ANNO QUINQUAGESIMO SEXTO

GEORGII III. REGIS.

Cap. lxxxi.

An Act for the more effectual Security and Improvement of the Harbour of *New Shoreham* in the County of *Sussex*. [1st *July* 1816.]

WHEREAS an Act was made in the Thirty-third Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for erecting Piers and other Works for the Security and Improvement of the Harbour of* New Shoreham *in the County of* Sussex, *and for keeping the same in repair*: And whereas another Act was made in the Twenty-ninth Year of the Reign of His present Majesty, intituled *An Act for altering the Powers of an Act made in the Thirty-third Year of the Reign of His late Majesty King* George *the Second, for erecting Piers and other Works for the Security and Improvement of the Harbour of* New Shoreham *in the County of* Sussex, *and for keeping the same in repair*: And whereas, since the passing of the last-recited Act, the said Harbour has become and now is extremely unsafe and dangerous, many Vessels having received Damage within the same: And whereas the Population within the Limits of the said Port of *Shoreham* has very greatly increased, and in consequence thereof the Trade of the said Port might be considerably extended if the said Harbour was improved; and the same in that Case will not only afford great Protection to Shipping in Distress, but will also form a commodious Station for His Majesty's Cruizers in Time of War: And whereas it is expedient for completing and supporting such Improvement, that the said recited Acts should be repealed, and other and more effectual Powers should be given in lieu thereof; but as the Purposes aforesaid cannot be effected without the Aid of Parliament: May it please

33 G. 2. c. 35.

29 G. 3. c. 21.

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 said Two recited Acts of Parliament of the Thirty-third Year of the Reign of His late Majesty King *George* the Second, and of the Twenty-ninth Year of the Reign of His present Majesty, shall be and the same are hereby repealed, save only so far as the same concern or relate to any Rates or Duties which at the Time of passing this Act have become due and payable under and by virtue of the said last-recited Act, and which now remain unpaid, and to any Contract, other Matter or Thing whatsoever, already entered into, made, or done by the Commissioners acting under the said recited Acts; and that such Contracts, Matters, and Things may be acted upon and carried into Effect, by the Commissioners authorized to execute this Act, in such and the like Manner as if the said recited Acts had not been repealed.

Acts repealed.

II. And be it further enacted, That the most Honourable *Henry Charles Howard* commonly called Earl of *Surrey*, Sir *Harry Goring* Baronet, Sir *Godfrey Webster* Baronet, Sir *Charles Merrik Burrell* Baronet, Sir *Timothy Shelley* Baronet, *Thomas Attree*, *William Attree*, *Thomas Benson*, *Walter Burrell*, *Harry Bridger*, *William Borrer*, *John Biddulph*, *Charles Biddulph*, *Edward Barker*, *John Hamlyn Borrer*, *John Bannister*, *James Broadwood*, *John William Buckle*, Reverend *Charles Bridger*, *William John Campion*, Reverend *Robert James Carr*, *Richard Barnard Comber*, *Edward Spencer Curling*, *Frederick Cox*, Reverend *John Gratwick Challen*, Reverend *Richard Constable*, *Thomas Clayton*, *John Dennett*, *Joseph Dowson*, Reverend *Matthew Fielde*, *Ralph Fenwick*, *Hugh Fuller*, *Thomas Fuller*, Reverend *Thomas Green* Doctor in Divinity, *John Gates*, *Charles Goring*, *Charles Foster Goring*, *William Gorringe*, Reverend *John Cheal Green*, *William Pennington Gorringe*, *Charles Groome*, *Thomas Groome*, *Robert Hurst*, *Francis Gell*, *George Henry Hooper*, *James Heasman*, Reverend *Thomas Poole Hooper*, Reverend *Henry Hoper*, *Robert Henry Hurst*, *Nathaniel Hall*, *Nathaniel Hall* junior, *John Innott*, *James Martin Lloyd*, *George Lyall*, *William Margesson*, *William Margesson* junior, *Joseph Marryatt*, *Charles Marshall*, Reverend *John Morgan*, *Christopher Nockells*, *James Newnum*, *George Porter*, *William Pearson*, *Robert Podmore*, Reverend *John Penfold*, *James Penfold*, *Richard Penfold*, *Hugh Penfold* of *Hannington*, *Hugh Penfold* of *Cissbury*, *John Penfold* of *Beeding*, *William Westbrook Richardson*, Reverend *John Rideout*, *John Rice*, *John Tilly*, *George Tate*, *Edward Tate*, Reverend *James Ventris*, *John Vallance*, Reverend *Peter Wood*, Reverend *George Wells*, Reverend *William Peckham Woodward*, *John Wood*, *William Wigney*, and their Successors, to be elected in manner herein mentioned, shall be and are hereby declared to be Commissioners for carrying the several Powers and Authorities of this Act into Execution.

Commissioners.

III. And for the constant supplying the Number of Commissioners in case of Death, Resignation, or Refusal to act, or ceasing to be qualified in manner by this Act directed, or other Incapacity of any of them, be it further enacted, That in case of the Death of any of the said Commissioners, or Notice of such Resignation, or Refusal to act, or ceasing to be qualified in manner by this Act directed, or other Incapacity, it shall be

Appointment of new Commissioners on Death, Resignation, or other Incapacity.

be lawful for the said Commissioners assembled at any of their Meetings to be held by virtue of this Act, or any Seven or more of them, from Time to Time to elect and appoint (by Order entered in a Book to be kept for that Purpose) such other Person or Persons to be a Commissioner or Commissioners, in the Place or Places of such Commissioner or Commissioners so dying, resigning, or refusing to act, or ceasing to be qualified, or becoming incapable as aforesaid, as they shall think fit; and such Commissioner and Commissioners so from Time to Time elected and appointed shall have the same Power and Authority in all Things as if he or they had been named in this Act.

Qualification of the Commissioners.

IV. Provided always, and be it enacted, That no Person, save and except such Person be the Heir Apparent of any Person qualified to be a Knight of a Shire, shall be capable of acting as a Commissioner in pursuance of this Act, unless at the Time of acting he shall, either in his own Right or in the Right of his Wife, be in the actual Possession or Receipt of the Rents and Profits of Freehold or Copyhold Messuages, Lands, or Tenements, held by him or her for a Life or Lives, or in which he or she is entitled to some Estate of Inheritance of the clear yearly Value of Two hundred and fifty Pounds above Reprizes, or be possessed of or entitled to a Personal Estate of the Value of Seven thousand Pounds; and if any Person, except as aforesaid, shall sit or act as a Commissioner, not having such Estate as aforesaid, or having or holding any Office or Place under this Act, every such Person shall for every such Offence forfeit and pay the Sum of Five hundred Pounds to any Person or Persons who shall inform or sue for the same; to be recovered by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed; and upon Suit or Prosecution, the Proof of such Qualification shall lie upon and be made out by such Person so to be sued or prosecuted: Provided nevertheless, that all Acts and Proceedings of any Person acting as a Commissioner in Execution of this Act, though not duly qualified as aforesaid, previous to his or their being convicted of the said Offence, shall be as good, valid, and effectual, as if such Person had been duly qualified according to the Directions of this Act.

Commissioners to take and subscribe an Oath.

V. Provided also, and be it further enacted, That the said Commissioners and each of them shall, before he or they shall take upon him or themselves the Execution of any of the Powers or Authorities hereby given, other than in administering the Oath herein-after mentioned, take and subscribe the Oath following; *videlicet*,

'I *A. B.* do swear, That I am, either in my own Right or in Right of my 'Wife, in the actual Possession or Receipt of the Rents and Profits of 'Freehold or Copyhold Messuages, Lands, or Tenements held by me 'or my Wife for a Life or Lives, or in which I or my Wife are or is 'entitled to some Estate of Inheritance of the clear yearly Value of Two 'hundred and fifty Pounds above Reprizes, or am possessed of or entitled 'to a Personal Estate of the Value of Seven thousand Pounds, or am Heir 'Apparent of a Person qualified to be a Knight of a Shire; and I do 'swear that I will, without Favour or Affection, Hatred or Malice, truly 'and impartially, according to the best of my Skill and Knowledge, 'execute and perform all and every the Powers and Authorities as a 'Commissioner

'Commissioner in pursuance of an Act passed in the Fifty-sixth Year of 'the Reign of His Majesty King *George* the Third, intituled [*here set* '*forth the Title of the Act.*]'

Which Oath the Commissioners, or any Seven or more of them, are hereby authorized and required to administer at the First or any other Meeting held by virtue of this Act, and the said Oath shall be administered to and subscribed Once in every Year by every Commissioner who shall attend; and if any Commissioner shall not attend for the Space of One Year, then the said Oath shall be administered and subscribed at the first Meeting at which he shall be present after such his Absence.

Commissioners not to hold Places of Profit under the Act.

VI. Provided always, and be it further enacted, That no Commissioner appointed or to be appointed in or by virtue of this Act, nor any Person in Trust for him, nor any Steward or Agent of any such Commissioner, shall be capable of being appointed or employed, or of holding or enjoying, or of acting as Treasurer, Collector, Engineer, Clerk, or Harbour-master, under the said Commissioners, or of having any Benefit, Profit, or Advantage therefrom, or arising thereby.

Meetings of Commissioners.

VII. And be it further enacted, That the said Commissioners, or any Seven or more of them, shall meet at the *Star Inn* in *New Shoreham* aforesaid, within Thirty Days after the passing of this Act, and shall then proceed to put this Act in Execution, and then adjourn themselves, and shall afterwards meet from Time to Time at the Place aforesaid, or at such other Place or Places in *New Shoreham* aforesaid as the said Commissioners from Time to Time shall appoint, and as often as it shall be necessary for putting this Act in Execution; and if it shall happen that there shall not appear at any Public Meeting which shall be appointed to be held by Adjournment, or at any Special Meeting, a sufficient Number of Commissioners to act at such Meeting, then and in that Case any One or more of the Commissioners (if any shall be present) at such appointed Meeting shall and may adjourn the said Meeting to any other Day, not exceeding Three Months from thence next following; and if it shall happen that at any such Meeting there shall not be a sufficient Number of Commissioners to act, or a Commissioner to make such Adjournment, then and in that Case the Clerk to the said Commissioners, by Seven Days previous Notice in Writing under his Hand, to be affixed on the principal outer Door of the Parish Church of *New Shoreham* aforesaid, and the front Door of the Two principal Inns in *New Shoreham* aforesaid, and also by an Advertisement in One of the Newspapers published in the County of *Sussex*, and in the *Public Ledger*, shall appoint the said Commissioners to meet at the House where the last Meeting was appointed to be held, on any Day within Ninety Days of the Day on which the said last Meeting was appointed to be held.

Commissioners shall at all Meetings pay their own Expences.

VIII. Provided always, That at all Meetings of the Commissioners appointed or to be appointed for putting this Act in execution, the said Commissioners shall pay their own Expences in attending such Meeting; but the Charge for the Use of the Room, and also all Charges for Stationery, shall be defrayed out of the Rates arising under the Authority of this Act.

IX. And

Chairman to have a determining Vote.

IX. And be it further enacted, That at all Meetings of the said Commissioners a Chairman shall and may be appointed by the Majority of the Commissioners then present; and in case there shall be an Equality of Votes at any of the Meetings of the said Commissioners upon any Question, including the Vote of the Chairman, then and in every such Case the Chairman shall have the decisive and casting Vote.

Majority of the Commissioners present to act.

X. And be it further enacted, That all Acts, Proceedings, Matters, and Things relative to the Execution of this Act, may be done and executed by the Majority of the said Commissioners present at any Meeting to be held by virtue of this Act, the whole Number present not being less than Seven; save and except in such Cases where a greater or less Number may be required by this Act.

Meetings on Emergencies.

XI. And be it further enacted, That if, after any Adjournment of the said Commissioners, it shall at any Time be thought necessary that an earlier Day of Meeting should be appointed than the Day appointed by such Adjournment, in that Case the Clerk to the said Commissioners, upon an Order in Writing, signed by Five or more of the said Commissioners, mentioning the Time, Place, and Purpose of such Meeting, shall forthwith give Notice thereof in the Manner before directed, and of the Time and Place which shall be mentioned in the Order of the said Commissioners, (such Meeting not being less than Fourteen Days after such Notice,) and such earlier Meeting shall and may be held accordingly; and all the Orders and Determinations of the said Commissioners at all such Meetings shall be as valid and effectual as they would have been in case such Meetings had been held in pursuance of Adjournment.

Orders, &c. to be entered.

XII. And be it further enacted, That all Orders and Proceedings of the Commissioners shall be entered in a Book or Books to be kept for that Purpose, and such Orders and Proceedings so entered shall be signed by the Commissioners making the same, or by their Chairman; which Book or Books, and also the Book and Books herein-after directed to be kept for registering Mortgages and Assignments, or Transfers thereof, shall be admitted in Evidence in all Courts whatsoever, touching any thing done in pursuance of this Act.

Appointing Officers, Salaries, &c.

XIII. And be it further enacted, That the said Commissioners, or any Seven or more of them, may and they are hereby empowered, by Writing under their Hands, to appoint a Collector of the Dues and Rates, Treasurer, Clerk or Clerks, Engineer, and Harbour-master, as the said Commissioners shall think necessary; and such Collector, Treasurer, Clerk, Engineer, Harbour-master, or any of them, from Time to Time to remove; and on Removal, Death, or Resignation of any such Collector, Treasurer, Clerk, Engineer, or Harbour-master, to appoint others in their Stead; and may and are hereby authorized and empowered, out of any of the Monies arising by virtue of this Act, to allow and pay to such Collector, Treasurer, Engineer, Clerk, or Harbour-master, and to such other Person or Persons as shall be assisting them, or any of them, in or about the Execution of this Act, such Salaries, Rewards, and Allowances, for their Attendance, Care, Labour, and Services, as the said Commissioners shall deem reasonable; and all such Officers and Persons shall from Time to Time, when thereunto required by the said Commissioners,

Officers shall account.

sioners, deliver to such Commissioners, or to such Person or Persons as they shall for that Purpose appoint, true, exact, and perfect Accounts, in Writing under their respective Hands, of all Monies which they and every of them respectively shall have received to that Time by virtue of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the proper Vouchers for such Payment, and shall pay all such Monies as shall remain in their or any of their Hands to the said Commissioners, or to such Person or Persons as they shall appoint to receive the same, and not otherwise; and if any such Officer or Person shall refuse or neglect to produce or deliver up such Vouchers relating to the same, or shall refuse or neglect to pay the Money due on such Account in manner aforesaid, or if any such Officer or Person shall refuse or neglect to deliver up to the said Trustees, or to such Person or Persons as they shall appoint, within Fourteen Days after being thereunto required by the said Commissioners, all the Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, and with which he shall have been intrusted by virtue of such Office or Employment, then and in every or any of the said Cases it shall be lawful for any Two or more Justices of the Peace for the County, City, Town, or Place wherein such Officer or Person so refusing or neglecting shall be or reside, upon Complaint in Writing made to them by any Five or more of the said Commissioners, or their Clerk, and such Justices are hereby authorized and required, by Warrant or Warrants under their Hands and Seals, to cause such Officer or Officers, Person or Persons, to be brought before them, and upon his or their not appearing, or not being to be found, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account or Accounts, if produced; and if upon Confession of the Officer or Officers, Person or Persons, against whom any such Complaint shall be made, or by the Oath or Oaths of any Witness or Witnesses, (which Oath such Justices are hereby empowered and required to administer without Fee or Reward, except the usual Fee to the Clerk to such Justices,) or upon Inspection of the said Accounts, if produced, it shall appear to such Justices that any of the Monies which shall have been collected or received shall be in the Hands of such Officer or Officers, Person or Persons, such Justices may and they are hereby authorized and required, upon Nonpayment thereof, by a Warrant or Warrants under their Hands and Seals, to cause such Monies to be levied by Distress and Sale of the Goods and Chattels of such Officer or Officers, Person or Persons respectively; and if no Goods or Chattels can be found sufficient to answer and satisfy the said Money, and the Charges of distraining and selling the same, or if such Officer or Officers, or other Person or Persons, shall not appear before the said Justices, unless for some sufficient Excuse, at the Time and Place by them appointed for that Purpose, or, if appearing, shall refuse or neglect to give and deliver to such Justices an Account or Accounts of all Receipts and Payments as aforesaid, or to produce and deliver up to the said Justices the several Vouchers and Receipts relating to such Accounts respectively, or the Books, Accounts, Papers, and Writings in his, her, or their Custody or Power, relating to the Execution of this Act, or to the said Harbour and other Works, then and in either of the Cases aforesaid such Justices may and they are hereby authorized and required, by a Warrant or Warrants under their Hands and Seals, to commit such Officer or Officers, Person or Persons, to the Common Gaol or House of Correction of the County, City, Town, or Place

Place where such Offender or Offenders shall be or reside, there to remain without Bail or Mainprize until he or they shall have given and made a true and perfect Account and Payment as aforesaid, or until he or they shall have compounded and agreed with the said Commissioners, and shall have paid such Composition in such Manner as the said Commissioners shall appoint, (which Composition the said Commissioners are hereby empowered to make,) or until he or they shall have delivered up such Books, Papers, and Writings as aforesaid, or made Satisfaction in respect thereof to the said Commissioners: Provided always, that no Person who shall be so committed for Want of sufficient Distress shall be detained in Prison, by virtue of this Act, for a longer Space of Time than Three Calendar Months.

