to pay and apply all such Monies in the discharging and paying off all such Principal Sums as shall be then due in the Whole, or in Part; and, for that Purpose, to cause Notice, in Writing, to be given to, or left for, each of the Creditors or Lenders of all the Principal Sums, or their personal Representatives or Assigns, at his, her, or their last or usual Place of Abode, of the Commissioners Intention to discharge and pay off in the Whole, or in Part, such Principal Sums, at the Expiration of Three Months next after the Date of such Notice; and every such Creditor or Lender, his, her, or their Representatives or Assigns, having had such Notice given to, or left for him, her, or them, shall, and is and are hereby required to accept his, her, or their Share or Proportion thereof, at the Expiration of the Time to be expressed in such Notice; and in Failure of Acceptance thereof at the Time and Place appointed by such Notice, all Interest of such Share shall from thenceforth

forth cease, and be no longer payable; any Thing in this Act to the Contrary notwithstanding.

Annuities and Money borrowed to be entered in Books.

And be it further enacted, That the Clerk to the said Commissioners shall enter in a Book or Books, to be provided for that Purpose, all Securities for Money borrowed or Annuities granted by virtue of this Act, and all Assignments or Transfers thereof, expressing in Words at length the Names, Surnames, Additions, Places of Abode, and other Descriptions of the Persons for whose Lives the said Annuities shall be respectively granted, and the Days whereon the said Annuities shall respectively be payable, and also the Names, Surnames, Additions, Places of Abode, and other Descriptions, of all other Persons who shall have advanced or lent any Money on the Credit of this Act; to which Book and Books the Person or Persons intitled to or possessed of such Annuities, and all other Creditors under this Act, and also all and every Person and Persons liable to the Payment of any of the said Rates or Assessments, shall at all seasonable Times have Access, with free Liberty to inspect the same without Fee or Reward.

Securities may be transferred.

And be it further enacted, That it shall and may be lawful to and for any Person or Persons intitled to any of the Securities aforesaid, and his, her, or their Executors, Administrators, and Assigns, at any Time or Times, by Writing under his, her, or their Hand and Seal, or Hands and Seals, to assign or transfer such Securities, or his, her, or their Interest therein, by Indorsement on the Back thereof or otherwise, to any Person or Persons whomsoever, and so toties quoties; and such Assignments or Transfers, after they shall be entered by the Clerk to the said Commissioners, in Manner aforesaid (which he is hereby required to do without Fee or Reward) shall intitle the Person or Persons to whom they shall respectively be made, and his, her, or their Executors, Administrators, and Assigns, to the Benefit of the Security or Securities so assigned or transferred.

No Preference to be given in respect of the Priority of advancing Money.

And be it further enacted, That all and every the Annuity or Annuities so to be purchased, and all and every the Sum and Sums of Money so to be advanced and

lent as aforesaid, shall be, and they are hereby charged upon, and shall be paid and payable, from Time to Time, out of the Monies arising from the Rates and Assessments to be rated and assessed by virtue of this Act; and all Persons who shall be possessed of such Securities shall be Creditors in equal Degree, without Preferncee, in respect of the Priority of his, her, or their advancing the Money thereon.

Commissioners impowered to erect Lamps, &c.

And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby impowered and authorised to apply any Part of the Monies arising by this Act in the purchasing, providing, firing, and renewing such Number of Lamps, of such Sizes and Sorts, and such Number of Posts, Irons, and other Materials for firing up such Lamps, as they shall think requisite and necessary for the lighting the said High Street, East Street, and West Street, and also all or any of the other Streets or Places within the said Town and Parishes; and may at any Meeting order, direct, and cause such Lamps to be set up in such Manner, and in such Places, and at such Distances one from the other, as they shall, from Time to Time, think proper; and may also contract with any Person or Persons for lighting all such Lamps at such Seasons of the Year, and at such Hours of the Evening, as they shall think necessary.

Persons breaking Lamps, &c. how to be punished.

And be it further enacted, That if any Person or Persons shall wilfully break, throw down, or otherwise damage any of the Lamps, which shall be erected by the said Commissioners, or any of the Posts, Irons, or other Fixture or Furniture thereof, or belonging thereto, or extinguish any of the said Lamps, it shall and may be lawful for any Justice or Justices of the Peace of the Corporation of Gravesend and Milton, and he and they is and are hereby impowered and required upon Oath made of any such Offence, to issue a Warrant for apprehending the Party accused; or it shall and may be lawful for any Person or Persons, who shall see such Offence committed, to apprehend, and also for any other Person or Persons to assist in apprehending, the Offender or Offenders, and by Authority of this Act, and without any other Warrant,

