ANNO TRICESIMO SEXTO

Georgii III. Regis.

CAP. XLV.

An Act to amend and render more effectual an Act, passed in the Thirty-first Year of the Reign of His present Majesty, intituled, *An Act for repairing, paving, and cleansing, the Highways, Streets, and Lanes, within the Town and Borough of* Deal, *in the County of* Kent; *and for removing and preventing Encroachments, Obstructions, Nuisances, and Annoyances, therein.* [24th *March* 1796.]



Preamble.

HEREAS an Act was passed, in the Thirty-first Year of the Reign of His present Majesty, for repairing, paving, and cleansing, the Highways, Streets, and Lanes, within the Town and Borough of *Deal*, in the County of *Kent*; and for removing and preventing Encroachments, Obstructions, Nuisances, and Annoyances, therein: And whereas the Commissioners appointed to carry the Purposes of the said Act into Execution, were thereby authorized and empowered to borrow and take up at Interest any Sum or Sums of Money for the Purposes of the said Act upon the Credit of the respective Rates,

and Compoſition for Statute Duty, and all other Sums of Money authorized by Law to be raiſed for the Amendment and Preſervation of the Highways within the ſaid Town and Borough, not exceeding in the Whole the Sum of Six thouſand Pounds: And whereas great Progreſs hath been made in executing the ſaid Act, in the doing of which the Whole of the Money thereby authorized to be raiſed and borrowed hath been expended by the Commiſſioners for executing the ſame: And whereas divers Works neceſſary to be done for the Completion of the Improvements in the ſaid Town and Borough ſtill remain unfiniſhed, and cannot be executed without the further Aid of Parliament; and the ſaid Act hath, in other Reſpects, been found defective, and requires Amendment: 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 it ſhall be lawful for the Commiſſioners appointed by or in purſuance of the ſaid recited Act, from Time to Time as they ſhall judge neceſſary, to borrow and take up at Intereſt (over and above the Sum or Sums of Money allowed to be borrowed by the ſaid Act) any further Sum or Sums of Money upon the Credit of the Rates or Aſſeſſments to be made by virtue of this or the ſaid recited Act, and by any Writing or Writings upon Vellum, Parchment, or Paper, ſigned by the ſaid Commiſſioners, to aſſign the ſaid Rates or Aſſeſſments, or a competent Part thereof, unto ſuch Perſon or Perſons who ſhall advance and lend ſuch Money thereupon, as a Security or Securities for the ſeveral Sums ſo borrowed, with Intereſt for the ſame, which Intereſt ſhall be payable and paid Quarterly by the Treaſurer or Treaſurers to the ſaid Commiſſioners, out of the Monies to ariſe by or from the ſaid Rates or Aſſeſſments.

Power to borrow a further Sum of Money.

II. And be it further enacted, That it ſhall be lawful for any Perſon or Perſons to contribute, advance, and pay, into the Hands of the ſaid Commiſſioners, or into the Hands of any Perſon or Perſons whom they ſhall appoint to receive the ſame, for the Purpoſes in the ſaid recited Act and this Act mentioned, any Sum or Sums of Money for the abſolute Purchaſe of One or more Annuity or Annuities to be paid and payable during the Term of the natural Life of every ſuch Contributor, or the natural Life of ſuch Perſon as ſhall be nominated by or on the Behalf of ſuch Contributor at the Time of the Payment of his or her Contribution or Purchaſe Money, and either with or without the Benefit of Survivorſhip, as the ſaid Commiſſioners ſhall think proper; ſo as that no ſuch Annuity ſhall exceed the Rate of Ten Pounds for every One hundred Pounds for a Year, and ſo in Proportion for any greater or leſs Sum to be advanced and paid as aforeſaid; and the ſaid Annuities ſo to be purchaſed ſhall be publickly ſold by the ſaid Commiſſioners, and ſhall be payable and paid by their Treaſurer or Treaſurers for the Time being, in ſuch Manner, and on ſuch Days, and the Contributors upon the Credit of this Act, and their Aſſigns, ſhall be entitled thereto for Life, and have ſuch Eſtates and Intereſt therein, and hold and enjoy the ſame free from Land Tax, and have ſuch Receipts for their Purchaſe Money, and ſuch Order on Vellum, Parchment, or Paper, for Payment of the ſaid Annuity or Annuities, as in the ſaid recited Act is and are particularly mentioned and expreſſed with reſpect to the Annuities to be purchaſed by virtue of or under the ſaid Act; and the ſeveral Articles, Clauſes, Conditions,

Money to be raiſed by Annuities.