Treasurer to give Security.

XIV. And be it further enacted, That the said Commissioners shall and they are hereby required to take Security, with Two sufficient Sureties, from the Treasurer or Treasurers, Receiver or Receivers, Collector or Collectors, or other Officers to be appointed for the Purposes of this Act, for the faithful Execution of their respective Offices; and no such Treasurer, Receiver, Collector, or other Officer shall be permitted to enter upon or continue in such their Offices respectively unless they shall have given such Security.

Commissioners may appoint temporary Collectors in certain Cases.

XV. And be it further enacted, That upon the Death, absconding, Incapacity, or Absence of any Collector or Receiver of the Dues or Rates, any Seven or more of the Commissioners, though not assembled at any Meeting of the Commissioners appointed by virtue of this Act, by Writing under their respective Hands, shall and may nominate and appoint a proper Person to be a Collector or Receiver of the said Dues or Rates, to continue till the then next Meeting of the said Commissioners, in the Stead of such Collector or Receiver as shall so die, become incapable, abscond, or absent himself; which Person so nominated and appointed shall have the like Power and Authority, and be answerable and accountable in the same Manner in all respects, as the Person who shall so die, become incapable, abscond, or absent himself, would have had or been subject to.

Books relative to former Acts to be delivered to the Commissioners.

XVI. And be it further enacted, That all Persons who are or have been employed, or who have received any Dues or Rates by virtue or on account of the said recited Acts hereby repealed, or who have or shall have in their Custody or Possession any Money, Books, Accounts, Papers, Writings, or other Things relating to the said Harbour and other Works by the same Acts directed to be improved and repaired, shall account for and pay and deliver over the same and every Part thereof to the Commissioners in and by this Act named and appointed, in like Manner and under the like Penalties as the several Collectors and other Persons receiving any Money by virtue of this Act are herein-before required to pay or account for the same.

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

XVII. And be it further enacted, That the said Commissioners may sue and be sued for or concerning any thing to be done by virtue or in pursuance of this Act, in the Name of their Clerk or Treasurer for the Time being; and no Action or Suit to be brought or commenced by the Direction

tion of or against the said Commissioners by virtue of this Act, in the Name of their Clerk or Treasurer, shall abate or be discontinued by the Death or Removal of any such Clerk or Treasurer, without the Consent of the said Commissioners; but the Clerk or Treasurer for the Time being to the said Commissioners shall be deemed to be Plaintiff or Defendant, as the Case may be: Provided always, that every such Clerk or Treasurer in whose Name any Action or Suit shall be commenced, sued, prosecuted, or defended in pursuance of this Act, shall be fully reimbursed and paid, out of the Monies to arise by virtue of this Act, all such Costs, Charges, Damages, and Expences as by the Event or in consequence of any such Action or Proceeding he shall pay, bear, expend, or be put unto, or become chargeable with, by reason of his being so made Plaintiff or Defendant as aforesaid.

How Expences are to be paid.

Commissioners indemnified.

XVIII. And be it further enacted, That the said Commissioners shall be and they are hereby exonerated and discharged of, from, and against all Actions, Suits, or Informations that may be brought or commenced against them for any thing done in pursuance of this Act (except in Cases of wilful Corruption and Misconduct); and in case any Person or Persons shall be injured by any Acts or Proceedings of the said Commissioners (except as aforesaid), such Person or Persons shall have full Recompence or Satisfaction out of the Rates or Duties hereby granted.

Ten Commissioners to be elected a Committee of Survey:

XIX. And to the Intent that the Impediments and Obstructions in and to the said Port and Haven, and the Navigation thereof, may be prevented or remedied, be it further enacted, That it shall be lawful for the said Commissioners, or any Seven or more of them, at their General Meeting yearly, on the Third *Tuesday* in *July*, to elect, choose, and appoint, by an Order in Writing under their Hands, Ten of the said Commissioners acting or who have acted in Execution of this Act to be a Committee for the Purposes herein-after mentioned, which Committee shall be called "The Committee of Survey;" and it shall and may be lawful to and for such Committee, or any Five or more of them, to use and exercise the several Powers and Authorities vested in them in and by this Act for the Term of One Year only, or until other Persons shall be chosen in their Place by virtue of this Act; and all Instruments or Nominations of any Person or Persons to be of such Committee shall be entered in a Book to be kept by the Clerk of the said Commissioners for that Purpose.

Who shall signify their Acceptance:

XX. Provided always, That every Person to be appointed of the said Committee in pursuance of this Act shall, on or before the next Public Meeting of the said Commissioners after such Appointment, and Notice in Writing to him given thereof, or left at his usual Place of Abode, under the Hand of the Clerk of the said Commissioners, accept the said Trust, and subscribe an Instrument in Writing to be provided for that Purpose, acknowledging his said Acceptance, and that he is willing to act therein, and in default thereof such Appointment shall be void and of none Effect as to the Commissioner or Commissioners who shall not accept such Appointment, and another Commissioner or other Commissioners shall be appointed at the next General Meeting in his or their Stead.

XXI. And

and report to Commissioners the State of the Wharfs, &c.

XXI. And be it further enacted, That the Persons who shall be appointed to be of the Committee of Survey as aforesaid, or any Five or more of them, shall once at least in every Year previous to the General Meeting on the Third *Tuesday* in *July*, and oftener if they shall see Occasion, at such other Time and Times and Seasons as they shall think fit, survey and view the said Harbour within the Limits herein prescribed, and the Impediments, Obstructions, and Annoyances therein, and the several Wharfs within the said Limits; and the said Committee, or any Five or more of them who shall make such Survey, shall give and report to the said Commissioners at their said General Meeting on the Day and Time last aforesaid yearly, or at the then next or some subsequent Public Meeting of the Commissioners, after such Survey and View as aforesaid, the Impediments, Obstructions, and Annoyances in, upon, or to the Prejudice of the said Harbour, and of such of the said Wharfs as are irregular or too low built, or in want of Repair, or fallen down in Part or in Whole, or that have any End or Ends, or Part of such Quays or Wharfs, without Flanks up to the Shore above High Water Mark, or that are out of Repair, and of all other Nuisances and Abuses to the said Harbour or the Navigation thereof; and the Engineer of the said Commissioners shall attend the said Committee, or any Five or more of them, on their said several Views and Surveys, to take Minutes for them, and to give his Advice and Opinion as to Matters relating to the said Harbour.

Commissioners to take Report into Consideration, &c.

XXII. And be it further enacted, That the said Commissioners shall proceed at the same or some subsequent General Meeting to take the said Report into Consideration, and then, or at any future Public Meeting, make such Order and Orders for remedying and removing the said Impediments, Annoyances, and Obstructions, and for the rebuilding, repairing, and amending the said Quays and Wharfs, within such Time or Times as the said Commissioners shall think fit, and shall cause Notice in Writing to be given to the Person or Persons doing, committing, or permitting the said Impediments, Annoyances, or Obstructions; and also to the Owner and Owners, and to the Occupier and Occupiers of such Quays and Wharfs so found to be irregular, or too low built, or in want of Repair, or fallen down in Part or in Whole, or that any End or Ends or Part of such Quays or Wharfs is or are without Flanks up to the Shore above High Water Mark, or out of Repair; which Notice shall be given personally or left at the Dwelling House or Houses, or Place or Places of Abode of the Person or Persons committing or permitting the said Impediments, Annoyances, or Obstructions, and of the Owner and Owners, Occupier and Occupiers of such Quays and Wharfs so found out of Repair or defective as aforesaid, or with some Tenants or Agents on the Premises on or near which any such Impediment, Obstruction, or Annoyance is found and reported to be made or occasioned, and of such Quays and Wharfs so found to be out of Repair or defective as aforesaid; specifying the Particulars wherein such Impediments, Obstructions, or Annoyances consist, and the Time or Times allowed by the said Commissioners for remedying or removing the same, and the Want of Repair or low Building of the said Quays and Wharfs, or that the same is or are without Flanks up to the Shore above the High Water Mark, or out of Repair, and the Time or Times allowed by the said Commissioners for rebuilding, repairing, and amending the said Quays and Wharfs so found as aforesaid; and in case such Impediments, Annoyances, or Obstructions shall not be remedied and

removed within such Time or Times as the said Commissioners shall have appointed for that Purpose, the said Person or Persons doing, committing, or permitting the same, shall forfeit and pay such Sum and Sums of Money as the said Commissioners shall think fit, not exceeding the Sum of Five Pounds; and for every Month that such Defects or Annoyances so found are not remedied or removed, from and after the Time allowed by the Commissioners as aforesaid, a Sum or Sums of Money not exceeding Five Pounds; and if such Quays or Wharfs are not rebuilt, repaired, and amended within such Time or Times as the said Commissioners shall have appointed for that Purpose, the Owner and Owners, and Occupier and Occupiers of such Quays or Wharfs shall forfeit and pay such Sum and Sums of Money as the said Commissioners shall think fit, not exceeding the Sum of Five Pounds; and for every Month that every such Quay or Wharf shall be and remain, from and after the Time allowed by the said Commissioners as aforesaid, unflanked up to the Shore above the High Water Mark, or not built above the usual Flux of the Water, not repaired, or the Defects thereof not remedied or removed, the further Sum or Sums not exceeding Five Pounds.

Expences of Committee of Survey to be paid.

XXIII. And be it further enacted, That the said Commissioners shall and may, if they shall think proper, pay and allow, out of the Monies to be raised by virtue of this Act, the reasonable Expences of the said Committee when attending and going on their said Surveys to be made as aforesaid, not exceeding the Sum of Ten Pounds.

Power to make Bye Laws.

XXIV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, at a General Meeting appointed by this Act, to make, ordain, and establish such Bye Laws, Rules, Orders, Regulations, and Ordinances, for the better regulating of the said Port, and for the Security and Safety of the Works made and done by virtue of this Act, and for the Appointment, Regulation, Direction, and well-conducting of Ships and Vessels into, out of, or whilst within the said Harbour, and of the Boats and other Vessels therein, as shall from Time to Time appear to be necessary and proper; and to alter, vary, and repeal the same as Occasion shall be or require, and to impose reasonable Fines and Forfeitures for the Breach or Nonperformance of such Bye Laws, Rules, Orders, Regulations, and Ordinances, so as no one Penalty or Forfeiture shall exceed Five Pounds, which Fines and Forfeitures shall be recovered and levied as other Fines and Forfeitures by this Act inflicted or imposed are hereby directed to be recovered and levied; and that all such Bye Laws, Rules, Orders, Regulations, and Ordinances, and the Fines and Forfeitures for the Breach or Nonperformance thereof, shall from Time to Time, as often as they shall be made, altered, or varied, after the same shall have been approved and confirmed by one of the Judges of the Court of King's Bench at *Westminster*, be put up, either in Print or in Writing in a clear legible Hand, in the Custom House of the said Port of *New Shoreham*, and in such other Place or Places as the said Commissioners shall appoint; and upon Application a Copy thereof shall be delivered to the Owner or Person or Persons having the Rule or Command of any Ship or Vessel requiring the same, on Payment to the Haven Masters, or One of them, the Sum of Sixpence for the same; provided such Bye Laws, Rules, Orders, Regulations, and Ordinances be not inconsistent with or repugnant to the Laws of that Part of the United

Kingdom of *Great Britain* and *Ireland* called *England*, or to the Provisions and Directions in this Act contained: Provided always, that the said Commissioners shall and they are hereby directed and required to cause Notice of the Meeting for making all such Bye Laws, Rules, Orders, Regulations, and Ordinances, to be inserted in the Newspaper called *The Public Ledger*, and in some Newspaper published in the County of *Sussex*, Twenty-one Days at least before any such Bye Laws, Rules, Orders, Regulations, and Ordinances shall be made; and all such Bye Laws, Rules, Orders, Regulations, and Ordinances, and all Convictions for Offences against the same, shall be subject to Appeal to the Quarter Sessions in the Manner herein-after provided; and all such Penalties and Fines, when paid or levied, if not otherwise directed to be applied by this Act, shall be from Time to Time paid to the Treasurer or Treasurers of the said Commissioners, and be applied to the Purposes of this Act.

Penalties how to be applied.

XXV. And be it further enacted, That no Bye Law, Rule, Order, Regulation, or Ordinance to be made and entered into by virtue of this Act, shall be altered, varied, or repealed, unless Notice of such intended Alteration or Repeal shall have been affixed in Writing on the principal outer Door of the Parish Church of *New Shoreham* aforesaid, and the front Doors of the Two principal Inns in *New Shoreham* aforesaid, at least Twenty-one Days before the same shall be carried into Effect, nor unless there shall be at least Eleven Commissioners present at such Alteration or Repeal, and consenting thereto: Provided always, that Twenty-one Days Notice of such intended Alteration, Variation, or Repeal, shall be given in the said Newspaper called *The Public Ledger*, and some Newspaper published in the County of *Sussex*, previous to the same being made.

Bye Laws, &c. not to be altered or repealed under Twenty-one Days Notice in Writing, &c.

XXVI. And be it further enacted, That from and after the passing of this Act, the Right and Property of all the Wharfs, Quays, and Buildings, and of all Timber, Ironwork, Wood, Stone, and other Materials now belonging to the Commissioners under the said recited Acts, or either of them, or to be purchased for any of the Purposes of this Act, and the Property of all and every the Works erected in and about the said Harbour in pursuance of such Acts or of this Act, shall belong to and the same is and are hereby vested in the said Commissioners for the Time being, who are hereby authorized and empowered to cause any Action or Actions to be brought, or any Bill or Bills of Indictment to be preferred, as the Case shall require, against any Person or Persons who shall steal, take, or carry away, detain, demolish, destroy, break down, or injure any Part or Parts thereof; and in all such Actions and Bills of Indictment respectively it shall be deemed to be sufficient to state generally that the Article or Articles, Thing or Things, for on account of which such Action or Actions shall be brought, or Bill or Bills of Indictment preferred, is or are the Property of "The Commissioners for improving the Harbour of *New Shoreham*;" without particularly naming such Commissioners; and the said Commissioners shall from Time to Time have full Power and Authority to sell and dispose of all or any Part of such Materials that shall be found useless, to such Person or Persons as shall be willing to purchase the same, and the Money to arise therefrom shall be applied for the Purposes of this Act.

Piers and Works vested in the Commissioners.

XXVII. And

Limits of the Harbour, and Power to improve the same.