Warrant, to deliver him, her, or them, into the Custody of a Constable or Borsholder, in order to be secured and conveyed before some Justice of the Peace for the said Corporation, and such Justice shall and may proceed to examine upon Oath any Witness or Witnesses who shall appear or be produced to give Information touching such Offence; and if the Party accused shall be convicted of such Offence, either by his, her, or their own Confession, or upon such Information as aforesaid, he, she, or they shall forfeit and pay any Sum not exceeding Twenty Shillings, nor less than Ten Shillings, for each Lamp so broken, thrown down, damaged, or extinguished as aforesaid, and shall also make full Satisfaction to the said Commissioners, or to their Clerk, for the Damage so done by him, her, or them: And in case such Offender or Offenders shall not, upon Conviction, pay the Forfeiture by him, her, or them incurred, and make Satisfaction as aforesaid, the Justice before whom such Offender or Offenders shall be convicted, is hereby required to commit him, her, or them, to the House of Correction, for the said County of Kent, there to be kept to hard Labour for any Space of Time not exceeding One Calendar Month; and such Offender or Offenders shall not be discharged before the Expiration of the Time for which he, she, or they shall be committed, unless such Forfeiture and Satisfaction shall be sooner paid and given, One Moiety of all which Forfeitures, when recovered, shall be paid to the Informer or Informers, and the other Moiety shall be applied as the Rates and Assessments to be made by virtue of this Act are directed to be applied: And if any Person or Persons shall negligently or accidently break, throw down, or otherwise damage any of the said Lamps, or any of the Irons, Posts, or other Fixtures or Furniture belonging thereto, and shall not, upon Demand, pay to the said Commissioners, or to their Clerk, the Damage done by such Person as aforesaid, it shall and may be lawful for any Justice of the Peace of the said Corporation, and he is hereby impowered and required, upon Complaint thereof made by the said Commissioners, or their Clerk, to summon the

Party

Party complained of, and upon his, her, or their appearing or making Default to appear (Oath being made that the Party complained of was served with such Summons, if known, or that he or she could not be found) such Justice shall proceed to examine the Matter of the said Complaint, and upon Proof thereof either by the Confession of the Party complained of, or by the Oath of One or more credible Witness or Witnesses, shall award and order such Satisfaction to be made by the Party complained of, for the Damage so by him or her done, as to such Justice shall appear just and reasonable, and shall cause the Sum so awarded, in case the same shall not be paid forthwith upon the making such Award or Order, to be levied by Distress and Sale of the Goods and Chattels of the Person complained of, rendering to him or her upon Demand the Overplus (if any be) after the Charges of prosecuting such Complaint, and of such Distress and Sale, shall be deducted.

The Expence of lighting the Lamps how to be defrayed

And for defraying the Charges and Expences attending the lighting and supporting the said Lamps within the said Town and Parishes, be it further enacted, That One Rate or Assessment shall, once in every Year, be made and assessed by the said Commissioners, or any Seven or more of them, upon all and every Person and Persons who do or shall inhabit, hold, use, occupy, or enjoy any House, Shop, Yard, Warehouse, Storehouse, Stable, Cellar, Vault, Building, Piece of Land or Ground, Wharf, Key, or other Tenement or Hereditament within the said Town and Parishes respectively, as well within the said High Street, East Street, and West Street, as within any other of the Streets or Places in the said Town and Parishes (except all Hop Ground, Arable, Meadow, and Pasture Lands whatsoever, and all Spaces of unoccupied Land, and all Grounds used and occupied by Gardeners, as Garden Grounds, and also all such Buildings standing and being thereon respectively at the Time of passing this Act, as are situate, lying, and being at a greater Distance than Forty Yards from any Street or Place which shall be lighted by virtue of this Act) in such Sum and Sums of Money as the said Commissioners shall judge

judge necessary, so as such last-mentioned Rate or Assessment shall not exceed in the Whole the Sum of Fourpence in the Pound in any One Year of the yearly Value of any such House, Shop, Yard, Warehouse, Storehouse, Stable, Cellar, Vault, Building, Piece of Land or Ground, Wharf, Key, or other Tenement or Hereditament, according to the Rack-rent or full yearly Value thereof; and all Monies arising by such Rate or Assessment shall be, and the same are hereby vested in the said Commissioners, and shall be by them applied only for the Purposes of lighting the Streets within the said Town and Parishes.

Rates to commence from *March* 25, 1773.