Conditions, Proviſions, Aſſignments, and Transfers, in the ſaid recited Act contained, with reſpect to Money borrowed at Intereſt, or upon Annuities, which are not otherwiſe altered by this Act, ſhall, and are hereby declared to be in Force, and to extend to the Monies authorized to be borrowed at Intereſt, or on Life Annuities, to be purchaſed under or in purſuance of this Act, as fully and effectually, to all Intents and Purpoſes, as could be or might have been in caſe ſo much or ſuch Part of the ſaid recited Act had been repeated or re-enacted in this Act.

Limiting the Sum to be borrowed.

III. Provided always, and be it further enacted, That the total Sum to be borrowed on Life Annuities, and at Intereſt, by virtue of and under this Act aforeſaid, ſhall not exceed the Sum of Two thouſand Pounds, over and above the ſaid Sum of Six thouſand Pounds allowed to be raiſed by the ſaid recited Act.

Reducing the Quorum of the Commiſſioners.

IV. And be it further enacted, That all Acts, Matters, and Things, by the ſaid recited Act authorized or directed to be done or performed by Nine or more Commiſſioners, ſhall and may for the future be done or performed by Five or more of the ſaid Commiſſioners, and ſhall be as valid and effectual in the Law, to all Intents and Purpoſes, as if done or performed by any Nine or more of the ſaid Commiſſioners; any Thing herein contained to the contrary thereof in anywiſe notwithſtanding.

Impoſing an additional Rate upon Coals.

V. And whereas, by the ſaid recited Act, it is enacted, That for all Sorts of Coals, Coke, or Cinder, which, from and after the Twenty-fourth Day of *June* One thouſand ſeven hundred and ninety-one, ſhould be landed or delivered within the Limits of the Pariſh of *Deal*, or brought into or carried through the ſaid Town and Borough of *Deal*, or through any Part thereof, there ſhould be paid by way of Impoſition thereon, over and above all other Impoſitions and Duties due and payable for Coals, Coke, or Cinder, by virtue of any Law or Statute then in Force, the Rates therein-after mentioned; (that is to ſay), for ſuch Coals, Coke, or Cinder, as were or ſhould, or might be uſually ſold by the Chaldron, for every Chaldron thereof, containing Thirty-ſix Buſhels, *Wincheſter* Meaſure, the Sum of One Shilling, and ſo in Proportion for any leſs Quantity than a Chaldron; and for all ſuch Coals, Coke, or Cinder, as were or ſhould, or might be uſually ſold by the Ton, for every Ton thereof, containing Twenty hundred Weight, the like Sum of One Shilling, and ſo in Proportion for any leſs Quantity than a Ton; which ſaid Impoſition of One Shilling for every Chaldron or Ton of Coals, Coke, or Cinder reſpectively, ſhould from Time to Time be paid to ſuch Perſon or Perſons as the ſaid Commiſſioners ſhould from Time to Time appoint to collect and receive the ſame; and ſuch Perſon or Perſons as the ſaid Commiſſioners ſhould from Time to Time appoint as aforeſaid, was and were thereby authorized and empowered to demand, collect, receive, and take, of and from the Maſters and Owners, Maſter and Owner, or other Perſon or Perſons having the Rule or Command of every Ship, Bark, or other Veſſel, and of and from all and every Perſon and Perſons bringing or cauſing to be brought within the ſaid Town any Coal, Coke, or Cinder, by Land Carriage, upon which no Rate ſhould have been before paid by virtue of the ſaid Act, the Sum of Two Shillings for each and every Chaldron or Ton of Coal, Coke, or Cinder, and ſo in Proportion for a leſſer Quantity than a Chaldron or Ton, which ſhould be landed, delivered, or diſcharged, out