XXVII. And be it further enacted, That the Limits of the said Harbour shall be and extend from *Old Shoreham* Bridge to the *Wish*, and One hundred and sixty Yards on the West Side of the intended Western Pier, and One hundred and sixty Yards on the East Side of the intended Eastern Pier, and extend to the Flow of the High Water and Spring Tides on the North and South Sides of the said Harbour, from the *Wish* to *Old Shoreham* Bridge (save and except the Marshes or Waste Lands lying on either Side of the said Harbour, between the West End of the Town of *New Shoreham* and *Old Shoreham* Bridge); and that the said Commissioners, or such Person or Persons as they shall by any Writing or Writings under their Hands nominate and appoint, and their Agents, Officers, Workmen, and Servants, shall be and are hereby empowered, authorized, and required to deepen, cleanse, scour, and enlarge the Channel of the said Harbour within the Limits aforesaid, and to make a new Pier or Piers with the necessary wharfing to confine the Channel opposite to and near the intended Entrance into the said Harbour, which they are hereby required to open, and from Time to Time to amend or improve as they may see expedient; and also to make the necessary Dams, Sluices, Platforms, and other Works in the Eastern Division of the Harbour, for the Purpose of sluicing it; and also such Works as shall be found requisite to accelerate the closing up of the present Entrance of the said Harbour; and likewise to construct a proper Steam-engine Dredge-boat, with its attendant Punts or Hoppers, requisite for removing the Shoals within the Limits aforesaid, and to construct Light-houses, Store-houses, Store-yards, and other Buildings, and to make and effect such other Works, within the aforesaid Limits, as shall be necessary for improving and preserving the Navigation of the said Harbour, and the Use thereof, by the Persons trading thereto, and for that Purpose to dig, take up, remove, and carry away any Rocks, Stones, Soil, Sand, Gravel, Rubbish, or other gross Matter which shall obstruct, prejudice, or hinder the Navigation of the said Harbour, and the Improvement thereof, and to cast, lay, and lodge the same behind such Pier or Piers or elsewhere, if the same be requisite for effecting the Purposes of this Act, be it the Ground or Soil of any Person or Persons, Bodies Politic or Corporate whomsoever; and also to dig, cut, remove, and take away all Trees, Roots, Beds of Gravel, Sand, Stones, or any other Obstructions or Impediments whatsoever, which may any way hinder or prevent the Navigation of the said Harbour within the Limits aforesaid, or the Improvement or Use thereof as aforesaid; and also to build, erect, set up, and make in the said Harbour within the Limits aforesaid, or upon the Lands adjoining or near the same (except the Field in front of the House of *William Gorringe* Esquire, near the intended Entrance of the said Harbour), such Jetties, Crabs, Capsterns, Mooring Anchors or Mooring Frames, Dolphins, and other Engines, Posts, and Stoops, for the Purposes only of carrying on, completing, maintaining, and preserving the Navigation and Use of the said Harbour within the Limits aforesaid, and rendering the said Harbour safe and commodious, and for other Works and Conveniences necessary and requisite for those Purposes only, as and where, and from Time to Time, as often as shall be proper and convenient, to alter, repair, increase, enlarge, and amend the same; and also to make, amend, widen, turn, alter, or enlarge any Road, Ways, Passages, or other Conveniences for the carrying and conveying of all Sorts of Materials to and from the said Harbour, within the Limits aforesaid, during the Progress, Improvement, or repairing of the

the said Works; and also to carry and convey the same in, over, and upon any Lands or Grounds (except as aforesaid) in order to the making, carrying on, perfecting, improving, and finishing of the said Works and Navigation, and for altering, repairing, and maintaining the same; and also to lay, work, and manufacture the said Materials upon the Ground (except as aforesaid) near to the Place or Places where the said Works, or any of them, shall or are intended to be made, erected, or done; and also to get, dig, take, and carry away Soil, Sand, Clay, Stones, Rock, Gravel, and other Materials, proper, requisite, and convenient for making, carrying on, altering, and continuing the said Works and Undertakings, in or from any Ground of any Person or Persons, or any Waste Lands adjoining or lying contiguous to the said Harbour within the Limits aforesaid, (not then being the Ground whereon any House stands, nor having been for the Space of Twelve Calendar Months then next immediately preceding, an Orchard, Pleasure Ground, or planted Walk or Avenue to a House, and except as herein-before mentioned,) and also to do and perform all other Works, Matters, and Things which shall be necessary or proper for rendering the said Harbour safe and commodious, and for executing the Purposes of this Act; they the said Commissioners, and the other Persons hereby empowered to perform the said Works and Things, doing as little Damage as may be to and upon the Premises, and giving or tendering such Satisfaction to the Owners and Occupiers, or any Persons interested in any Lands, Tenements, or Hereditaments respectively, for any Damage that may happen or be occasioned to such Lands, Tenements, or Hereditaments, as the said Commissioners shall for that Purpose order, adjudge, direct, or appoint, according to the Tenor and true Meaning of this Act; and in case of any Difference or Dispute concerning such Damages, or the Quantum thereof, the same shall be settled and determined in the Manner herein-after provided with respect to the Value of Lands taken or used for the Purposes of this Act.

Roads to be made, &c. at Expence of the Commissioners.

XXVIII. Provided always, and be it further enacted, That in case any new or additional Road or Roads shall be set out by virtue of this Act, such Road or Roads shall be made, maintained, and kept in repair by and out of the Monies to arise or be received by virtue of this Act; and that all and every the Inhabitants of any Parish, Township or Place through which the Whole or any Part of such Road or Roads shall be made or pass, shall at all Times be freed and absolutely discharged of and from any Statute or other Duty, or any Charge whatsoever, for or on account of such Road or Roads.

Embanking Mr. Gorringe's Lands.

XXIX. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby required, by and out of the Monies coming to their Hands under or by virtue of this Act, before the opening of the intended new Cut, to erect or make such Work or Works, or such Embankment or Embankments, as shall be considered by any competent Engineer to be named by *William Gorringe* Esquire, or the Owner or Owners for the Time being of the Property now belonging to him, and situate near the said Harbour, and the said Commissioners, or in case of the Refusal or Neglect of the said Commissioners to join in nominating such Engineer for Three Months after required by the said *William Gorringe*, or such Owner or Owners as aforesaid, then by a competent Engineer to be named by the said *William Gorringe*, or such Owner or Owners as aforesaid, to be necessary to protect the Messuages, Buildings,

Lands, and Hereditaments now belonging to the said *William Gorringe*, from any Injury or Damage which may arise or be apprehended from the opening of such Cut, or from the more speedy and extensive Flow of the Water in consequence of the intended new Cut or Improvements of the said Harbour; and further, that it shall and may be lawful to and for the said Commissioners, and they are hereby required, from and after the opening of such intended Cut, or the making of such Improvements, to make such other or further Work or Works, Embankment or Embankments, or to repair, amend, maintain, and improve any Work or Works, Embankment or Embankments, which may have been erected or made, as shall be thought necessary by an Engineer, to be named as aforesaid, to protect the said Messuages, Buildings, Lands, and Hereditaments, now belonging to the said *William Gorringe*, from the Injury aforesaid: Provided that nothing herein contained shall extend to, or be deemed or construed to extend, to prejudice or affect any Claim, Right, or Benefit to which the said *William Gorringe*, or such Owner or Owners as aforesaid, shall or may be entitled to under or by virtue of any other Clause, Provision, or Enactment in this Act.

Map or Plan to be shown by the Clerk of the Peace.

XXX. And whereas a Map or Plan, describing the proposed Extension of the said Harbour, and of the several Piers and other Works to be made in pursuance of this Act, and of the Lands and Grounds through or on which the same are to be formed, erected, and carried, together with a Book of Reference containing a List of the Names of the Owners and Occupiers of such Lands, has been deposited with the Clerk of the Peace for the County of *Sussex*; be it therefore enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the Clerk of the Peace for the said County, to the End that all Persons may at all seasonable Times have Liberty to inspect and peruse the same, and to take Copies or Extracts therefrom at their Will and Pleasure, paying to the Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of One Shilling and Sixpence for every Seventy-two Words of such Copies or Extracts of the said Map or Plan and Book of Reference; and the said Commissioners, in making the said Harbour, Piers, and other Works to be made by virtue of this Act, shall not deviate from the said Map or Plan more than Twenty Yards.

Lands marked in the Plan may be used, notwithstanding Errors in the Book of Reference.

XXXI. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners to make the intended Extension of the said Harbour, and the several Piers and other Works to be made and erected by virtue of this Act, into, through, across, or over the Lands or Grounds of any Person or Persons who is, or are, or may be Owner or Owners of Lands or Grounds over which the same is or are set out and described in the said Map or Plan as aforesaid, although the Name or Names of such Person or Persons may happen to be erroneously described or omitted in the said Book of Reference, in case it shall appear to any Two or more Justices of the Peace for the County, Town, or Place wherein such Lands, Hereditaments, or Premises shall be situate, and be certified by Writing under their Hands, that the Lands, Hereditaments, and Premises are the same that were intended, and that such Error or Omission proceeded from Mistake, or was not wilful; and such Certificate shall be deposited with and remain in the Custody of the Clerk of the Peace for the said County, Town, or Place, and shall be as effectual as if the proper Names and Description had been inserted in this Act.

XXXII. Pro-

Damages by Works being made.

XXXII. Provided always, and it is hereby further enacted, That if any Person or Persons, or Bodies Politic or Corporate, have already sustained or shall at any Time hereafter happen to sustain any Damage by the said Commissioners, or any Person or Persons authorized by them, in putting in Execution the Powers vested in them by the said recited Acts or by this Act, in or upon his, her, or their Messuages, Quays, Lands, Tenements, or Hereditaments, for which no Recompence shall have been made, by reason of any Act, Neglect, or Default of the said Commissioners or their Agents, Workmen, or Servants; or if by the erecting or building of any Pier or Piers, Wall or Walls, or other Works, and from the different Direction to be thereby given to the Sea and Tide flowing into the said Harbour, the said Messuages, Quays, Lands, Tenements, or Hereditaments shall be beat down, washed away, overflowed, or otherwise prejudiced or damnified, or if *Shermanbury Mill* shall be obstructed by any of the said Causes; then and in either of the said Cases, if the said Commissioners and the Parties by whom such Damage shall be sustained shall not agree touching such Damages, they the said Commissioners shall cause such Damages to be inquired of by a Jury, to be impannelled and returned as herein mentioned, and Judgment shall be given for the Party or Parties aggrieved, and the same shall be recorded, and such Record shall be deposited with the Clerk of the Peace for the County of *Sussex*, and inspected and copied, and such Copy to be Evidence, in like Manner and Form as is herein mentioned and directed; and the said Commissioners, by and out of the Money to be raised by virtue of this Act, shall cause to be paid the said Damages so ascertained, and such Quays to be rebuilt or repaired, and such Lands and Grounds, as much as may be, effectually secured against the Sea and Tide, within Twelve Calendar Months next after such Accident shall happen: Provided that such Quays at the Time of the said Accident were not in Decay or Ruin, and appeared to have been built on good and proper Foundations, and regularly built with Stones of a sufficient Size and Quality for a Quay on a navigable River.

Damages by the Works giving a different Direction to the Sea or Tide.

Jury to inquire of Damages.

Rebuilding Quays, and Grounds secured.

For protecting Embankments on the Adur.

XXXIII. And whereas it is apprehended that a more speedy and extensive Flow of the Tide may ensue from the intended new Cut, and the projected Works and Improvements in the said Harbour, and that certain Embankments which have been made adjoining or near to the River *Adur*, which communicate with the said Harbour, for protecting certain low Lands and Grounds of very considerable Extent and Value, lying between a certain Bridge called *Beeding Bridge*, and certain Bridges called *Moak Bridge*, in the Parish of *Shermanbury*, and a certain other Bridge called *Bines Bridge* in the Parish of *West Grinstead*, and adjoining or lying near to the said River, in consequence of the intended new Cut and other Works, may be overflowed, or be injured, or broken down, and the said Lands and Grounds be damaged; and also that certain other Lands and Grounds, of very considerable Extent and Value, and lying within the same Limits, and also adjoining or near to the said River, which have not had and do not at present require any Embankments, may be thereby overflowed, and greatly injured or damaged; be it therefore enacted, That in the Month of *April*, *May*, or *June*, in the Year after the passing of this Act, Two skilful Persons, One to be chosen by the Commissioners of the said Harbour, and the other by the Commissioners of Sewers for the Rape of *Bramber*, such Two Persons being skilled in River Embankments, and not being the immediate Agent, Servant, or Surveyor of the

Commissioners

Commissioners of the said Harbour, or of the said Commissioners of Sewers, shall ascertain the Difference of the Flow of a Spring Tide on the North Side of the Shingle or Beach dividing the present Harbour from the Sea at the present Entrance of the said Harbour, and on the same Side of the Shingle or Beach, at the Place where the new Cut is intended to be made, and shall also ascertain the consequent Increase of Flow of Tide into the said Harbour and River in consequence of the said intended Cut and the other Works intended to be made, at the following Places, (*videlicet*) at the West End of the Town of *Shoreham*, *Shoreham Bridge*, *Beeding Bridge*, *Moak Bridge*, and *Bines Bridge*, and such other Places as such Two Persons shall think necessary; and the said Two skilful Persons shall also ascertain and estimate the Amount of Money which will be required to put the Banks and Embankments of the River in such State of Repair as shall be deemed by the said Two skilful Persons to be necessary (if any) at the Time of making such Estimate, for the Security of the Banks and Embankments of the said River, and the Protection of the Lands adjoining the same, under the Powers and Authorities of the said Commissioners of Sewers, in case this Act had not passed; and such Persons shall certify such Amount; and when and so soon as such Certificate shall be given, the Treasurer of the said Commissioners of Sewers shall forthwith countersign such Certificate, and give an Undertaking to pay to the said Commissioners of the Harbour the Account so certified, in Manner and at the Time herein-after mentioned; and such Amount of Money shall be laid out by the Commissioners of the Harbour, under and according to the Orders and Directions which shall be agreed upon by such Two skilful Persons as aforesaid in the making such Repairs, together with whatever more may be necessary to be expended in giving further increased Height and Security to the Banks and Embankments of the said River, for the Purpose of resisting any increased Flow of Water from the said Cut and projected Works and Improvements to the said Harbour, to be ascertained as herein mentioned; and when and so soon as such Money shall have been so laid out, and such Banks and Embankments shall be properly repaired and completed, a Certificate thereof shall be given by such Two skilful Persons, and upon such Certificate the Treasurer of the said Commissioners of Sewers shall immediately pay the Amount so estimated as aforesaid to the said Commissioners of the Harbour.

Embankments to be raised;

XXXIV. And be it further enacted, That the Differences in the Rise of Tide to be ascertained as aforesaid by the said Two Persons at the said several Places, in consequence of the said intended new Cut and other Works, and also such further Height (if any) as the said Two skilful Persons shall judge necessary, shall be the additional Height at and between those Places respectively, to which the said Commissioners of the said Harbour shall be and are hereby authorized and required to raise the present Embankments, and shall also be the Height to which they are authorized and required to erect and make such new Embankments, and at such Place and Places as the said Two skilful Persons shall direct, before the said new Cut shall be opened, and before any Injury can or may arise to the said Lands and Grounds adjoining or lying near to the said River; and the said Commissioners of the said Harbour shall forthwith, after such additional new Embankments, and such necessary additional Height to the present Embankments, shall be ascertained as aforesaid, make and erect such Embankments to such respective Heights, and shall complete

complete the same so as not to diminish either the Width of the Top of the Banks or the Slopes of either Face, and so as in no respect to be insufficient in the Opinion of the said Two skilful Persons to give the necessary Strength to such Embankments; and the said Two Persons so to be appointed as aforesaid shall, One Month preceding the opening of the said new Cut, certify in Writing to the said Commissioners of the Harbour, or their Clerk, and also to the Commissioners of Sewers, or their Clerk, that the said Embankments have been made, erected, raised, and completed as before directed.

Which shall be paid by Commissioners.

XXXV. And be it further enacted, That the Expences in and about the making, erecting, raising, and completing of such Embankments, and all and every the Costs and Expences of the said Two skilful Persons, shall be paid by the said Commissioners of the said Harbour, by and out of the Monies to be received or coming to them under or by virtue of this Act.

Damages to be settled by Commissioners.

XXXVI. And be it further enacted, That the said Commissioners of the said Harbour shall, and they are hereby required, by and out of the Monies to be received by them under or by virtue of this Act, to pay all and every the Damages which by the Certificate in Writing of the said Two skilful Persons as aforesaid (which Certificates they are hereby required to give) shall be declared to have been sustained by the Owner or Occupier of any Lands, Tenements, or Hereditaments in or by the making, heightening, strengthening, or improving of the said Embankments, or any Part thereof, or by any Act, Neglect, or Default of the said Commissioners, their Agents, Workmen, or Servants, in or about the same; and in case the said Damages shall not be so ascertained and certified as aforesaid, and the Commissioners of the Harbour, and the Person or Persons by whom such Damages shall have been sustained, shall not agree touching such Damages, the Amount thereof shall be ascertained by a Jury, to be impannelled and returned as in this Act mentioned; and in case of Non-payment of such Damages, or any Part thereof, the Owner or Occupier sustaining the same shall and may recover the same in the same Manner as the other Damages to be sustained by the Acts of the said Commissioners, their Agents, Servants, or Workmen, are hereby recoverable.

New Cut not to be made till Embankment is completed.

XXXVII. And be it further enacted, That the intended new Cut shall not be opened, and that the Commissioners of the Harbour shall not open, or permit, or suffer the said intended new Cut to be opened, nor permit or suffer the Tide to flow unto, through, or up the said intended new Cut, until the Embankment or Embankments before mentioned shall have been erected, raised, completed, and certified as before directed, unless it be with the Consent of a Meeting of the Commissioners of Sewers to be holden for that Purpose.

Embankment to be maintained for Two Years by the Commissioners.

XXXVIII. And be it further enacted, That the said Commissioners of the Harbour for the Space of Two Years, from and after the opening of the said new Cut, shall well and substantially repair, amend, support, maintain, and keep up the said Embankment or Embankments to the Height so required as aforesaid, and of the same Width and Slope, and of sufficient Strength and Substance to protect and defend the said Lands, Tenements, and Hereditaments from all Damage or Injury whatever,

which shall or may be occasioned by the said Cut, or by any Work or Works erected by the said Commissioners of the said Harbour, their Servants or Agents.

Drainage of Lands.