And be it further enacted by the Authority aforesaid, That each and every of the Rates or Assessments hereinbefore directed to be made, shall commence from the Twenty-fifth Day of March, One thousand seven hundred and seventy-three; and each and every future Rate or Assessment shall commence from the Time that the last preceding Rate or Rates, Assessment or Assessments, respectively ended, and not otherwise; and the Monies therein and thereby respectively charged and assessed, shall be payable and recoverable half-yearly, in Manner herein-after directed for the Recovery of Rates on Tenants and Occupiers.

Commissioners to appoint Collectors.

And be it further enacted, That the said Commissioners, or any Seven or more of them, shall and may, yearly and every Year, and also as often as there shall be Occasion, under their Hands, nominate and appoint One or more Inhabitant or Inhabitants within the said Parishes of Gravesend and Milton, or either of them, to be Collector or Collectors of all and every or any of the Rates or Assessments aforesaid; and shall and may, from Time to Time, as soon as may be after such several and respective Rates or Assessments shall be made as aforesaid, issue their Order under their Hands to the said Collector or Collectors for the Time being, requiring them, jointly or severally, to collect and receive the respective Sums of Money rated and assessed in such respective Rates of Assessments, as soon as may be after the same respectively shall become due, Duplicates of which respective Rates or Assessments, under the Hands of the said Commissioners, shall be delivered to such Collector

or Collectors, together with the said Order; and such Collector or Collectors, to whom any such Orders shall be so directed, shall obey and duly execute the same in all Respects whatsoever; and the said Commissioners shall and may, from Time to Time, as they shall see Occasion, remove any such Collector or Collectors, and appoint others, being such Inhabitants as aforesaid, in their Stead; and all such Collectors shall and are hereby required to pay the Money by them collected and raised by virtue of this Act, when and as often as they shall have collected the Sum of Twenty Pounds, to the Clerk acting under the said Commissioners, or to such Person or Persons as the said Commissioners shall appoint to receive the same; which Money, so received by such Clerk or other Person, shall be applied for the Uses and Purposes of this Act; and all such Collectors are hereby required, at the Time of making every such Payment, to deliver to the Person or Persons impowered to receive the same, a true and exact Copy or Duplicate of all and every or any the Rates or Assessments aforesaid, whereby the same was collected, together with an Account thereof, and also of all and every Sum and Sums of Money rated and assessed in such several and respective Rates or Assessments remaining uncollected (if any be) together with the Reasons why the same were not collected, to the End that it may appear whether the Nonpayment happened through the Insolvency of the Party rated, or through the Default of the Collector or Collectors: And in case any Person nominated and appointed to be a Collector as aforesaid, shall refuse or neglect to take upon him the said Office, or duly to execute the same, according to the true Intent and Meaning of this Act, all and every such Collector and Collectors shall forfeit and pay the Sum of Five Pounds, and shall continue liable to be again appointed to the said Office the Year following, or sooner, if the said Commissioners shall think fit; and in case of his Refusal or Neglect afterwards to take upon him the said Office, or having taken upon him the said Office, shall refuse or neglect to execute the same; every such Person shall be again liable to the like Penalty, and in like Manner as often as he shall

The Penalty on refusing to execute the Office of Collector, is 5 *l.* and he is liable to be again elected.

shall refuse or neglect to take upon him the said Office, or to duly execute the same as aforesaid.

How the Rates shall be collected, when Houses are let to different Tenants.

And whereas several Houses charged with the Rates or Assessments aforesaid, or either of them, may be let to different Tenants, and it may be difficult to rate or assess such Houses, and to recover such Rate or Rates, Assessment or Assessments, when made; be it therefore enacted, That the said Commissioners shall and may rate or assess the Landlord or Owner of any House which shall be let to, or occupied by, Two or more Tenants; and all such Rates or Assessments shall be paid by any One or more of the Occupiers of any Part or Parts of such House, who is and are hereby required to pay such Sum or Sums of Money, as shall be so rated or assessed upon the Landlord or Owner of any such House, by virtue of this Act, and to deduct the same out of his, her, or their Rent; and the Occupier or Occupiers paying such Rates or Assessments, or any Part thereof, shall be acquitted and discharged of and for so much Money as he, she, or they, shall have so paid, as if the same had been actually paid to the Landlord or Owner to whom his, her, or their Rent shall be due and payable; and every such Landlord or Owner is hereby required to allow such Deduction upon Receipt of the Residue of his or her Rent.

How Rates on Tenants or Occupiers are to be recovered.