of any Ship, Bark, Veſſel, Waggon, Cart, or other Carriage within the Limits of the ſaid Pariſh, and Town and Borough, or brought and delivered within or carried through the ſaid Town and Borough, or through any Part thereof, which Impoſitions or Duties have been found inſufficient for the Purpoſes of the ſaid recited Act; be it therefore further enacted, That for all Sorts of Coals, Coke, or Cinder, which, from and after the Twenty-fourth Day of *June* One thouſand ſeven hundred and ninety-ſix, ſhall be landed or delivered within the Limits of the Pariſh of *Deal*, or brought into or carried through the ſaid Town and Borough of *Deal*, or through any Part thereof, there ſhall be paid by way of Impoſition thereon, over and above all other Impoſitions and Duties due and payable for Coals, Coke, or Cinder, by virtue of the ſaid recited Act, or of any Law or Statute now in Force, the Rates herein-after mentioned; (that is to ſay), for ſuch Coals, Coke, or Cinder, as are or ſhall or may be uſually ſold by the Chaldron, for every Chaldron thereof containing Thirty-ſix Buſhels *Wincheſter* Meaſure, the additional Sum of Sixpence, and ſo in Proportion for any leſs Quantity than a Chaldron; and for all ſuch Coals, Coke, or Cinder, as are or ſhall or may be uſually ſold by the Ton, for every Ton thereof containing Twenty hundred Weight, the like additional Sum of Sixpence, and ſo in Proportion for any leſs Quantity than a Ton; which ſaid Impoſition of Sixpence for every Chaldron or Ton of Coals, Coke, or Cinder reſpectively, ſhall from Time to Time be paid to ſuch Perſon or Perſons as the ſaid Commiſſioners ſhall from Time to Time appoint to collect and receive the ſame; and ſuch Perſon or Perſons as the ſaid Commiſſioners ſhall from Time to Time appoint as aforeſaid, is and are hereby authorized and empowered to demand, collect, receive, and take, of and from the Maſters and Owners, Maſter and Owner, or other Perſon or Perſons having the Rule or Command of every Ship, Bark, or other Veſſel, and of and from all and every Perſon and Perſons bringing or cauſing to be brought within the ſaid Town any Coal, Coke, or Cinder, by Land Carriage, upon which no Rate ſhall have been before paid by virtue of this Act, the additional Sum of One Shilling for each and every Chaldron or Ton of Coal, Coke, or Cinder, and ſo in Proportion for a leſſer Quantity than a Chaldron or Ton, which ſhall be landed, delivered, or diſcharged out of any Ship, Bark, Veſſel, Waggon, Cart, or other Carriage, within the Limits of the Pariſh, and Town and Borough, or brought and delivered within or carried through the ſaid Town and Borough, or through any Part thereof.

For exempting Coals unladen within the Limits of the Pariſh of *Walmer* from Duty.

VI. Provided alſo, and be it further enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to the laying any Impoſition or Duty on any Coals, Coke, or Cinder, that ſhall be at any Time unladen from any Ship, Bark, or other Veſſel, on the Sea Shore within the Limits of the Pariſh of *Walmer*, in the ſaid County of *Kent*, or to empower or authorize any Perſon or Perſons to withhold any Cocket or other Diſcharge, or in any Manner to ſtop or detain any Ship, Bark, or other Veſſel, for having landed or unladen any Coals, Coke, or Cinder, within the Limits of the ſaid Pariſh of *Walmer*; but that it ſhall and may be lawful to collect and receive the ſame Impoſitions and Duties as are impoſed by this and the former Act on Coals, Coke, and Cinders, brought by Land into the Pariſh of *Deal*, on all Coals, Coke, and Cinders that ſhall be at any Time brought into or carried through the ſaid Town and Borough of *Deal*, or through any Part thereof, from the ſaid Pariſh

of *Walmer*, and ſhall be there ſold, uſed, or delivered, to or by any Perſon or Perſons, and ſhall be charged with and liable in like Manner to the ſame Penalties and Forfeitures as Coals, Coke, and Cinders, brought into the ſaid Pariſh of *Deal* from any other Place or Places by Land Carriage are charged with and liable to by this Act.