XXXIX. And be it further enacted, That if at any Time or Times from and after the opening of the said new Cut, the Drainage of all or any Part of the said Low Lands or Grounds lying between the said several Bridges called *Beeding Bridge*, and *Moak Bridge*, and *Bines Bridge*, respectively, shall be injured or impeded, or any of the said Lands, Tenements, or Hereditaments lying within the same Limits, and also adjoining or lying near to the said River, shall be damaged, or the opening of the said new Cut, or in consequence of or by the Defect or Insufficiency of any of the said Works, or by any other Act or Acts, Work or Works, Neglect or Default of the said Commissioners of the Harbour, their Agents, Workmen, or Servants, or any other Person or Persons authorized by them, in putting into Execution the Powers vested in them by this Act, then and in any of the said Cases it shall be lawful for the said Commissioners of the Harbour, and they are hereby required, to make such Sewer or Sewers, Drain or Drains, Embankment or Embankments, or any other Work or Works, and to repair, amend, maintain, and improve such Sewer or Sewers, Drain or Drains, Embankment or Embankments, or other Work or Works which may have been erected and made, as shall by the said Two skilful Persons so appointed as aforesaid, or by Two other such skilful Persons appointed in the same Manner as aforesaid, be deemed necessary to remove the Injury or Impediment to the said Drainage occasioned by the said new Cut or other Works to be made or done by the said Commissioners of the said Harbour, and to protect the said Lands, Tenements, and Hereditaments within the Limits aforesaid from the Injury aforesaid; all the Costs of which said Sewer or Sewers, Drain or Drains, Embankment or Embankments, or other Work or Works, and also of the said skilful Persons, and of an Umpire, if any shall be chosen as herein-after mentioned, and also the Damages so sustained by the Owners or Occupiers of any of the said Lands, Tenements, or Hereditaments, shall be borne and paid by the Commissioners of the Harbour, from and out of the Monies to be received by them under or by virtue of this Act; and in case the Commissioners of the Harbour, and the Person or Persons by whom such Damages shall have been sustained, shall not agree touching such Damages, every such Person and Persons, Bodies Politic, Corporate, or Collegiate, who shall sustain such Damages or Injury, shall and may and they are hereby authorized and empowered to inquire of and ascertain such Damages by a Jury, to be impannelled and returned as in this Act mentioned by the Sheriff of the said County of *Sussex*, who shall give Judgment for the Party or Parties aggrieved, and record the same respectively, in the same Manner and Form as the Damages and Recompence are hereby appointed to be assessed and adjudged for any Lands, Tenements, and Hereditaments which shall any ways be made use of or damaged in the Execution of the Powers of this Act; and in case of Nonpayment of such Damages or any Part thereof, the Owner or Occupier sustaining the same shall and may recover the same in the same Manner as the other Damages to be sustained by the Acts of the said Commissioners are hereby recoverable; and it is hereby further provided, that from and after the Expiration of Two Years from the opening of the intended new Cut, and the said Two skilful Persons, or

Two other such skilful Persons so appointed as aforesaid, whose Costs and Expences shall be paid by the said Commissioners of the Harbour out of the Monies to be received by them under and by virtue of this Act, shall have further certified in Writing that the Sewer or Sewers, Drain or Drains, Work or Works, Embankment and Embankments, then erected and made for the Protection of the Drainage aforesaid, and also of the said low Lands and Grounds from Injury arising from the said new Cut or other Works to be made or done by the said Commissioners of the said Harbour, as are in their Judgment sufficient for such Purposes, and shall have delivered such Certificate to the Commissioners of the Harbour or their Clerk, and also to the said Commissioners of Sewers or their Clerk, the said Commissioners of the Harbour shall from thenceforth be freed and absolutely discharged from all Damages which may thereafter arise to the said Drainage, Lands, or Grounds; and for the Purpose of settling and determining any Dispute or Difference that may arise between the said Two skilful Persons to be named as aforesaid, touching or concerning any Matter or Thing hereby referred to them, and for preventing any Delay or Difficulty by their or either of their refusing or neglecting to become incompetent to act, or not giving such Certificates as hereby required, it shall and may be lawful to and for the said Two Persons, and they are hereby required, before they enter on any Matter or Thing hereby referred to them, by some Writing under their Hands to nominate some Third Person, skilled in River Embankments, and not being the immediate Agent, Steward, or Surveyor of the said Commissioners of the said Harbour or of the said Commissioners of Sewers, as an Umpire, who shall, after One Month from such Difference, Refusal, Neglect, or Incompetency or Delay in giving such Certificate, become competent to act and do every Matter and Thing, and give Certificates in such Manner as such Persons would otherwise have been empowered to do; and in case such Umpire so nominated and appointed by the said Two Persons shall die, or refuse or neglect to act as such Umpire within the Space of One Month after Application made to him for that Purpose, or shall become incapable of acting, then and in every such Case it shall and may be lawful to and for the said Two Persons, and they are hereby required, to nominate and appoint, by any Writing under their Hands, any other Person skilled in River Embankments, and not being the immediate Agent, Steward, or Surveyor of the said Commissioners of the said Harbour, or of the said Commissioners of Sewers, as such Umpire; and so from Time to Time as often as any Person so nominated and appointed an Umpire shall die, refuse or neglect to act, or become incapable of acting as such Umpire; and every such Umpire, so nominated and appointed, shall become competent to act and do every Matter and Thing, and give Certificates in such Manner as such Persons or any Umpire previously appointed would have been empowered to do; and for preventing Delay by the Death of either of the Persons to be named as aforesaid, it shall and may be lawful to and for the said Commissioners of the Harbour, or the said Commissioners of Sewers, by whom such Person so dying shall have been named, and they are hereby required to nominate and appoint some other Persons to act on their Behalf in the Place or Stead of the Person who shall so die, who shall become competent to act, and do every Matter and Thing, and give Certificates, in such Manner as such Person so dying would otherwise have been empowered to do.

XL. Provided

Lands may be entered by Commissioners, &c.

XL. Provided always, and be it further enacted, That it shall and may be lawful to and for the Commissioners of the said Harbour, and all Persons appointed by them, and their Agents, Officers, Workmen, and Servants, to enter into and upon all and every the Lands of any Person or Persons, Bodies Politic or Corporate, for the Purpose of raising and improving the said Embankment or Embankments, or the making of such Sewer or Sewers, Drain or Drains, and other Works, and to raise, improve, and make such Embankment or Embankments, Sewer or Sewers, Drain or Drains, or other Works, and to take all Materials necessary for those Purposes, without being liable to any Action for Trespass or otherwise in so doing, making Compensation for Damages arising thereby, to be ascertained and paid in the same Manner as other Damages are by this Act directed to be ascertained and paid.

Protecting the Lands of Lord Egremont, &c.

XLI. And whereas it is apprehended, that by the more speedy and extensive Flow of the Tide, which as herein-before mentioned may ensue from the intended new Cut, and the intended Works and Improvements in the said Harbour, certain Embankments which have been made adjoining to or near the said River *Adur*, for protecting certain other low Lands and Grounds of very considerable Extent and Value, lying between the said Bridge called *Beeding Bridge* and a certain Bridge called *Old Shoreham Bridge*, and adjoining or lying near to the said River, may be overflowed, or be injured or broken down, and the said Lands and Grounds be thereby flooded and greatly injured or damaged, and also that certain other Lands and Grounds of very considerable Extent and Value, and lying within the same Limits, and also adjoining or near to the said River, which have not had, and do not at present require any Embankments, may be also thereby overflowed and greatly injured or damaged; be it therefore enacted, That in the Month of *April*, *May*, or *June*, in the Year next after the passing of this Act, Two Persons skilled in River Embankments, one to be chosen by the Commissioners of the said Harbour, and the other by the Right Honourable the Earl of *Egremont*, *Harry Bridger* Esquire, *Hugh Penfold* Gentleman, and *Thomas Lidbetter* Gentleman, the present Proprietors of the said Lands, or such Persons as may then be the Proprietors thereof, (neither of such Two Persons so to be chosen being the immediate Agent, Servant, or Surveyor of the said Commissioners of the said Harbour, or of the said Proprietors, or any or either of them,) shall ascertain the Difference of the Flow of a Spring Tide, in the Manner herein-before mentioned; and such Two Persons shall also ascertain and estimate the Amount of Money which would be required to put the Banks and Embankments of the said River, within the Limits last aforesaid, in such State of Repair as shall be deemed by the said Two Persons to be necessary (if any) at the Time of making such Estimate for the Security of the Bank and Embankments of the said River, and the Protection of the Lands adjoining the same, and such Persons shall certify such Amount; and when and so soon as such Certificate shall be given, the said Proprietors shall give an Undertaking to pay to the said Commissioners of the said Harbour the Amount so certified, in Manner and at the Time herein-before mentioned; and such Amount of Money shall be laid out by the Commissioners of the Harbour under and according to the Orders and Directions which shall be agreed upon by such Two Persons as aforesaid in the making such Repairs, together with such further Monies as may be necessary to be expended in further increasing the Height of and giving

giving Security to the Banks and Embankments of the said River, for the Purpose of resisting any increased Flow of Water from the said Cut and Harbour, to be ascertained as aforesaid, and when and as soon as such Monies shall have been so laid out, and such Banks and Embankments shall have been properly repaired and completed, a Certificate thereof shall be given by such Two Persons, and upon such Certificate the said Proprietors shall immediately pay the Amount so estimated as aforesaid, to the said Commissioners of the Harbour.

Raising the Embankments.

XLII. And be it further enacted, That the Differences in the Rise of Tide to be ascertained as aforesaid by the said Two Persons, at the several Places herein-before mentioned, in consequence of the said new Cut and other Works, and also such further Height (if any) as the said Two Persons shall judge necessary, shall be the additional Height at and between the said Places respectively to which the said Commissioners of the said Harbour shall be and are hereby authorized and required to raise the present Embankments, and shall also be the Height to which they are authorized and required to erect and make such new Embankments, and at such Place and Places as the said Two Persons shall direct, before the said new Cut shall be opened, and before any Injury can or may arise to the said Lands and Grounds adjoining or lying near to the said River; and the said Commissioners of the said Harbour shall forthwith, after such additional new Embankments and such necessary additional Height to the present Embankments shall be ascertained as aforesaid, make and erect such Embankments to such respective Heights, and shall complete the same so as not to diminish either the Width of the Top of the Banks or the Slopes of either Face, and so as in all respects to be sufficient in the Opinion of the said Two Persons to give the necessary Strength to such Embankments; and the said Two Persons so to be appointed as aforesaid shall at least One Month before the opening of the said new Cut certify in Writing to the said Commissioners of the said Harbour, or their Clerk, and also to the said Proprietors, that the said last-mentioned Embankments have been made, erected, raised, and completed as before directed.

Expences of Embankment.

XLIII. And be it further enacted, That the Expences in and about the making, erecting, raising, and completing of such Embankments, and all and every the Costs and Expences of the said Two Persons, shall be paid by and reimbursed to the said Commissioners of the said Harbour by and out of the Monies to be received or coming to them under or by virtue of this Act.

Damages to be defrayed by Commissioners.

XLIV. And be it further enacted, That the said Commissioners of the said Harbour shall, and they are hereby required, by and out of the Monies to be received by them under or by virtue of this Act, to pay all and every the Damages which by the Certificates in Writing of the said Two Persons as aforesaid (which Certificates they are hereby required to give) shall be declared to have been sustained by the Owner or Occupier, or Owners or Occupiers of any Lands, Tenements, or Hereditaments, in or by the making, heightening, strengthening, or improving of the said Embankments, or any Part thereof, or by any Act, Neglect, or Default of the said Commissioners, their Agents, Workmen, or Servants, in or about the same; and in case the said Damages shall not be so ascertained and certified as aforesaid, and the Commissioners of the said Harbour, and

the Person or Persons by whom such Damages shall have been sustained, shall not agree touching such Damages, the Amount thereof shall be ascertained by a Jury, to be impannelled and returned as in this Act mentioned; and in case of Nonpayment of such Damages, or any Part thereof, the Owners or Occupiers respectively sustaining the same shall and may recover the same in the same Manner as the other Damages to be caused by the Acts of the said Commissioners are hereby recoverable.

Cut not to be opened till Embankment is made.

XLV. And be it further enacted, That unless with the Consent of all the said Proprietors, the said intended new Cut shall not be opened, and the Commissioners of the said Harbour shall not open the said intended new Cut, nor permit or suffer the same to be opened, nor permit or suffer the Tide to flow into, through, or up the same, until the Embankment or Embankments before mentioned shall have been made, erected, raised, completed, and certified as herein-before directed.

Embankments to be maintained for Two Years.

XLVI. And be it further enacted, That the said Commissioners of the said Harbour, for the Space of Two Years from and after the opening of the said new Cut, shall well and substantially repair, amend, support, maintain, and keep up the said Embankment or Embankments to the Height so required as aforesaid, and of the same Width and Slope, and of sufficient Strength and Substance to protect and defend the said Lands and Grounds from all Damages or Injury whatever which shall or may be occasioned by the said Cut, or by any Work or Works erected by the said Commissioners of the said Harbour, their Servants or Agents.

On Certificate, Commissioners' discharged from Responsibility.

XLVII. And be it further enacted, That from and after the Expiration of the said Two Years from the opening of the intended new Cut, and from and after the said Two skilful or Two other skilful Persons so to be appointed as aforesaid (the Costs and Expences of which Two last-mentioned Persons shall also be paid by the said Commissioners of the Harbour out of the Monies to be received by them under and by virtue of this Act) shall have further certified in Writing that the Embankment and Embankments then erected and made for the Protection of the said low Lands and Grounds from Injury arising from the said new Cut, or other Works to be made or done by the Commissioners of the said Harbour, are in their Judgment sufficient for such Purposes, and from and after the Delivery of such Certificate to the Commissioners of the Harbour, or their Clerk, and also to the said Proprietors, the said Commissioners of the Harbour shall from thenceforth be freed and absolutely discharged from all Damages and Responsibility for the same which may thereafter arise to the said low Lands or Grounds.

Lands may be entered.

XLVIII. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Commissioners of the said Harbour, and all Persons appointed by them, and their Agents, Officers, Workmen, and Servants, to enter into and upon all and every the Lands and Grounds of the said Proprietors, for the Purpose of raising and improving the said Embankment or Embankments, and to raise, improve, and make such Embankment or Embankments, and to take from the said Lands and Grounds all Materials there to be found necessary and fit for those Purposes, without being liable to any Action of Trespass, or otherwise, for so doing, they making Recompence for Damages to arise thereby, and which

Damages shall be ascertained and paid in the same Manner as other Damages are hereby directed to be ascertained and paid.

A Third Person may be nominated.

XLIX. And for the Purpose of settling and determining any Dispute or Difference that may arise between the said Two skilful Persons to be named as aforesaid, touching or concerning any Matter or Thing hereby referred to them; and for preventing any Delay or Difficulty by their or either of their refusing or neglecting or becoming incompetent to act, or not giving such Certificates as hereby required, it shall and may be lawful to and for the said Two Persons, and they are hereby required, before they enter on any Matter or Thing hereby referred to them, by some Writing under their Hands to nominate some Third Person skilled in River Embankments, and not being the immediate Agent, Steward, or Surveyor of the said Commissioners of the said Harbour, or of the said Proprietors, or any or either of them, as an Umpire, and who shall, after One Month from such Difference, Refusal, Neglect, or Incompetency, or Delay in giving such Certificate, become competent to act, and do every Matter and Thing, and give Certificates, in such Manner as such Two Persons would otherwise have been empowered to do; and in case such Umpire so nominated as aforesaid shall die, or refuse or neglect to act as such Umpire within the Space of One Month after Application made to him for that Purpose, or shall become incapable of acting, then and in every such Case it shall and may be lawful to and for the said Two Persons, and they are hereby required, to nominate and appoint, by Writing under their Hands, any other Person skilled in River Embankments, and not being the immediate Agent, Steward, or Surveyor of the said Commissioners of the said Harbour, or of the said Proprietors, or any or either of them, as such Umpire, and so from Time to Time, as often as any Person so nominated and appointed an Umpire shall die, refuse, or neglect, or become incapable to act as such Umpire; and every such Umpire so nominated and appointed shall become competent to act, and do every Matter and Thing, and give Certificates, in such Manner as such Persons or any Umpire previously appointed would have been empowered to do; and for preventing Delay by the Death of either of the Two Persons so to be named as aforesaid, it shall and may be lawful to and for the said Commissioners of the Harbour, or the said Proprietors, by whom such Person so dying shall have been named, as the Case may be, and they are hereby required, to nominate and appoint some other Person to act on their Behalf in the place or stead of the Person so dying, and which Person so nominated and appointed as last aforesaid shall become competent to act, and do every Matter and Thing, and give Certificates, in such Manner as the Person so dying would otherwise have been empowered to do, and so from Time to Time as often as Occasion shall require.

Embankment of Mr. Biddulph's Land.