And be it further enacted, That in case any Tenant or Occupier rated or assessed, and made liable to pay any Rate or Assessment, by virtue of this Act, shall refuse or neglect to pay the same to the Collector or Collectors, for the Space of Seven Days after Demand thereof made in Writing, left at the last or usual Place of Abode of such Person or Persons, it shall and may be lawful to and for any One or more Justice or Justices of the Peace in and for the said Corporation, upon Oath made of such Demand, and Nonpayment as aforesaid, (which Oath any such Justice is hereby impowered and required to administer gratis), by Warrant under his or their Hand and Seal, or Hands and Seals, (which Warrant he or they is and are hereby impowered and required to grant to the Collector or Collectors of the

said Rates) to cause all such Rates or Monies so in Arrear, together with the Costs and Charges attending the same, to be ascertained by such Justice or Justices, to be levied by Distress and Sale of the Goods and Chattels of every such Person and Persons, so in Arrear and refusing or neglecting to pay the same as aforesaid, rendering the Overplus (if any be) to the Owner or Owners of such Goods and Chattels, on Demand thereof being made by such Owner or Owners; and in case any Person or Persons shall come into and occupy any House, Building, or other Tenement or Hereditament within the said Town and Parishes of Gravesend and Milton, out of or from which any other Person assessed towards Payment of any of the Rates or Assessments made by virtue of this Act shall have removed, every Person so removing from, and every Person so coming into, or occupying the same, shall be liable to pay all such Rates or Assessments, in Proportion to the Time each Person so occupied the same respectively; and in case any Person shall quit his or her House, Building, or other Tenement or Hereditament aforesaid, before he or she shall have paid any Rate or proportionable Part thereof, which ought to be paid by him or her, any shall afterwards refuse or neglect to pay the same when demanded, it shall and may be lawful to and for the Collector or Collectors of such Rates or Assessments, by Warrant under the Hand and Seal, or Hands and Seals, of any One or more Justice or Justices of the Peace for the County or Place wherein such Person shall then reside or be found, (which Warrant such Justice and Justices is and are hereby required to grant upon due Proof thereof made before him or them upon Oath, which Oath every such Justice is hereby authorized and required to administer), to levy all such Rates, or proportionable Part thereof, by Distress and Sale of such Person's Goods and Chattels, rendering the Overplus (if any be) on Demand, to the Person whose Goods and Chattels shall have been so distrained and sold, after deducting all necessary Charges and Expences attending such Distress and Sale.

Occupiers shall pay the Rates in Proportion to the Time of occupying.

And

And in order that all Obstructions, Annoyances, and Incroachments, within the said Town and Parishes may be removed, and prevented for the future; be it further enacted, That the said Commissioners shall and may cause all Signs which now are, or at any Time hereafter shall be placed or hung in any Part or Parts of all or any of the said Streets within the said Town and Parishes of Gravesend and Milton, to be taken down, and fixed or placed flat on and close to the Fronts of the Houses respectively, whereunto the same shall belong; and also shall and may cause all and every Sign-iron, Sign-posts, or any other Posts, Spouts, Steps, Shop-windows, and Cellar-windows, Pent-houses, and other Incroachments or Obstructions, Projections, and Annoyances, in and upon the said several Streets, or any of them, to be removed, altered, or reformed, in such Manner as they shall think fit; and shall and may cause all Water to be conveyed from the Roofs of the Houses, or other Buildings, by proper and sufficient Pipes, Spouts, or Trunks, to be fixed to the Fronts or Sides of the Houses, or other Buildings, whereto the same belong: And in case the Owner or Owners, Proprietor or Proprietors, of any such House or other Building, shall not (at his, her, or their own proper Costs and Charges) within Fourteen Days after Notice in Writing shall be given to them respectively, or left at the Dwelling-houses of their respective Tenants, under the Hands of the said Commissioners, or under the Hand of their Clerk or Treasurer for that Purpose, cause all such Pent-houses to be removed, altered, or reformed, and all Water to be conveyed from the Roofs of such Houses or Buildings, by proper and sufficient Pipes, Spouts, or Trunks, to be fixed to the Fronts or Sides thereof, in such Manner as shall be expressed in such Notice; or if the Tenant or Occupier of any such House or other Building, to which any Sign, Sign-irons, Sign-posts, or any other Posts, Steps, Shop-windows, and Cellar-windows, or any other Incroachment, now or hereafter may belong, shall not (at his, her, or their own Costs and Charges) within Fourteen Days after Notice in Writing shall be given to them respectively, or

Commissioners to take down Signs, &c.