Money veſted in the Commiſſioners; and Application thereof.

VII. And be it further enacted, That all and every the Sum or Sums of Money to be raiſed as aforeſaid, ſhall be, and the ſame are hereby veſted in the ſaid Commiſſioners, and ſhall be paid and applied in Manner following; (that is to ſay), in the Firſt Place in paying and defraying the Charges and Expences of applying for and obtaining this Act; and after Payment thereof, all the Money to ariſe by or from the reſpective Rates granted by the ſaid recited Act and this Act, and which may be borrowed on the Credit thereof, or advanced for Annuities thereupon, and all pecuniary Penalties and Forfeitures to be recovered or levied by virtue of this Act, and not hereby otherwiſe diſpoſed of, ſhall be paid to the Treaſurer to the ſaid Commiſſioners, to be applied and diſpoſed of for and towards defraying the Charges and Expences of repairing, paving, and cleanſing the Highways, Streets, and Lanes, within the ſaid Town and Borough of *Deal*, in Manner by the ſaid recited Act directed, and for carrying the ſeveral other Purpoſes of this and the ſaid recited Act into Execution, and to or for no other Uſe, Intent, or Purpoſe whatſoever.

When the Money borrowed is paid off, the Rates may be reduced.

VIII. Provided always, and be it further enacted, That when and ſo ſoon as the ſaid Sum of Two thouſand Pounds herein-before authorized to be borrowed, or ſuch Part thereof as ſhall be borrowed by virtue of this Act, and the Intereſt thereof, ſhall be paid off and diſcharged, and the Annuities to be granted as aforeſaid ſhall be determined, the ſaid Commiſſioners ſhall, and they are hereby required and directed to aſſemble and call together the Inhabitants of the ſaid Town and Borough, charged with the Payment of the Rates made for the Relief of the Poor (Ten Days publick Notice being given of ſuch Meeting, and ſpecifying in ſuch Notice the Cauſe thereof); and if the Majority of the Inhabitants of the ſaid Town and Borough of *Deal*, preſent at ſuch Meeting, ſhall ſignify their Conſent in Writing that the ſaid Rates hereby directed to be levied ſhall continue to be collected for the further Term of Ten Years, then the ſame ſhall continue to be collected for ſuch further Term of Ten Years; but in caſe the Majority of the ſaid Inhabitants ſo aſſembled as aforeſaid, ſhall not ſignify their Conſent in Writing to the Collection of the ſaid Rates for the ſaid Term of Ten Years, then no higher Rate ſhall by virtue of this Act be charged in reſpect of ſuch Coals, Coke, and Cinder, as aforeſaid, than Three-pence *per* Chaldron, and Three-pence *per* Ton; and ſuch reduced Rates ſhall be collected, levied, and recovered by the ſame Ways and Means as the reſpective Rates herein-before granted can or may be collected, levied, and recovered; any Thing herein-before contained to the contrary thereof notwithſtanding.

Powers of former Act, extended to this Act.

IX. And be it further enacted, That the ſaid former Act, as to all and every Clauſe, Proviſion, Power, Remedy, Matter, and Thing therein contained (except where the ſame are altered by this Act), ſhall be extended and extend to this Act, and to the Rates and Aſſeſſments hereby and by the ſaid former Act authorized and directed to be made, laid, and aſſeſſed, and to the Recovery and compelling Payment of the ſaid Rates and Aſſeſſments,

ſeſſments, and ſhall be deemed Part of this Act, and ſhall operate, be in Force, and be obſerved, enforced, and performed, in reſpect to this Act, as fully and effectually, to all Intents and Purpoſes, as if the ſame were repeated and re-enacted in the Body of this Act.

Publick Act.

X. And be it further enacted, That this Act ſhall be taken and allowed in all Courts of Juſtice as a Publick Act, and all Judges, Juſtices, and other Perſons whomſoever, are hereby required to take Notice thereof as ſuch, without the ſame being ſpecially pleaded.

FINIS.