L. And be it further enacted, That the said Commissioners shall and they are hereby authorized and required, before they open the said new Cut, and before any Injury can or may arise to the Lands or Grounds of *John Biddulph* Esquire, lying near the said River or Harbour, to increase the present Embankments belonging to the said *John Biddulph*, on the Western and Southern Sides of the said Harbour or River there, so as to make the same Embankments of such respective Heights as shall protect the same Lands or Grounds from any Injury that may arise by the increased Flow of the Tide or Water from the said new Cut or other Works, and shall

shall complete the same Embankments, so as not to diminish either the Tops of the Banks or the Slopes of either Face.

Indemnity to Mr. Biddulph.

LI. And be it further enacted, That the said Commissioners shall and they are hereby required, by and out of the Rates hereby authorized to be received, or any other Funds belonging to the said Commissioners, to save harmless and keep indemnified the said *John Biddulph*, his Heirs and Assigns, Owners of Lands in the said Parish of *Lancing*, from all Losses, Costs, Charges, Damages, and Expences which may be sustained or occasioned during the Progress of the said Works, and for the Period of Three Years after the said Banks shall have been completed, and Two Years next after the said intended Cut shall be opened, by reason or in consequence of the making or attempting to make the Harbour, Cut, Piers, or other Works hereby authorized to be made, or any or either of them, or in anywise relating thereto; save and except such Injuries as may arise from the Neglect of the Tenant or Landholder in attending to the ordinary Repairs of the Banks and Foreshore during the said Period of Three Years or Two Years as aforesaid.

Two Persons to make a Report.

LII. Provided nevertheless, and it is hereby expressly declared, That before the said Commissioners shall be required to increase the said Embankments as herein-before directed, Two skilful Persons, One to be appointed by the said Commissioners, and the other by the said *John Biddulph*, shall inspect the said Embankments, and report on the Reparations or Irreparations thereof, and determine what Sum of Money (if any) shall be necessary for the putting such Embankments into such Repair as such Two Persons shall deem necessary for the Security of the Bank and Embankments, and the Protection of the Lands near the same; and if such Two Persons so to be appointed as aforesaid cannot agree, then they shall appoint One other Person for the same Purpose, and his Determination thereon shall be final; and whatever Sum of Money the said Two Persons, or One Person, in case such Two Persons cannot agree, shall determine to be necessary for such Reparation of the said Embankments, the said *John Biddulph* shall pay unto the said Commissioners of the said Harbour immediately after the said Embankments shall have been completed, and shall, immediately after such Sum shall be ascertained, give sufficient Security for the Payment thereof to the said Commissioners when such Embankments shall be completed.

Commissioners not to purchase more Land, without Consent of the Proprietor, than necessary for the Purposes of the Act, &c.

LIII. Provided always, and be it further enacted, That nothing herein contained shall extend, or be deemed, construed, or taken to extend, to authorize the said Commissioners to purchase any further or more Land belonging to the said *John Biddulph* Esquire, his Heirs or Assigns, than shall be necessary for the making of One or more new Cut or Cuts into the said Harbour from the Sea, the erecting of Piers, with the necessary Wharfing, to confine the Channel opposite to and near the intended Entrance into the said Harbour, the deepening, cleansing, scouring, and enlarging of the said Harbour, and the erecting or making of Wharfs, Dams, Sluices, Platforms, Light Houses, Store Houses, Store Yards, and other necessary Buildings and Works hereby authorized to be made, without the Consent in Writing of the said *John Biddulph*, his Heirs or Assigns; and if it shall happen that the said Commissioners shall, under the Provisions of this Act, purchase Lands belonging to the said *John Biddulph*,

Biddulph, his Heirs or Assigns, without his or their Consent, which at the Time of such Purchase may be deemed to be necessary for the Purposes of this Act, and it shall afterwards appear and be found that such Lands are not so necessary, then it shall not be lawful for the said Commissioners to let or otherwise dispose of such Lands, or any Part thereof, otherwise than by the Power of Sale as herein contained for that Purpose.

Survey of Works to be made, if required, by Subscribers.

LIV. And be it further enacted, That if it shall at any Time appear to Fifteen or more Subscribers to the Sum of Forty thousand Pounds to be raised as herein mentioned, that the Works of the said Harbour are in an incomplete or dangerous State, or in Want of any Repair, or the Strand is not sufficiently cleansed, scoured, or kept open, it shall and may be lawful for such Subscribers to require the said Commissioners to appoint an Engineer to survey and examine the said Works, and the said Commissioners shall and they are hereby directed and required, within Three Months from the Time the said Requisition shall be delivered to their Treasurer or Clerk, to appoint some skilful and experienced Engineer to survey and examine all the Works of the said Harbour, and to report, with as little Delay as possible, on the State and Condition of the said Works and Harbour; and in case the said Commissioners shall, for the Space of Three Months after the said Report shall have been made to them, refuse or neglect to cause such Repairs or other Works to be done as may from such Report appear to be necessary for the Security or Improvement of the said Harbour, then it shall and may be lawful for any Fifteen or more of the said Subscribers to apply to His Majesty's Court of King's Bench for a Mandamus, to require the said Commissioners to carry the Whole or such Part of the said Report into Execution as the said Court shall deem proper, and the Expences attending such Application shall be defrayed, within Six Months after the Determination of the said Court, out of the Rates and Duties payable by virtue of this Act: Provided always, that in case the said Commissioners shall refuse or neglect to appoint, within Three Months after such Application to them as last before mentioned, such skilful and experienced Engineer for the Purposes aforesaid, that then and in such Case it shall and may be lawful to and for the said Subscribers, or any Fifteen or more of them, to appoint some experienced and skilful Engineer to survey and examine all the Works of the said Harbour, and to report thereon, with as little Delay as possible, the State and Condition of the said Works and Harbour; and in case the said Commissioners shall, for the Space of Three Months after the said last-mentioned Report shall have been made to them, refuse or neglect to cause to be done such Repairs or other Works as may from such last-mentioned Report be necessary for the Security or Improvement of the said Harbour, then it shall and may be lawful for any Fifteen or more of the said Subscribers to apply to His Majesty's Court of King's Bench for a Mandamus, to require the said Commissioners to carry the Whole or such Part of the said Report into Execution as the said Court shall deem proper; and the Expences attending such Application shall be defrayed, within Six Months after the Determination of the said Court, out of the Rates and Duties payable by virtue of this Act.

Commissioners may contract for Lands and Buildings.

LV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, and they are hereby authorized and empowered to contract or agree for the absolute Purchase

Purchase of any Freehold Lands, Tenements, or Hereditaments, or of the absolute Estate of Inheritance in any Copyhold or Customary Lands, Tenements, or Hereditaments, with any Body Politic, Corporate, or Collegiate, or any Tenant or Tenants for Life, or in Fee Tail, General or Special, or for Years determinable on any Life or Lives, or with any Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, or other Trustees whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Covert, who are or shall be seised in their own Right, or with any Person or Persons whomsoever who shall be willing to sell the same for the Purpose of improving, widening, or extending the said Harbour, or for making or erecting any Pier or Piers, or for erecting or making any Building or Buildings, or for any other the Purposes of this Act.

Bodies Politic, &c. empowered to sell.

LVI. And be it further enacted, That it shall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life, or in Fee Tail, General or Special, or for Years determinable on any Life or Lives, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Commissioners for Lunatics and Idiots, or other Trustees whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Covert, who are or shall be seised in their own Right, and all and every Person or Persons whomsoever who are or shall be seised, possessed of, or interested in such Buildings, Lands, Tenements, or Hereditaments, or any Part thereof which shall be thought necessary by the said Commissioners, or any Seven or more of them, to be purchased for any of the Purposes of this Act, to treat, contract, and agree with the said Commissioners, or any Seven or more of them, for the Sale thereof, or of any Part thereof, and to sell and convey all or any Part thereof, and all Estate, Right, Title, and Interest whatsoever, of, in, and to the same, to the said Commissioners, for any of the Purposes of this Act; and all Contracts, Agreements, Bargains, Sales, and Conveyances, which shall be so made by virtue and in pursuance of this Act, shall, without any Fine or Fines, Recovery or Recoveries, or other Conveyances or Assurances in the Law whatsoever, be good, valid, and effectual, to all Intents and Purposes, not only to convey the Estate and Interest of the Person or Persons conveying, but also to convey all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever of their said several and respective Cestuique Trusts, and all Persons whomsoever claiming or to claim by, from, or under them, and of all Persons entitled in Remainder or Reversion expectant on any such particular Estate, and the same shall be deemed and considered to bar the Dower and Dowers of such Person and Persons, and all Estates Tail and other Estates, in Possession, Reversion, Remainder, or Expectancy, any Law, Statute, Usage, or any other Matter or Thing whatsoever to the contrary thereof in anywise notwithstanding; and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life, or in Fee Tail, General or Special, or for Years determinable on any Life or Lives, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, and all other Persons, are and shall be hereby indemnified for what they shall do by virtue and in pursuance of this Act.

LVII. And

Form of Conveyance.

LVII. And be it further enacted, That all Sales, Conveyances, and Assurances of any Lands, Tenements, and Hereditaments, to be made to the said Commissioners, shall be made on Parchment, in the Form or to the Effect following; *videlicet*,

'I *A. B.* of in consideration of the Sum of to be paid by the Commissioners acting by virtue of an Act made in the Fifty-sixth Year of the Reign of King *George* the Third, intituled (*here set forth the Title of this Act*), do hereby grant and convey to the said Commissioners all (*here describe the Premises to be conveyed*), and all my Right, Title, and Interest to the same and every Part thereof, to hold to the said Commissioners for ever: In witness whereof I have hereunto set my Hand and Seal, this Day of in the Year of our Lord .'

And every such Sale, Conveyance, and Assurance so made shall be good, valid, and effectual to vest the Premises so conveyed in the said Commissioners, freed and absolutely acquitted and discharged of and from all Claims, Rights, Interests, Charges, and Incumbrances of all Persons whomsoever, to all Intents and Purposes whatsoever; any Law, Statute, Usage, or Custom to the contrary notwithstanding.

Persons refusing to treat, &c. a Jury to settle the Recompence.

LVIII. And be it further enacted, That if any Owner, Proprietor, Occupier of, or other Person or Persons interested in any of the Lands, Tenements, or Hereditaments mentioned and described in the Schedule A. hereunto annexed, which the said Commissioners shall judge necessary or proper to be purchased, taken, or used for the Purposes of this Act, or any such Body Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenant for Life, or in Fee Tail, General or Special, or for Years determinable on any Life or Lives, Feoffees, Guardians, Husbands, Committees, or other Trustees, upon Notice to him, her, or them given, or left in Writing at the Dwelling House or Place of Abode of such Person or Persons, or of the Clerk or Head Officer of any such Body Politic, Corporate, or Collegiate, or at the House of the Tenant in Possession of the Premises, signed by the Clerk to the said Commissioners, shall, for the Space of Thirty Days next after such Notice given or left as aforesaid, neglect or refuse to treat, or shall not agree in the Premises, or by reason of Absence or otherwise shall be prevented from treating, then and in every such Case it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, to apply to Two or more Justices of the Peace for the County of *Sussex*, to cause it to be inquired into and ascertained, by and upon the Oaths of a Jury of Twelve indifferent Men of the said County of *Sussex* (which Oaths the said Justices of the Peace are hereby empowered to administer), what Damage will be sustained by, and what Recompence and Satisfaction shall be made to such Owner, Proprietor, Occupier, or other Person or Persons interested, for or on account of the taking or using of such Lands, Tenements, or Hereditaments, for the Purposes of this Act; and in order thereto the said Justices of the Peace are hereby empowered and required from Time to Time to summon and call before them all and every Person and Persons who shall be thought necessary and proper to be examined as a Witness or Witnesses touching or concerning the Premises, and shall examine such Witness or Witnesses before the said Jury upon Oath (which Oath the said Justices

Justices of the Peace are hereby empowered and required to administer), and they shall order and cause the said Jury to view the Place in question, and use all other lawful Ways and Means as well for their own as for the said Jury's Information in the Premises; and after the said Jury shall have so ascertained and settled such Damages and Recompence, they the said Justices of the Peace shall thereupon order, adjudge, and determine the Sum or Sums of Money so assessed by the said Jury, to be paid in such Shares and Proportions to the Owners, Proprietors, or Occupiers of the said Lands, Tenements, or Hereditaments, or other Persons interested therein respectively, according to the Verdict or Inquisition of the said Jury; which said Verdict or Inquisition, and Judgment, Order, or Determination so had and made, shall be final, binding, and conclusive, to all Intents and Purposes whatsoever, against all Parties and Persons claiming in Possession, Reversion, Remainder, or otherwise; and all and every such Owners, Proprietors, Occupiers, and Persons anywise interested in such Lands, Tenements, or Hereditaments, shall thereby be from thenceforth to all Intents and Purposes divested of all Right, Title, Claim, Interest, or Property of, in, to, or out of the same; and upon Payment or Tender of the Money so assessed, to the respective Persons entitled thereto, or their Agents, or (as the Case may be) upon paying the same into the Bank of *England* in manner by this Act directed, it shall and may be lawful to or for the said Commissioners, or any Seven or more of them, to cause the Premises in respect whereof such Money shall be assessed to be disposed of, and such Acts to be done thereto, as if the Purchase thereof had been agreed upon and completed, and the Purchase or Consideration Money had been received by the Person or Persons entitled thereto; and for summoning and returning any such Jury the said Commissioners, or any Seven or more of them, are hereby empowered to apply to Two or more Justices of the Peace for the County of *Sussex* to issue out their Warrant or Warrants, under their Hands and Seals, to the Sheriff of the said County of *Sussex*, thereby commanding and requiring such Sheriff to impannel, summon, and return an indifferent Jury of Twenty-four Persons to appear before the said Justices of the Peace at such Time and Place as in such Warrant shall be appointed; and such Sheriff or his Deputy is hereby required thereupon to impannel, summon, and return such Twenty-four Persons accordingly; and out of the Persons so impannelled, summoned, or returned, or out of such of them as shall appear according to or upon such Summons, the said Justices of the Peace shall swear, or cause to be sworn, Twelve Persons, who shall be the Jury for the Purposes aforesaid; and in default of a sufficient Number of Jurymen, the said Sheriff, or his Deputy, shall return other honest and indifferent Men of the Standers-by, or that can be speedily procured or summoned to attend that Service, to the Number of Twelve:

Juries may be challenged.

Provided always, that all Persons concerned shall have their lawful Challenges against the Jurymen to be summoned in pursuance of this Act, in such and the like Manner as any Party in any Action depending in any of His Majesty's Courts of Record at *Westminster* is or shall be by Law entitled to, but shall not challenge the Array; and the said Justices of the Peace are hereby empowered to impose any reasonable Fine or Fines on such Sheriff or his Deputy, who shall make Default in the Premises, and also on any of the Persons who shall be summoned or returned to serve on such Jury, and shall not appear, or, after having appeared, shall refuse to be sworn on the said Jury, or having been sworn, shall refuse to give,

Sheriffs may be fined for Neglect of Duty.

or

or shall not give, his or their Verdict in the Matter in question, or shall in any other Matter wilfully neglect his or their Duty therein; and on any of the Persons who, being summoned or required to give Evidence before the said Jury touching the Premises, shall neglect or refuse to appear, or refuse to be sworn, or be examined, or give Evidence touching the same; but no such Fine shall exceed Five Pounds upon any One Person for One Offence.

By whom Expences of Jury shall be paid.

LIX. And be it further enacted, That in case any such Jury shall give in or deliver a Verdict or Assessment for more Money than shall by or on behalf of the said Commissioners, or any Seven or more of them, have been offered before the summoning and returning such Jury, as a Recompence or Satisfaction for any such Right, Interest, or Property, or Damage as aforesaid, then and in every such Case the Costs and Charges of summoning and returning the Jury and Witnesses shall be borne and paid by the said Commissioners out of the Money arising by virtue of the said recited Acts, or either of them, or any of them, or of this Act; but if any such Jury shall give and deliver a Verdict or Assessment for no more or less Money than shall, by or on behalf of the said Commissioners, or any Seven or more of them, have been offered before the summoning and returning such Jury, as a Recompence or Satisfaction for any such Right, Interest, or Property, or Damage as aforesaid, then and in every such Case the Costs and Charges of summoning and returning the said Jury and Witnesses shall be borne and paid by the Person or Persons with whom the said Commissioners shall have such Controversy or Dispute, which said Costs and Expences shall be ascertained and settled by some Justice of the Peace not interested in the Matter in question, and within whose Jurisdiction such Controversy or Dispute shall arise, (who is hereby authorized and required to examine and settle the same,) and shall and may be deducted out of the Money so assessed and adjudged, as so much Money advanced to and for the Use of such Person or Persons, and the Payment of the Remainder of such Monies in manner by this Act directed shall be deemed and taken, to all Intents and Purposes whatsoever, to be a Payment of the whole Sum or Sums so assessed or adjudged; or otherwise such Costs and Expences, in case the same be not paid on Demand, after having been so ascertained and settled as aforesaid, may be recovered by the Clerk to the said Commissioners by such Ways and Means as are herein provided for the Recovery of the Penalties and Forfeitures incurred by this Act; Provided always, that in all Cases where any Person or Persons shall by reason of Absence have been prevented from treating with the said Commissioners, such Costs and Expences shall be borne and paid by the said Commissioners in manner aforesaid.