left at their respective Dwelling-houses, under the Hands of any Three or more of the said Commissioners, or under the Hand of their Clerk or Treasurer, remove, alter, or reform, all and every such Signs, Sign-irons, Sign-posts, or other Posts, Steps, Shop-windows, and Cellar-windows, and other Incroachments and Annoyances, in such Manner as shall be expressed in such Notice, it shall and may be lawful to and for the said Commissioners to cause the same to be done, and the Costs and Charges attending the same to be levied by Distress and Sale of the Goods and Chattels of the Tenant or Occupier of such Houses or other Buildings, by Warrant under the Hand and Seal, or Hands and Seals, of any One or more Justice or Justices of the Peace of and for the said Corporation of Gravesend and Milton, (which Warrant such Justice or Justices is and are hereby authorised and required to grant), rendering the Overplus, (if any be), when demanded, to the Person or Persons whose Goods and Chattels shall be so distrained and sold; or it shall and may be lawful for the said Commissioners to remove, alter, or reform such Pent-houses, and to fix up Spouts, Trunks, or Pipes, against the Fronts or Sides of such respective Houses, the Costs and Charges whereof shall and may be levied upon the Goods and Chattels of any such Tenant or Occupier as aforesaid, who is and are hereby impowered to deduct and retain the same out of his, her, or their Rent; and every Owner, Proprietor, or Landlord, is hereby required to allow the same accordingly.

Carriages prohibited to drag, except with flat Iron Drags.

And, for the better Preservation of the Pavement within the said High Street, East Street, and West Street, be it further enacted, That it shall and may be lawful for the said Commissioners, or any Three or more of them, by Writing under their Hands, to be affixed upon the Town-hall and Market-house within the said Town and Parishes, to prohibit all Waggons, Wains, Carts, Cars, Drays, Coaches, Chariots, Landaus, Berlins, Caravans, Chaises, Chairs, and all Carriages of any other Denomination, from wilfully dragging upon any Part of the Pavement of the said High Street, East Street, and West Street, except with flat Drags made of Iron,

Iron, and placed under One of the Wheels of every such Carriage; which Drags shall be provided by the said Commissioners, and by them kept at some convenient Place to be specified in such Notice; and also to prohibit any Truck or Trucks whatsoever to go or be drawn on the said Pavement with Iron Wheels, or Wheels bound with Iron; and if after One Month's Notice given as aforesaid, any Person shall offend against such Order, every Person so offending shall, for the First Offence, forfeit the Sum of Five Shillings, and for the Second and every other Offence of the like Kind, not less than Ten Shillings, nor more than Forty Shillings.

Penalty on driving Carriages on the Footways, not to exceed 10 s. nor less than 3 s.

And be it further enacted, That if any Person or Persons shall drive or place any Carriage whatsoever upon any of the Foot-pavements of the said High Street, East Street, or West Street, or shall drive any Wheelbarrow, or run any Wheel, or draw any Sledge upon such Foot-pavements; or shall throw, sweep, or lay, or permit or suffer to be thrown, swept, or laid, any Ashes, Dust, Dirt, Soil, Straw, Sand, Dung, or any other Filth or Annoyance whatsoever, in any of the Streets within the said Town and Parishes; or shall wilfully or negligently break or damage the Pavements of the said High Street, East Street, and West Street, or any Part thereof; or shall set out or leave, or cause or procure to be set out or left, any Carriage, Timber, Stone, Cask, or any other Matter or Thing which may occasion any Annoyance, Nuisance, or Obstruction whatsoever, in any of the Streets within the said Town and Parishes, so as to endanger, hinder, or obstruct, any Carriage or Person passing therein; or shall place, permit, or suffer any Carriage or Carriages whatsoever to stand, remain, or continue, in any of the said Three Streets longer than will be necessary for the loading or unloading the same; or shall permit or suffer any Hogs or Swine to go at large in any of the Streets within the said Town and Parishes, and shall be thereof convicted upon the Oath of any One or more Witness or Witnesses, before any Justice or Justices of the Peace of the said Corporation; every Person offending in any of the Cases aforesaid shall,

for every such Offence, forfeit and pay to the said Commissioners any Sum not exceeding Ten Shillings, nor less than Three Shillings, over and above all Costs and Charges attending such Conviction.

Penalty on hooping Casks, &c. in the Streets, not to exceed 20s. nor less than 3s.

And be it further enacted, That if any Person or Persons whomsoever, shall hoop any Cask; or shall hew or saw, or cause to be hewed or sawed, any Stone, Wood, or Timber; or shall bind, make, or repair, any Wheel or Wheels; or shall shoe, bleed, clean, or dress, any Horse or Horses; or drive or turn any Horse loose, or place, set, or put any Horse or Horses within any of the Streets within the said Town and Parishes; or if any Person or Persons shall wet, slack, or mix any Lime, or wet, mix, or make any Mortar; or make, or assist in the making, any Fire or Fires commonly called Bonfires; or set fire to, or let off, or throw any Squib, Rocket, or any other Fire-works whatsoever, within the said Streets, or any of them; or if any Person or Persons shall set, place, or expose to Sale, or cause, permit, or suffer to be set, placed, or exposed to Sale, any Goods, Chattels, Wares, or Merchandises whatsoever, either on the Foot or Carriage Ways of any of the Streets within the said Town and Parishes; or shall hang up, or expose any Goods, Wares, or Merchandises, or any other Matter or Thing whatsoever, within the said Streets, or any of them, so as to obstruct or incommode the free Passage of any of the Foot-ways or Carriage Ways of the same Streets; every Person so offending in any of the Cases aforesaid shall, for every such Offence, forfeit and pay any Sum not exceeding Twenty Shillings, nor less than Three Shillings.