Commissioners to pay Expences where Persons from Absence are prevented from treating.

Persons giving false Evidence subject to Perjury.

LX. And be it further enacted, That all and every Person and Persons who, in any Examination or upon any Oath directed to be taken and made by virtue of this Act, shall swear falsely before any Person or Persons hereby empowered to administer such Oath, shall and may be prosecuted for the same, and being convicted thereof shall be subject and liable to such and the same Pains, Penalties, Punishments, and Forfeitures, as any Person or Persons can, shall, or may be subject or liable to for wilful and corrupt Perjury by any of the Laws and Statutes of this Realm.

Houses, &c. not to be injured.

LXI. Provided always, and be it enacted, That nothing herein contained shall extend, or be construed to extend, to enable the said Commissioners, or any Seven or more of them, to take, use, injure, or damage any Dwelling House or other Building, or any Garden, Orchard, Yard, Park, Paddock, planted Walk, or Avenue to a House, or the Field in front of the House belonging to and in the Occupation of *William Gorringe* Esquire, without the Consent of the Owner or Owners, or Proprietor or Proprietors thereof.

Works injurious to the Harbour to be removed by Commissioners.

LXII. And be it further enacted, That if any Person or Persons shall erect or construct any Works or Buildings within the Limits of the said Harbour which shall be injurious to the said Harbour, it shall and may be lawful for the said Commissioners to direct the said Works or Buildings to be pulled down, and to recover the Expences attending the same, with Treble Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Bill, Plaint, or Information, wherein no Essoign, Protection, Wager at Law, or more than One Imparlance, shall be granted or allowed.

Application of Compensation amounting to Two hundred Pounds.

LXIII. And be it further enacted, That if any Money shall be paid or agreed or awarded to be paid for the Purchase of any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Body Politic, Corporate, or Collegiate, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of any Infant, Lunatic, Idiot, Feme Covert, or other Cestuique Trust, or to any Person whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any Person under any Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the Commissioners for executing this Act, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase or Redemption of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith, to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court, upon Application thereto, be invested

by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and Annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so hereby directed to be purchased by virtue of this Act, in case such Purchase or other Settlement were made.

If less than Two hundred Pounds, and not exceeding Twenty Pounds.

LXIV. Provided always, and be it enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or be equal to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being, or entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiotcy, or Lunacy, to be signified in Writing under their respective Hands, to be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two or more Trustees to be nominated by the Person or Persons making such Option, and approved of by Seven or more of the said Commissioners for executing this Act (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends arising thereon, may be applied in any Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

If less than Twenty Pounds.

LXV. Provided also, and be it enacted, That where such Money so agreed or awarded to be paid as next before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Commissioners, or any Seven or more of them, shall think fit; or in case of Infancy, Idiotcy, or Lunacy, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles.

LXVI. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Commissioners; or

or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found; or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments, be not known or discovered; then and in every such Case it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said Court of Chancery; which said Court of Chancery, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Person in Possession of the Lands, &c. deemed entitled.

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

Court of Chancery may order reasonable Expences of Purchases to be paid.

LXVIII. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Court of Chancery, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to

to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, to be paid by the said Commissioners out of the Money to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Provision for Payment of Purchase Money, &c. and for vesting of Property in the Commissioners.

LXIX. And be it further enacted, That every Sum of Money to be agreed for, awarded, or assessed as aforesaid, shall be paid out of the Monies to be received by virtue of this Act; and upon Payment to the Party or Parties respectively entitled to such Monies, or to their Agents respectively, or placing the same in the Bank of *England*, to the Credit or for the Use of such Parties or Persons in manner by this Act directed, as the Case may be, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law and Equity, of the Person or Persons respectively to whose Credit or Use the same shall have been paid, in, to, and out of such Lands, Tenements, or other Hereditaments, shall be and be deemed and taken to be Part of the said Harbour of *New Shoreham*; and such Payments shall not only bar all Right, Title, Interest, Claim, and Demand of the Person or Persons to whose Use or Credit such Payments shall have been made as aforesaid, but also shall extend to and be deemed and construed to bar the Dower and Dowers of the Wife and Wives of such Person or Persons, and all Estates Tail, and other Estates in Possession, Reversion, Remainder, or Expectancy, and the Issue and Issues of such Person and Persons, and every Person claiming under them, as effectually as Fines or Common Recoveries would do if levied or suffered by the proper Parties in due Form of Law.

Power for Delivery of Possession of Property purchased.

LXX. And be it further enacted, That every Lessee or Tenant for Years or at Will, and every other Person in Possession of any Lands, Tenements, or other Hereditaments which shall be purchased for the Purposes of this Act, shall deliver up the Possession of such Premises to the said Commissioners, or to such Person or Persons as they shall appoint to take Possession of the same, upon having Notice from the said Commissioners, or the Person or Persons so appointed by them, to quit the same at such Time or Times as shall be required by such Notice, they the said Commissioners or such Person or Persons making such Satisfaction and Compensation to every such Tenant or Lessee as aforesaid, in case he or she shall be required to quit before the Expiration of his, her, or their Term in the Premises, as the said Commissioners shall deem just and reasonable; and in case any Dispute or Difference shall arise touching or concerning the same, such Satisfaction and Compensation shall be settled and ascertained by a Jury in such and the like Manner as the Satisfaction and Compensation to be made by the said Commissioners for the Purchase of any Lands, Tenements, or Hereditaments, is and are herein directed to be settled and ascertained in case of any Difference or Dispute about the same; and such Person or Persons in Possession shall, at such Time or Times as he, she, or they shall be required by the said Commissioners, peaceably and quietly deliver up the Possession of the said Premises to the said Commissioners, or to the Person or Persons authorized by them to take Possession thereof; and if any such Person or Persons so in Possession as aforesaid shall refuse to deliver up such Possession, then and in every such Case it shall and may

be lawful to and for the said Commissioners, or any Seven of them, to issue their Precept or Precepts to the Sheriff of the said County of *Sussex*, to deliver Possession of the Premises to such Person or Persons as shall in such Precept or Precepts be nominated to receive the same; and the said Sheriff is hereby required to deliver Possession of the said Premises accordingly, and to levy such Costs as shall accrue from the issuing and Execution of such Precept or Precepts on the Person or Persons so refusing to deliver up Possession as aforesaid, by Distress and Sale of his, her, or their Goods.

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

LXXI. And whereas the Commissioners for executing this Act may be seised of some Piece or Pieces of Ground over and above what may be necessary for effectuating the Purposes of this Act; be it therefore further enacted, That it shall and may be lawful for the said Commissioners, or any Seven or more of them, from Time to Time to sell and dispose of such Piece or Pieces of Ground, together or in Parcels, either by Public Sale or Private Contract (as they shall find most advantageous and convenient), to such Person or Persons as shall be willing to contract for and purchase the same.

First Offer to whom to be made.

LXXII. Provided always, and be it further enacted, That the said Commissioners shall first offer the said Piece or Pieces of Ground for Sale to the Person or Persons of whom the same shall have been purchased; and if such Person or Persons shall then and thereupon refuse or shall not agree (except with respect to or on account of the Price thereof) to purchase the same respectively, an Affidavit to be made and sworn before a Master or Master Extraordinary of the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the County, Town, or Place where such Ground shall lie (who are hereby respectively empowered to take such Affidavit), by some Person or Persons no way interested in the said Piece or Pieces of Ground, stating that such Offer was made by or on the behalf of the said Commissioners, and that such Offer was then and thereupon refused, or was not agreed to by the Person or Persons to whom the same was made, shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made and was refused or not agreed to by the Person or Persons to whom such Offer was made (as the Case may be); and in case such Person or Persons shall be desirous of purchasing such Piece or Pieces of Ground, and he, she, or they, and the said Commissioners, shall differ or not agree with respect to the Price thereof, then the Price or Prices thereof shall be ascertained by a Jury in manner by this Act directed with respect to disputed Value of Premises to be purchased by the said Commissioners in pursuance of this Act; and the Expence of hearing and determining such Difference shall be borne and paid in like Manner as by this Act is directed with respect to such Purchases made by the said Commissioners, *mutatis mutandis*; and the Money to arise by the Sale or Sales which may be made by the said Trustees of such Piece or Pieces of Ground as aforesaid shall be applied to the Purposes of this Act, but the Purchaser or Purchasers thereof shall not be answerable or accountable for any Misapplication or Nonapplication of such Money.

Application of Money subscribed, and of the Rates.

LXXIII. And whereas several Persons have subscribed or agreed to contribute the Sum of Forty thousand Pounds towards carrying the Purposes of this Act into Execution, as herein-after mentioned; be it therefore enacted,

enacted, That all the Money which shall come to the Hands of the said Commissioners or any of them, or their Treasurer, by means of such Subscription, and also such Money as shall be in the Hands of the Commissioners under either of the said recited Acts at the passing of this Act, shall be applied by the said Commissioners, or any Seven or more of them, in manner following; (that is to say,) in the first place, in Payment and Discharge of all the Charges and Expences incurred previous and incident to and attending the obtaining and passing of this Act, and afterwards in making and improving the said Harbour and other Works herein-before authorized to be made and erected, and keeping the same in repair, and also in Payment or Discharge of all such Damages, Costs, or other Expences hereby provided for and directed to be paid by the said Commissioners, and in Payment of the Interest of such Monies as shall be raised by way of Mortgage as herein-after mentioned; and that when all such Charges and Expences as aforesaid shall be paid and satisfied, all the Money remaining in the Hands of the said Commissioners, together with the Rates and Duties which shall from Time to Time be received by them by virtue of this Act, up to the Thirtieth Day of *June* in each Year, shall be annually divided, in the Month of *July* in each Year, to and amongst the several Persons so subscribing or contributing as aforesaid, rateably and in proportion to the Amount of each Person's Subscription.

Payment of Subscriptions.

LXXIV. And be it further enacted, That the several and respective Persons who have subscribed or who shall hereafter subscribe any Sum or Sums of Money for and towards making and erecting the said Harbour, shall and they are hereby required to pay the Sum or Sums so subscribed, or such Parts and Proportions thereof as shall from Time to Time be called for by the said Commissioners, by virtue of the Powers and Directions of this Act, and within such Time and Times, at such Place and Places, and to such Person or Persons, as the said Commissioners shall, by any Writing under their Hands, authorize to receive the same, so as the said Commissioners shall not call at any One Time for any greater Instalment than Twenty Pounds in every Hundred Pounds of such Subscriptions, nor shall make any such Call at a less Distance than the Space of Two Calendar Months after the Call immediately preceding; and if any Person or Persons shall, after Twenty Days previous Notice in Writing under the Hand of the Treasurer or Clerk to the said Commissioners for that Purpose to him, her, or them given, or left at his, her, or their Dwelling House or usual Place of Abode, refuse or neglect to make Payment of the respective Sums by him, her, or them so subscribed or agreed to be subscribed, or such Part or Parts thereof as may be required in such Notice, it shall be lawful for the said Commissioners to bring or cause to be brought any Action of Debt or on the Case, Bill, Plaint, or Suit, against any Person or Persons so refusing or neglecting as aforesaid, his, her, or their Heirs, Executors, and Administrators, in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, Privilege, or Wager of Law, nor more than One Imparlance, shall be allowed; and on Proof of such Person or Persons having so subscribed, and of such Notice being given as aforesaid, the respective Sums so subscribed or agreed to be subscribed, or so much thereof as shall be required to be paid in such Notice, shall be recovered, with full Costs of Suit: Provided always, that no Person or Persons shall be answerable or liable to pay or advance any further or greater Sum of Money than shall have

have been subscribed by such Person or Persons for the Purposes of this Act.

Names of Subscribers to be entered in a Book.

LXXV. And for the better Security of the several Subscribers to the said Undertaking, be it further enacted, That the said Commissioners shall and they are hereby required, at their First or at some subsequent Meeting, or as soon as conveniently may be, to cause the Names and proper Additions of the several Subscribers in the said Undertaking, with the Amount of the Sum subscribed by each of them, to be fairly and distinctly entered in a Book or Books to be kept by the Clerk to the said Commissioners, and shall also cause a Certificate or Instrument under the Hands of Five of the said Commissioners to be delivered to every such Subscriber upon Demand, he, she, or they having previously paid his, her, or their full Subscription, specifying the Sum to which he, she, or they is or are entitled in the said Undertaking; and every such Subscriber, over and above any Stamp Duty to which the same may be liable, shall pay the Sum of Five Shillings and no more for every such Certificate or Instrument; and such Certificate or Instrument shall be admitted in all Courts whatever as Evidence of the Title of such Subscribers, his, her, or their Executors, Administrators, and Assigns, to the Sum therein specified; but the Want of such Certificate or Instrument shall not hinder or prevent the Owner or Proprietor of any Subscription from selling or disposing thereof; and in case any such Certificate or Instrument shall become defaced, worn out, or damaged, or shall be ascertained to have been lost or destroyed, then and in such Case another Certificate shall be made out and entered by the Clerk on the same Terms and Conditions aforesaid.

Accounting for Money now paid.

LXXVI. And be it further enacted, That all and every Sum and Sums of Money which shall, previous to the passing of this Act, have been paid by any Subscriber or Subscribers to the said Undertaking, for or on account of any Share or Shares therein, to any Person or Persons whomsoever, shall be accounted for by such Person or Persons to the said Commissioners, or to such Person or Persons, and at such Time or Times as they shall respectively appoint, except such Sum or Sums of Money as may have been paid by him or them for or on account of the said Subscribers for the Surveys and other Expences incident and previous to the obtaining this Act; and in case of Nonpayment thereof, the same shall and may be recovered by the said Commissioners from the Person or Persons to whom or on whose Account the same shall have been paid, in such and in the like Manner, and by such Ways and Means, as if such Sum or Sums of Money had been advanced and paid by or received on account of the said Commissioners after the passing of this Act.

Conveyance of Shares.

LXXVII. And be it further enacted, That it shall be lawful for the several Subscribers to the said Harbour, his, her, or their respective Executors, Administrators, and Assigns, to sell and transfer his Share or Shares in a Subscription or Subscriptions for and towards the said Harbour, and his, her, and their Right and Title to any Interests or Dividends due or to become due upon any such Shares or Subscriptions, subject to the Rules and Conditions herein mentioned; the Conveyance of which Shares or Subscriptions shall be in the Form or to the Effect following; (*videlicet*,)

'I by in consideration of paid to me of do hereby bargain, sell, 'assign, and transfer to the said the Sum of 'Capital Stock of and in the Harbour called *Shoreham* Harbour, being Part '(*or* the Whole, *as the Case may be*) of my Share in a Subscription towards 'the said Undertaking, to hold to the said his (*or* her) 'Executors, Administrators, and Assigns, subject to the same Rules, 'Orders, and Restrictions, and on the same Conditions that I held the same 'immediately before the Execution hereof; and I the said 'do hereby agree to take and accept the said Capital Stock or Subscrip- 'tion, subject to the same Rules, Orders, Restrictions, and Conditions; 'as witness our Hands and Seals the Day of .'

And on every such Sale the said Deed of Transfer being executed by the Seller or Sellers and the Purchaser or Purchasers of such Shares or Subscriptions, shall be kept by the said Purchaser or Purchasers for his, her, or their Security, after the Clerk of the said Commissioners shall have entered into a proper Book or Books to be kept for that Purpose a Memorial of such Transfer and Sale for the Use of the said Commissioners, and have testified or indorsed the Entry of such Memorial on the said Deed of Sale or Transfer, for which no more than Five Shillings shall be paid; and the said Clerk is hereby required to make such Entry or Memorial accordingly; and until such Memorial shall have been made and entered as above directed, such Purchaser or Purchasers shall have no Part or Share of the Profits of the said Harbour, nor any Interest for such Shares or Subscriptions paid to him, her, or them, as a Subscriber or Subscribers towards the said Harbour.

Acquisition of Shares by Marriage, &c.

LXXVIII. And for preventing Inconveniences that might otherwise arise or happen, be it further enacted, That before any Person or Persons who shall claim any Part or Share of the Profits of the said Harbour in Right of Marriage shall be entitled to receive the same, an Affidavit containing a Copy of the Register of such Marriage shall be made and sworn to by some credible Person before One of the Judges at *Westminster*, a Master or Master Extraordinary in Chancery, or before One of His Majesty's Justices of the Peace, and shall be transmitted to the Clerk to the said Commissioners, who shall file the same, and make an Entry thereof in the Book which shall be kept by him for the entering of Transfers of Shares as aforesaid; and that before any Person or Persons who shall be entitled to and claim any Part or Share of the Profits of the said Harbour by virtue of any Bequest or Will, or in a Course of Administration, shall be entitled to receive the same, the said Will, or the Probate Copy thereof, or the Letters of Administration, shall be produced and shewn to the said Clerk, or an Affidavit containing a Copy of so much of such Will as shall relate to the Share or Shares of the Testator, or of the Letters of Administration, in case such Person shall have died Intestate, shall be made and sworn to by the Executor or One of the Executors (in case there shall be more than One) of such Will, or by the Administrator of the Estate and Effects of such Intestate (as the Case may be), before One of the Judges at *Westminster*, a Master or Master Extraordinary in Chancery, or One of His Majesty's Justices of the Peace, and shall be in like Manner transmitted to the said Clerk, to be by him entered and filed in manner hereinbefore directed.

Subscribers not to dispose of Shares.

LXXIX. And be it further enacted, That until Twenty-five Pounds *per Centum* shall have been paid upon the Sum or Sums subscribed for the Purposes aforesaid, no Subscriber shall have Power to sell or transfer any Share or Shares in the said Undertaking; and that after any Call of such Sum or Sums so subscribed shall have been made by the Commissioners as aforesaid, no Person or Persons shall sell or transfer any Share or Shares, or Subscription or Subscriptions, which he, she, or they shall possess in or have undertaken for towards the said Harbour, on pain of forfeiting his, her, or their Interest therein, unless he, she, or they, at the Time of such Sale or Transfer, shall have paid and discharged to the Treasurer of the said Commissioners, or in such other Manner as the said Commissioners shall have directed, the whole and entire Sum which shall have been called for upon each Share so sold or transferred as aforesaid.

Subscribers compellable to pay their Subscriptions.

LXXX. And be it further enacted, That if the several Persons who have become Subscribers towards the Expence of making, repairing, maintaining, and improving the said Harbour and other Works proposed to be made by virtue of this Act, or any One or more of them, or any Person or Persons who shall hereafter become or agree to become a Subscriber or Subscribers for that Purpose, shall, after Thirty Days previous Notice, in Writing under the Hand of the Treasurer or Clerk to the said Commissioners, to him, her, or them given, or left at his, her, or their Dwelling House or usual Place or Places of Abode, refuse or neglect to make Payment of the respective Sums by him or them so subscribed or agreed to be subscribed, or such Part or Parts thereof as may be required in such Notice, it shall be lawful for such Commissioners to bring or cause to be brought any Action of Debt or on the Case, Bill, Plaint, or Suit, against the Person or Persons so neglecting or refusing as aforesaid, his, her, or their Heirs, Executors, or Administrators, in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, or Wager at Law, nor more than One Imparlance, shall be allowed; and after Proof of such Person or Persons having so subscribed or agreed to subscribe, and that such Notice was given as aforesaid, a Verdict shall be given for the Plaintiff in all such Action and Actions, and Execution shall issue thereupon as the Case may require.

Commissioners to lay Accounts before Parliament.

LXXXI. And be it further enacted, That the Treasurer or Clerk to the said Commissioners shall, within Thirty Days after the Commencement of every Session, lay before both Houses of Parliament a true Account of the Receipts and Disbursements of all Monies which shall have been received and paid by the said Commissioners in pursuance of this Act, and also a Report of the Progress which shall have been made by the said Commissioners in improving the said Harbour, as directed by this Act: Provided always, that the several Accounts of the said Harbour, and the Proceedings of the said Commissioners, shall at all reasonable Times on Demand be open to the Inspection of any of the said Subscribers, their Executors, Administrators, or Assigns; and in case the Treasurer or Clerk to the said Commissioners shall refuse to permit any such Persons at reasonable Hours to inspect the same, he shall for every Offence forfeit and pay the Sum of Forty Shillings.

Commissioners may borrow Money.

LXXXII. And be it further enacted, That in case at any Time after the Money to be subscribed as aforesaid shall have been expended on the said

Harbour and Works, it shall appear to the said Commissioners, or any Eleven or more of them, that the Rates and Duties hereby granted are not sufficient for the effectual Repair of the said Works, nor to make good any Injury or Damage that may have happened thereto, then the said Commissioners shall and may and they are hereby authorized to borrow and take up (at legal or less Interest), on the Credit of the said Rates and Duties, any Sum or Sums of Money not exceeding in the Whole the Sum of Ten thousand Pounds, for the Purpose of repairing the said Harbour and Works, or making good any Injury or Damage that may have happened thereto; and to demise, grant, bargain, and sell the said Harbour, and the said Rates and Duties arising by virtue of this Act, for securing the Repayment of the Sum or Sums as in such Security or Securities shall be expressed to be borrowed by the said Commissioners, with the Interest thereon, and the Costs and Charges of preparing such Demises to be paid out of the said Rates and Duties, as a Security for any Sum or Sums of Money which shall be so borrowed, with Interest, to such Person or Persons, or to his, her, or their Trustee or Trustees, who shall advance or lend the same; which said Demise or Demises shall be granted under the Hands and Seals of at least Eleven of the said Commissioners, and shall be in the Form or to the Effect following; (that is to say,)

Form of Mortgage.

'BY virtue of an Act made in the Fifty-sixth Year of the Reign of King *George* the Third [*set forth the Title of this Act*], we whose Names are hereunto subscribed and Seals affixed, (being Commissioners acting in execution of the said Act,) in consideration of the Sum of to the Treasurer of the Harbour of *New Shoreham* in hand paid by *A. B.*, do hereby grant, bargain, sell, and demise unto the said *A. B.* Executors, Administrators, and Assigns, such Proportion of the Duties and Sums of Money arising by virtue of the said Act as the said Sum of doth or shall bear to the Sum of [*here insert the Sum raised by Mortgage*], charged and advanced, or to be charged and advanced, by way of Mortgage, on the Credit of the said Act, to be had and holden from this Day of in the Year of our Lord , for and during the Continuance of the said Act, unless the said Sum of with Interest after the Rate of *per Centum per Annum*, shall be sooner repaid and satisfied. Given under our Hands and Seals this Day of in the Year of our Lord .'

Copies of Mortgages to be entered.

And Copies of all such Mortgages or Assignments shall be entered in a Book or Books to be kept for that Purpose by the Clerk or Clerks to the said Commissioners, and such Book or Books shall and may at all seasonable Times be perused and inspected without Fee or Reward; and all Mortgages or Assignments which shall be made in the Manner and Form aforesaid shall be good, valid, and effectual, to all Intents and Purposes whatsoever; and all Persons to whom any such Mortgages and Assignments shall be made as aforesaid, or who are or shall be entitled to the Money thereby secured, may from Time to Time assign and transfer the same Security or Securities respectively, and all Benefit and Advantage thereof, and all their Right, Title, and Interest to the Principal and Interest Money thereby respectively secured, or any Part thereof, to any Person or Persons whomsoever, by Writing under their Hands and Seals, in the Words or to the Effect following:

'I *A. B.*

Form of Transfer.

'I *A. B.* being entitled to the Sum of secured to Executors, Administrators, and Assigns, by virtue of a Mortgage or Assignment, bearing Date the Day of under the Hands and Seals of the said Commissioners for improving the Pier and Harbour of acting in execution of an Act made in the Fifty-sixth Year of the Reign of King *George* the Third, intituled [*here set forth the Title of this Act*], upon the Credit of the said Act, do hereby transfer all my Right and Title in and to the same, and all the Principal and Interest Money now due and owing thereon, unto *C. D.* Executors, Administrators, and Assigns. Dated this Day of in the Year of our Lord .'

And every such Transfer shall be produced and notified to the Clerk to the said Commissioners within Six Calendar Months next after the Date thereof, who shall cause an Entry or Memorial to be made thereof, containing the Date and Names of the Parties, and Sum of Money therein mentioned to be transferred, in the said Book or Books to be kept for entering the said original Mortgages or Assignments to be made by virtue of this Act, and for which Entry the Clerk who shall enter the same shall be paid Seven Shillings and no more; and after such Entry made, every such Transfer shall entitle the Person to whom the same shall be made, his, her, or their Executors, Administrators, and Assigns, to the Benefit thereof, and Payment thereon; and after such Entry or Memorial made thereof as aforesaid, it shall not be in the Power of any Person or Persons making such Transfer to make void, release, or discharge the same, or the Monies thereby due, or any Part thereof; and all Persons to whom such Mortgages, Assignments, or Transfers shall be made as aforesaid, shall be, in proportion to the Sums therein respectively mentioned, Creditors on such Duties and Sums of Money in equal Degree one with another, and shall have no Preference in respect of the Priority of advancing any such Monies, or of the Dates of such Mortgages or Assignments:

Commissioners to give Thirty Days Notice previous to borrowing Money.

Provided nevertheless, that before any Sum or Sums of Money shall be taken up or borrowed, Thirty Days Notice in Writing at the least shall be given of the Intention of borrowing such Money, by affixing the same on any Part or Parts of the said Harbour, signed by any Eleven or more of the said Commissioners, and advertised Twice in the *Public Ledger*, and in some Newspaper published in the said County of *Sussex*; and the Interest of the Money so to be borrowed on Mortgage as aforesaid shall be paid Half-yearly to the several Persons entitled thereto, in preference to any Dividends or Interest due and payable by virtue of this Act to the Persons subscribing as aforesaid.

Interest to be paid in preference.

Rates.

LXXXIII. And be it further enacted, That from and after the whole of the Piers, Dams, Sluices, and other Works hereby authorized to be made, shall be made and completed, there shall be paid by every Person who shall lade or unlade, or import or export any Grain, Seeds, Goods, Wares, Merchandizes, Baggage, Parcel, or other Article, Matter, or Thing whatsoever, within the Limits of the Port of *New Shoreham*, over and above all other Rates and Duties to which the same respectively are by virtue of any Law or Statute subject or liable, the several Rates and Duties contained and set forth in the Schedule B. annexed to this Act.

Power to fix reasonable Rates.

LXXXIV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners and their Successors to ascertain and fix such

such reasonable Rates and Duties to be paid upon the lading or unlading, importing or exporting of any Article or Commodity not specified or enumerated in the Table or Schedule B. to this Act annexed, in proportion to the several Rates and Duties therein specified, as they shall think fit; which Rates and Duties, when so fixed and ascertained by the said Commissioners, shall be paid to the said Commissioners or to their Collectors, or other Person or Persons appointed to receive and collect the same; and the same shall and may be received, levied, and collected, by such Ways and Means as if the same had been especially enumerated in this Act, or in the Schedule B. hereunto annexed.

One Fourth of Rates only when payable.

LXXXV. Provided always, and be it enacted, That in the meantime, and until the whole of the Piers, Dams, Sluices, and other Works hereby authorized to be made, shall be made and completed as aforesaid, there shall be paid One Fourth Part only of the Rates and Duties contained and set forth in the Schedule B. annexed to this Act, and One Fourth Part of any other Rates and Duties granted by this Act, save and except in case of a partial Completion of the Works, as next herein-after mentioned.

One Half of Rates when payable.

LXXXVI. Provided also, That so soon as the said Piers, Dams, Sluices, and other Works shall be so far completed as that Vessels of Two hundred Tons, registered Admeasurement, may pass and repass in Safety between the Piers to be made in pursuance of this Act, at any Time at High Water, that then and from thenceforth One Half Part of the Rates and Duties contained and set forth in the Schedule B. annexed to this Act, and One Half Part of any other Rates and Duties granted by this Act, shall be paid and payable.

Proportion of Rates payable on Goods brought to Shoreham.

LXXXVII. Provided always, and be it enacted, That from and after the Period at which the full Rates and Duties mentioned in the Schedule hereunto annexed, marked B., shall become due and payable, Three Fourth Parts only of the said full Rates and Duties shall be levied, collected, and paid upon Coals, Culm, Cinders, and Ashes, and One Moiety or Half Part only of the said full Rates and Duties shall be levied, collected, and paid upon Corn, Flour, and Straw landed within the Limits of the said Port, unless such several and respective Articles, or any of them, shall be imported into or exported from the said Harbour of *New Shoreham* only; any thing herein contained to the contrary notwithstanding.

One Fourth of Duties payable on Goods for Commissioners of Brighton Paving.

LXXXVIII. Provided always, and be it enacted, That One Fourth Part only of the full Rates and Duties granted and imposed by this Act, as set forth in the Schedule B. hereunto annexed, shall at all Times be collected and paid upon any Timber, Iron, Stone, Bricks, Lime, Chalk, Sand, Gravel, or other Article or Thing whatsoever landed on the Beach within the Parish of *Brighton*, for the Use of the Commissioners appointed by an Act of Parliament made and passed in the Fiftieth Year of the Reign of His present Majesty King *George* the Third, in and for the building or repairing of the Groins, Sea Walls, or Public Buildings, and the paving or improving, by the said Commissioners, of the said Town, and on which the full Rates or Duties granted by this Act would otherwise have been payable by the Commissioners of the said Town of *Brighton*.

In case of Storms or Accidents.

LXXXIX. Provided always, and be it further enacted, That if after One Half or the Whole of the Rates or Duties granted by this Act shall have become payable or been collected, it shall happen from any Storms or other Circumstances that the Objects of the Works to be made as aforesaid shall fail, by the Mouth or Channel of the said Harbour becoming or falling into so bad a State that all Ships or Vessels of Two hundred Tons registered Admeasurement cannot any longer pass in Safety between the Piers from the Sea into the said Harbour, and between the Piers from the said Harbour to the Sea, at any Time at High Water, and such Failure shall continue for the Space of One Year, then from and after such Failure for the Time aforesaid, all and every the Rates and Duties contained and set forth in the Schedule (B.) hereto annexed, and all other the Rates and Duties hereby granted, shall be reduced and lowered to One Fourth Part of such Rates and Duties; and that from thenceforth such Fourth Part only of such Rates or Duties shall be paid or payable until such Time as all Ships and Vessels of Two hundred Tons registered Admeasurement can again pass in Safety between the Piers from the Sea into the said Harbour, and between the Piers from the said Harbour to the Sea, at any Time at High Water, and from and after all such Ships and Vessels of Two hundred Tons registered Admeasurement can again pass in Safety between the Piers to and from the said Harbour at any Time at High Water as aforesaid, then the full Rates and Duties contained and set forth in the said Schedule (B.) hereto annexed, and all other the full Rates and Duties hereby granted, shall be again payable and be collected until the Object of the Works to be made as aforesaid shall again fail, by the Mouth or Channel of the said Harbour again becoming or falling into so bad a State that all Ships and Vessels of Two hundred Tons registered Admeasurement cannot any longer pass in Safety between the Piers to and from the said Harbour at any Time at High Water as aforesaid, and such Failure shall continue for One Year as aforesaid; and from and after such Failure as last aforesaid for the Time aforesaid, all and every the Rates and Duties contained and set forth in the said Schedule (B.) hereto annexed, and all other the Rates and Duties hereby granted, shall again be reduced and lowered to One Fourth Part of such Rates and Duties, and that from thenceforth such Fourth Part only of such Rates and Duties shall be paid or payable, until such Time as all Ships and Vessels of Two hundred Tons registered Admeasurement can again pass in Safety between the Piers to and from the said Harbour at any Time at High Water as aforesaid.

The Manner of recovering Rates when not paid.

XC. And be it further enacted, That all Monies due at the Time of passing this Act, in respect of the Duties payable under the said former Acts, or any of them, and also all Monies which shall become due in respect of the Duties payable under and by virtue of this Act, and also all and every the Penalties, Sum and Sums of Money, which shall have been forfeited or become payable under the said former Acts, or any of them, or shall become due or payable by virtue of this present Act, shall and may from Time to Time be levied by Distress and Sale of the Goods and Chattels of the Offender or other Person or Persons liable thereto, or who should or ought to pay the same, by a Warrant or Warrants, under the Hand and Seal or Hands and Seals of One or more Justice or Justices of the Peace for the said County of *Sussex*, to be directed to the Constable or Headborough of the Place where such Offence shall be committed, or such Duties, Penalties, Sum or Sums of Money shall become due, or are hereby

hereby made payable, or to the Bailiff of the said Commissioners, or any other Person or Persons whom the said Justice or Justices shall think proper; and in case the Party offending, or refusing or neglecting to pay, shall not pay the Money for which such Goods and Chattels so to be distrained, and reasonable Charges of distraining and keeping the same, within Ten Days after such Distress, the said Goods and Chattels so distrained shall and may be forthwith sold by the Person or Persons making such Distress, thereout to raise and pay the Money so to be charged and payable; and the Surplus thereof, if any, (after deducting the reasonable Charges of such distraining, keeping, and selling,) shall be tendered and paid to the Owner of the Goods so distrained; and in case a sufficient Distress cannot be found, then the said Justice or Justices may, and is and are hereby authorized and empowered, by Warrant or Warrants under his Hand and Seal or their Hands and Seals, to commit such Offender or Offenders to the Common Gaol of the said County, there to remain without Bail or Mainprize until such Penalties and Sum or Sums of Money so to be charged, with reasonable Expences occasioned by the Nonpayment thereof, shall be fully paid and satisfied, or the said Offenders shall compound with the said Commissioners, and pay such Composition Money and Charges, which Composition the said Commissioners are hereby empowered to make and receive: Provided always, that no Person shall be confined in the said Gaol above the Space of Three Months for any of the Offences aforesaid.