Commissioners, &c. to give Licence for erecting Hoards, &c.

Provided always, and be it further enacted, That the said Commissioners, or their Surveyor or Clerk, by Writing under his or their Hand or Hands, may give Liberty and Licence to any of the Proprietors or Inhabitants of Houses within any of the Streets within the said Town and Parishes, or to their Builders or Workmen, to make Hoards, or other Inclosures, for laying the necessary Materials for building or repairing any House, Shop, or other Building, or for making any Drain or Vault belonging thereto, and also for depositing all the

Rubbish occasioned thereby; all which Licences shall express the Dimensions of such Hoards, or other Inclosures, and the Time the same shall continue; and no Person, acting under such Licence, and agreeable to the Directions thereof, shall, during the Time for which such Licence shall be granted, be subject or liable to any of the Penalties aforesaid for erecting such Hoards or Inclosures, or depositing or laying any Materials for building or laying any Rubbish, or other Matter or Thing, within such Hoards or Inclosures; any Thing herein before contained to the Contrary hereof notwithstanding.

Foot-ways to be swept.

And be it further enacted, That every Occupier of any House or Tenement within the said High Street, East Street, and West Street, (and in respect to Houses let to Inmates, every House-owner) shall, once in every Day (Sundays excepted) between the Hours of Eight and Ten in the Forenoon, sweep and cleanse, or cause to be swept and cleansed, the Foot-ways, in the Fronts of their respective Houses or Tenements; and, in Default thereof shall, for every such Neglect, forfeit and pay any Sum not exceeding Five Shillings, nor less than One Shilling.

To prevent making Bow-windows, &c.

And, in order to prevent any Incroachments or Projections into any of the Streets within the said Town and Parishes for the future, be it enacted and declared by the Authority aforesaid, That the Walls of all Houses or other Buildings, and all other Walls whatsoever which shall hereafter be built next to and adjoining upon, any of the Streets within the said Town and Parishes, shall be carried up and built perpendicularly from the Foundation, and without any Projection into the Streets of any Sort or Kind whatsoever; and if any Person shall hereafter presume to build any Wall next to, and adjoining upon, any of the said Streets, in any other Manner than as aforesaid; or to build or make any Bow-window, or any other Window or Thing whatsoever, which shall in any Manner project into any of the said Streets, contrary to the true Intent and Meaning hereof, or cause the same to be done, it shall and may be lawful to and for the said Commissioners, and they are hereby authorised and impowered, by an Order under

their Hands and Seals, to cause all such Bow-windows, or other Windows, or other Things, which shall in any Manner project into any of the said Streets, to be taken down by any Person, Workman, or Persons, as they shall think fit; and the Costs and Charges of taking down the same shall be paid and reimbursed to the said Commissioners by the Person or Persons who built, or caused such Bow-window, or other Window or Projection, to be made or built, contrary to the Directions of this Act; and if any Person or Persons shall obstruct, hinder, molest, or prevent any Person or Persons who shall be employed by the said Commissioners to take down any such Bow-window, or other Window or Projection which shall have been made or built contrary to the Directions hereof; every such Person and Persons shall, for every such Offence, forfeit and pay the Sum of Three Pounds.

The Act to extend to other Streets in the said Town and Parish.

And whereas it may hereafter be found necessary, that the Provisions made by this Act for paving and cleansing the said High Street, East Street, and West Street, should be extended to the other Streets and Places within the said Town and Parishes; be it therefore further enacted, That if the Landlords or Owners of Three-fourths in Value of the Houses, Tenements, and Hereditaments, within any other of the Streets, Lanes, Alleys, Passages, or Places, within the said Town and Parishes, shall, by Writing under their Hands, signify to the said Commissioners that they are desirous to have the several Powers given by this Act, for paving and cleansing the said High Street, East Street, and West Street, extended to, and exercised over, any other Street, Lane, Alley, Passage, or Place, within the said Town and Parishes; then, and in every such Case, the several Powers and Authorities by this Act given and granted for paving and cleansing the said High Street, East Street, and West Street, shall from thenceforth extend to such Street, Lane, Alley, Passage, or Place, for which such Application shall be made; and that One Moiety of the Money which shall be found necessary to be raised for those Purposes shall be raised by Annuities, and the other Moiety by Mortgage of the Rates or Assessments which shall be

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laid or assessed upon such Houses, Tenements, or Hereditaments, within such Streets, Lanes, Alleys, Passages, and Places, for those Purposes; which Rates or Assessments shall not exceed the several Rates or Assessments herein before laid on the Houses, Tenements, or Hereditaments, within the said High Street, East Street, and West Street.

New Commissioners how to be elected.

And be it further enacted, That when any of the Commissioners herein before appointed, or who may hereafter be elected, by virtue of this Act, shall die, or shall for the Space of One whole Year refuse or neglect to act as a Commissioner in the Execution of this Act, (except the said High Steward, Mayor, Recorder, Governor, and Deputy-governor, respectively, such Death, Refusal, or Neglect, having been first declared at some publick Meeting of the said Commissioners); that then the surviving or remaining Commissioners shall, at a Meeting to be appointed for that Purpose, on that Day Month next after such Vacancy shall have been so declared, elect and chuse a fit Person, being resident within the said Town and Parishes, to be a Commissioner in the Place of such Commissioner deceased, or who shall have refused or neglected to act as aforesaid; and all Persons, so elected and chosen, shall be joined with the surviving or remaining Commissioners, and shall be and are hereby declared to be vested with the same Powers and Authorities for putting this Act in Execution, as the Persons in whose Places they shall have been named and appointed Commissioners in and by this Act.

A sufficient Number of Commissioners not appearing, the Clerk may adjourn the Meeting.

And be it further enacted, That if at any Meeting there shall not appear a sufficient Number of Commissioners to act, or to adjourn to another Day, or in case the Commissioners shall not adjourn themselves; then their Clerk shall, by Notice in Writing, to be affixed at the publick Market-place of the said Town, at least Ten Days before the next Meeting, appoint the said Commissioners to meet at the Place where the last Meeting was to have been held; and the said Commissioners shall, at all their Meetings defray their own Expences.

Commissioners to defray their own Expences.

Commissioners at any Meeting, not less than Three, may act, (except as excepted.)

And be it further enacted, That at all Meetings of the Commissioners for putting this Act in Execution, (except in

in such Cases only where a greater Number are particularly required to be present) the several Powers and Authorities by this Act granted shall and may, from Time to Time, be exercised by the major Part of such of them as shall be present at any such Meeting, such major Part not being less than Three; and all Acts, Orders, and Proceedings, of the said Commissioners, shall be entered in Books to be kept for that Purpose, and shall be signed by the Clerk at such Meeting, or at the next Meeting of the Commissioners; and all such Orders, so signed, shall be deemed original Orders; and all such Books may be produced, and shall be allowed to be read in Evidence in all Courts whatsoever; but no Act, Order, Proceeding, or Determination of the said Commissioners, shall in any Case be valid, unless done or made at some publick Meeting to be held in pursuance of this Act, and where Five or more Commissioners, as the Case shall require, shall have been present.

Proceedings to be entered in Books.

Orders, &c. to be made by the majority of the Commissioners present.

And be it further enacted, That the Charges and Expences of obtaining and passing this Act shall be paid out of the First Monies arising by this Act.

The Expences of the Act to be paid out of the first Monies.

And be it further enacted, That all Penalties, Forfeitures, and Payments, by this Act imposed, incurred, and directed to be made, (the Recovery and Application whereof is not herein otherwise particularly directed), shall be levied and recovered by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal, or Hands and Seals, of any Justice or Justices of the Peace acting within the said Corporation of Gravesend and Milton, or under the Hand and Seal, or Hands and Seals, of any Justice or Justices of the Peace for any County, City, or Place, wherein such Offender shall inhabit, reside, or be; which Warrant or Warrants the said Justice or Justices is and are hereby impowered and required to issue upon the Information of One or more credible Witness or Witnesses upon Oath, (which Oath such Justice or Justices is and are hereby impowered and required to administer gratis); and such Penalties and Forfeitures, when recovered, after rendering the Overplus, (if any be), after deducting the Charges of such Distress and Sale, when demanded,

Penalties and Forfeitures how to be recovered and applied.

demanded, to the Person or Persons whose Goods and Chattels shall be so distrained and sold, shall go and be applied for such Purposes of this Act as the said Commissioners shall think fit; and in all Actions, Prosecutions, Informations, Causes, and Proceedings whatsoever, relating to or concerning the Execution of this Act, any Inhabitant within the said Town and Parishes may and shall be admitted to give Evidence, notwithstanding such Person being an Inhabitant of the said Town or Parishes, and liable to pay, or who shall actually pay, the Rates or Assessments laid and assessed by virtue of this Act.

Commissioners may act as Justices.

And be it further enacted, That every Commissioner who is a Justice of the Peace for the said Corporation of Gravesend and Milton, may act as a Justice of the Peace for putting this Act in Execution, notwithstanding his being a Commissioner.

Persons aggrieved may appeal to the Quarter-sessions.

And be it further enacted, That if any Person or Persons shall think him, her, or themselves aggrieved by any Thing done in pursuance of this Act, and for which no particular Method of Relief hath been already appointed, such Person or Persons may, within Four Months after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace at any General Quarter-sessions of the Peace, to be holden in and for the Western Division of the County of Kent, such Appellant or Appellants first giving, or causing to be given, Fourteen Days Notice at the least in Writing of his, her, or their Intention to bring such Appeal, and of the Cause or Matter thereof, to the Clerk or Treasurer to the said Commissioners, and within Ten Days after such Notice entering into a Recognizance before some Justice or Justices of the Peace of the said Corporation, with sufficient Sureties to try such Appeal at, and abide the Order of the Court, and to pay such Costs as shall be awarded by the said Justices at the said Quarter-sessions; and the said Justices at such Quarter-sessions, upon due Proof of such Notice being given, and of the entering into such Recognizance as aforesaid, shall hear and finally determine the Causes and Matters of such Appeal in a summary Way, and award such Costs to the Party or

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Parties appealing or appealed against as they the said Justices shall think proper; and their Determination shall be binding, final, and conclusive, to all Intents and Purposes.

Distress not unlawful for want of Form.

Provided always, and be it further enacted, That where any Distress shall be made for any Sum or Sums of Money by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers on account of any Default 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 be afterwards done by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity may recover full Satisfaction for the special Damage in an Action on the Case; but no Plaintiff shall recover in any Action on account of any Irregularity, Trespass, or other Proceeding, if sufficient Tender of Amends shall be made to the Plaintiff by or on the Behalf of the Defendant before such Action brought; and in case no such Tender shall have been so made, it shall and may be lawful to and for the Defendant 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 to him shall seem meet; whereupon such Proceedings or Orders and Judgements shall be had, made, and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Proceedings not to be quashed for want of Form,

And be it further enacted, That no Proceedings to be had touching the Conviction of any Offender or Offenders against this Act, or any Order made, or other Matter or Thing done or transacted in or relating to the Execution of this Act, shall be vacated or quashed for want of Form only, or be removed by Certiorari, or any Writ or Process whatsoever, into any of His Majesty's Courts of Record at Westminster; any Law or Statute to the Contrary notwithstanding.

nor removed by *Certiorari*.

Writings to be without Stamps.

And be it further enacted, That no Nomination, Appointment, Information, Warrant, Order, Judgement, or other Writing whatsoever, under the Hand and Seal

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Seal or Hands and Seals of, or only signed by any Commissioner or Commissioners constituted by this Act, or by any Justice or Justices of the Peace, or exhibited before them, or any of them, or under the Hand and Seal or Hands and Seals of, or only signed by, any other Person or Persons whomsoever, relating to the Execution of this Act, shall be charged or chargeable with any Stamp-duty whatsoever.

No Action to be commenced till after Notice given, &c.

And be it further enacted, That no Action or Suit shall be brought against any Person or Persons for any Thing done in pursuance of this Act, unless the same be commenced within Six Months next after the fact committed, and also unless Twenty Days Notice in Writing shall be first given to the Treasurer or Clerk to the said Commissioners; and every such Action or Suit shall be brought and tried in the County of Kent, and not elsewhere; and the Defendant or Defendants, in all such Actions and Suits, may plead the General Issue, and give this Act, and the Special Matter, in Evidence, at any Trial which shall be had thereupon, and that the Matter or Thing for which such Action or Suit shall be brought was done in pursuance and by the Authority of this Act: And if the same shall appear so to be done, or if it shall appear that such Action or Suit was brought after the Time herein before limited for bringing the same, or before Twenty Days Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or shall be brought in any other County than as aforesaid; then, and in all or any of the Cases aforesaid, the Jury shall find for the Defendant; and if a Verdict shall be found for the Defendant, or if the Plaintiff shall become nonsuited, or suffer a Discontinuance of such Action, or if Judgement shall be given for the Defendant therein, then the Defendant shall have Treble Costs, and shall have such Remedy for recovering the same as Defendants have in other Cases at Law.

General Issue.

Treble Costs.

Publick Act.

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

FINIS.