Masters of Ships eluding Payment to continue chargeable.

XCI. And be it further enacted, That if any Master, Commander, Owner, or Part Owner of any Ship, Vessel, or Boat, or any other Person or Persons whosoever, shall at any Time from and after the passing of this Act elude or avoid the Payment of any of the said Rates and Duties, by any Method whatsoever, such Master, Commander, Owner, or Part Owner of such Ship or Vessel, or other Person or Persons, shall stand charged with and be liable to the Payment of the same; and the same shall be recovered by the said Commissioners, together with Treble Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed.

No British Subject to cover Alien Goods.

XCII. And to prevent Frauds, be it further enacted, That no Subject of the United Kingdom shall upon any Account or Pretence whatever take upon him to own, or assume or pretend to have assumed the Risk of, any Goods, Wares, or Merchandizes which shall in fact be laden or unladen, imported or exported, for account of and at the Risk of a Foreigner or Foreigners, with Intent to defraud the said Commissioners of the Rates and Duties imposed or to be imposed on Goods, Wares, and Merchandize laden or unladen, imported or exported by an Alien or Merchant Stranger, or for account of and at the Risk of a Foreigner or Foreigners, as hereinbefore is mentioned, under the Penalty of One hundred Pounds, to be recovered with Treble Costs of Suit, by Action of Debt, Bill, Plaint, or Information, in any Court of Record, wherein no Essoign, Protection, Wager of Law, or more than One Imparlance, shall be allowed.

Ships belonging to His Majesty, &c. exempted.

XCIII. Provided always, and be it enacted, That nothing in this Act contained shall extend, or be construed to extend, to Ships, Vessels, or Boats belonging to His Majesty, His Heirs and Successors, or that shall or may be employed in His Majesty's Service, or to any of the Officers or Persons

Persons employed therein respectively, or in the Service of the Ordnance, Navy Board, Post Office, Excise, or Customs, or to any Yachts or Pleasure Boats or other Vessels belonging to His Royal Highness The Prince Regent, or any other Member of the Royal Family.

Masters of Vessels to pay the Dues upon the Cargoes, and to recover the same from the Owners.

XCIV. And be it further enacted, That the Master or other Person having the Command of any Ship or other Vessel coming within the said Port and Harbour shall, and he and they is and are hereby made subject and liable to the Payment of, and shall discharge all Rates and Duties imposed by virtue of this Act on such Ship or Vessel, and on the several Articles, Matters, and Things, Merchandize or Cargo therein contained, which may be discharged or landed within the Limits of the said Port and Harbour, to the Collector or Collectors appointed by the said Commissioners; and it shall and may be lawful to and for such Master or other Person paying such Rates and Duties to recover the same from the Owner or Owners of such Ship or Vessel, and the Proprietors of the Articles, Matters, and Things, Merchandize and Cargo therein contained, by Action of Debt or on the Case, in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, Wager of Law, or more One Imparlance, shall be allowed; and that the Receipt of the Collector of such Tolls or Duties for the Time being shall be Evidence of the Payment thereof, and received as such in any Court of Law or Equity.

No Collector, &c. of the Customs to give a Cocket or take a Report Outwards, &c. until all the Dues, &c. are paid.

XCV. And be it further enacted, That from and after the passing of this Act, no Collector, Comptroller, Receiver of Entries of Ships, Surveyor, Searcher, Waiter, or other Officer whatsoever, of or concerning His Majesty's Customs at the said Port of *New Shoreham*, shall give or make any Cocket or other Discharge, or make any Report Outwards for any Ship, Hoy, or other Vessel in the said Harbour of *New Shoreham*, or within the Limits of the said Harbour, until all the Rates and Duties payable by the Master or other Person having the Charge thereof, according to the true Intent and Meaning of this Act, shall be paid unto the Collector or Collectors, or other Person or Persons appointed under this Act, under a Penalty of forfeiting any Sum of Money not exceeding Twenty Pounds.

Officers of Customs may receive Rates.

XCVI. Provided always, and be it enacted, That it shall and may be lawful to and for any Officer of the Customs at the said Port, upon receiving a proper Remuneration for his Trouble, to demand, collect, and receive the Rates and Duties hereby granted, and to pay the same to the Treasurer or other Person appointed by the said Commissioners to receive the same, until a proper Receiver shall be appointed to collect the said Rates and Duties.

Duty on Coals imported by Ship Owners for Sale, to be paid by the Coal Buyer.

XCVII. Provided always, and be it further enacted, That in Cases where the Owner or Master of any Ship or Vessel shall import a Cargo of Coals into the said Port of *New Shoreham* for Sale, the Duty payable on such Coals, according to the Rates contained in the Schedule (B.) to this Act annexed, shall be paid by the Person or Persons who may purchase the same of the Ship Owner or Master importing the same, and not by such Ship Owner.

Commanders of Vessels damaging

XCVIII. And be it further enacted, That in case any Vessel shall be wilfully or negligently run or driven, either against any Pier or Piers, or any

any other the Works erected or to be erected, or made for the protecting and improving of the said Harbour, so as to break, damage, or injure the same, the Person having the Government or Rule of such Ship or Vessel, or acting as such, shall be liable to answer and make good the Damage or Injury done to the same, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at *Westminster*, in which no Essoign, Protection, Privilege, or more than One Imparlance, shall be granted or allowed.

Piers or Works to make good the same.

XCIX. And be it further enacted, That the Master or Owner of every Ship, Vessel, or Boat, shall be and is hereby made answerable for any Damage, Spoil, or Mischief which shall be done by his Ship, Vessel, or Boat, or the Person or Persons in his Service or under his Controul having the Management or Command thereof, whilst in the Service of the said Ship, to the said Pier or Piers, or any of the Works of the said Harbour; and in case the Owner of any Ship, Vessel, or Boat, shall be compelled to pay any Penalty, or to make Satisfaction for any Damage, by reason of any wilful Act or Default done or committed by his Servant or Servants whilst in such Ship's Service as aforesaid, every such Servant shall be liable to repay such Penalty, or the Money paid for such Damage, to such Owner; and in case of Nonpayment thereof upon Demand, the same shall be recoverable by such Owner, in like Manner as any Penalty is in and by this Act directed to be recovered.

Masters of Ships answerable for Damages.

C. And be it further enacted, That if any Person or Persons shall wilfully or maliciously cut, break, or in any Manner destroy any Cable or Rope or other Thing by which any Ship or other Vessel lying within the said Pier or Harbour, or within the Distance of Two hundred Yards of the Entrance or Mouth of the said Pier or Harbour, or either of them, shall be moored or fastened, such Person or Persons so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds: Provided always, that nothing herein contained shall extend, or be construed to extend, so as to hinder or restrain the Harbour Master or Harbour Masters to be appointed in pursuance of this Act, or any of them, or his or their Assistant or Assistants, from exercising, in a due and reasonable Manner, any of the Authorities hereby vested in him or them respectively.

Penalty against destroying Ropes of Vessels.

CI. And be it further enacted, That the said Commissioners shall and they are hereby required to hoist, or cause to be hoisted, on the intended Light House opposite the Entrance of the Harbour or near thereto, a Flag or Ensign, for and during such Time in each and every Day as any Ship or Vessel drawing Eleven Feet Water may with Safety, as to the Draught of Water, enter the said Pier and Harbour; and when and as soon as and for and during such Time as such Ship or Vessel cannot with Safety enter the said Pier and Harbour, to take down and remove, or cause to be taken down and removed, such Flag or Ensign, and again to rehoist, or cause to be rehoisted, the same, in manner aforesaid, when and as soon as there shall be such sufficient Water as aforesaid; and the said Commissioners shall and they are hereby required to burn, or cause to be burnt, some Light or Lights, Fire or Fires, on or near the Shore or Strand directly opposite to the intended Entrance of the said Harbour, in each and every Night, or when such Flag or Ensign cannot be easily seen from Sea, for

A Flag to be hoisted by Day when Water is at a certain Depth;

and a Light or Lights to be kept at Night.

and during such Time as any Ship or other Vessel drawing Eleven Feet Water may with Safety, as to the Draught of Water, enter the said Pier and Harbour; and when and as soon as and for and during such Time as such Ship or Vessel cannot with Safety enter the said Pier and Harbour, to extinguish or cause to be extinguished such Light or Lights, Fire or Fires, and again to burn or cause to be burnt such Light or Lights, Fire or Fires, in manner aforesaid, when and as soon as there shall be sufficient Water as aforesaid; and in case during the Progress of the Improvement of the said Harbour it shall become more expedient to exhibit the said Light and Flag upon any other Part or Place than aforesaid, it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, to alter and remove the same accordingly, after giving Three Months previous Notice thereof in the *London Gazette*, in the *Sussex* Newspapers, and in One or more daily Evening Newspapers published in *London*, at least Three Times in each of the said Papers, of the Time and Place of such intended Alteration and Removal.

Rate for Lights.

CII. And, for defraying the Expence of the said Lights and Light Keeper, be it further enacted, That there shall be levied on all Ships or other Vessels entering the said Harbour, after the Erection of the said Light or Lights, the Sum of Four-pence upon every Foot Depth of Water which any such Ship or Vessel may draw on entering the same, to the Extent of Twelve Feet, and Sixpence for every additional which the said Vessel shall draw at such Time above Twelve Feet; and that all Foreign Vessels shall be subject to One Third additional Dues.

Commissioners empowered to purchase Boats, &c. for the Use of Officers.

CIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any Seven of them, and they are hereby empowered, to purchase all such Boats and other Vessels and Craft as shall in their Judgment be deemed necessary for the Use of the Committee of Survey and other Officers appointed under and by virtue of this Act.

Persons destroying Works or Lights guilty of Felony.

CIV. And be it further enacted, That all and every Person or Persons who shall at any Time or Times wilfully or designedly demolish or break down the said Pier or Piers, or other Works, or any Part or Parts thereof which shall belong to the said Harbour, or who shall wilfully or designedly extinguish or put out any of the Lights used in or belonging to the said Harbour, for the Safety and Protection of the Ships and other Vessels resorting to the same, shall be adjudged guilty of Felony, and the Court by and before whom such Person or Persons shall be tried and convicted shall have Power and Authority to cause such Person or Persons to be transported for the Term of Seven Years, or in Mitigation of such Punishment may award such Sentence as the Law directs in Cases of Petit Larceny.

Penalty on throwing Ballast, &c. into the Harbour, &c. to the Prejudice thereof.

CV. And, for the better Preservation of the said Harbour, be it further enacted, That if any Person shall throw or empty any Ballast, Earth, Dust, Ashes, Rubbish, or Stones into the said Harbour, or into the Sea within the Distance of Three hundred Fathoms from the Shore, between a Place called *Lower Lancing* to the Westward, and a certain other Place called *Hove* to the Eastward of the said Harbour, except in case of actual Distress, or upon any of the Wharfs within the same; or shall take away or remove any Ballast, Shingle, or Stones from any Part of the said Harbour, or from any of the said Wharfs, Quays, or Works of

and belonging to the said Harbour, without Leave for that Purpose first had and obtained from the said Harbour Master; every such Person shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds for every such Offence.

Officers to be appointed by the Commissioners to measure Foreign Vessels.

CVI. And be it further enacted, That the said Commissioners, or any Seven of them, shall and they are hereby authorized to appoint a proper Person or proper Persons for the Purpose of ascertaining the Tonnage of any Foreign Vessels which shall enter the said Harbour, in order to a due Collection of the Duties payable by such Vessels; and such Person or Persons is or are hereby empowered and required to admeasure such Ships or Vessels accordingly, according to the Directions of an Act passed in the Twenty-sixth Year of the Reign of His present Majesty, intituled *An Act for the further Increase and Encouragement of Shipping and Navigation.*

Tonnage of British Ships to be ascertained by their Registers.

CVII. And be it further enacted, That in all Cases wherein it shall be necessary to ascertain the Tonnage of any *British* or *Irish* built Ship or Vessel, for the Purposes of this Act, the Production of the Register of such Ship or Vessel shall be deemed sufficient for that Purpose, without an actual Admeasurement of such Ship or Vessel; and the Master or Owner, or other Person having the Command or Management thereof, is hereby required to produce and shew such Register accordingly, under a Penalty in case of Refusal not exceeding Five Pounds.

Harbour Master shall have full Power to moor or remove Ships, &c.

CVIII. And be it further enacted, That every Harbour Master from Time to Time appointed by the said Commissioners shall have full Power and Authority to direct the mooring, unmooring, moving, or removing of all Ships and other Vessels coming into, lying, or being in the said Harbour, or any Part thereof, or on the Outside thereof, within the Distance of Five hundred Yards of the Entrance or Mouth of the said Pier or Harbour, and to appoint and regulate the Time or Times and Manner of their Entrance into (save and except in stormy or tempestuous Weather), lying in, or going out of or from such Pier or Harbour, or either of them, and to regulate and determine the Position of such Ships and other Vessels, and their Manner of loading and discharging therein respectively; and in case the Owner, Master, or other Person having the Charge or Command of any such Ship or other Vessel, shall refuse or neglect to moor, unmoor, place, move, or remove his Ship or Vessel according to such Direction, immediately after Notice to him or them shall be given or left with any Person or Persons on board of the said Ship or Vessel for that Purpose, every such Owner, Master, or other Person having the Charge or Command of such Ship or Vessel, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and it shall and may be lawful to and for the said Harbour Master or Harbour Masters, or his or their Assistants, and he and they is and are hereby required, to moor, unmoor, place, move, or remove such Ship or Vessel; and the Charges and Expences thereof respectively shall be repaid by such Owner, Master, or other Person having the Charge or Command of such Ship or Vessel, to the Clerk or Treasurer for the Time being of the said Commissioners; and in case of Nonpayment thereof on Demand, such Charges and Expences may be levied and recovered by such Ways and Means as any Penalties or Forfeitures may by this Act be levied and recovered, or by Action of Debt or on the Case, together with full Costs of

of Suit, in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, Wager of Law, or more than One Imparlance, shall be allowed; and in case any Master, Commander, Mate, or Pilot, or other Person or Persons taking the Charge or Command of any Ship or other Vessel, or the Owner, Agent, Consignee, or any other Person or Persons whomsoever, shall obstruct or hinder the mooring, unmooring, placing, moving, or removing of any Ship or other Vessel lying or being in the said Pier or Harbour, or lying or being within the Distance of Five hundred Yards of the Entrance or Mouth of the said Pier or Harbour, or either of them, then and in every such Case such Person or Persons so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds.

In what Manner *Pitch, &c.* shall be heated on board Ships.

CIX. And be it further enacted, That in case any Person or Persons having the Rule or Command of any Ship or Ships, Vessel or Vessels, lying or being in the said Harbour, shall heat or boil, or permit or suffer to be heated or boiled, any Pitch, Tar, or Rosin, or any Composition of that Nature, on board of his or their respective Ship or Ships, Vessel or Vessels, otherwise than with an Iron Instrument commonly called a Loggerhead, he or they shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds.

Ships not to be anchored in certain Situations beyond Two Tides.

CX. And whereas many Ships and other Vessels may be in tempestuous Weather prevented from entering the said Harbour as a Place of Protection, by Ships and other Vessels lying close to the Mouth of the said Harbour; be it therefore enacted, That no Ship or other Vessel shall anchor, moor, or lie nearer to the intended Entrance of the said Harbour than Five hundred Yards, for any longer Space of Time than Two Tides (save and except such Ship or Vessel shall be prevented from going further up the said Harbour by the Want of a sufficient Depth of Water, or save and except such Ship or other Vessel as shall put into the said Harbour for Protection against tempestuous Weather, or shall be detained therein by contrary Winds, or shall be unlading or taking on board a Cargo); and if any Ship or other Vessel, save and except as aforesaid, shall be anchored, moored, or laid below, or nearer to the intended Entrance of the said Harbour than Five hundred Yards, for any longer Space of Time than Two Tides, then and in every such Case the Master, Pilot, or other Person or Persons having the Charge or Command of such Ship or Vessel so anchored, moored, or lying, shall for every Tide that such Ship or Vessel shall remain so anchored, moored, or lying beyond the said Two Tides, forfeit and pay any Sum not exceeding Twenty Pounds.

A Person to remain on board Ships whilst in the Harbour, to prevent Accidents.

CXI. And be it also enacted, That during the Time any Ship or Vessel (such Vessel not being a Boat, Barge, or Lighter) shall be or remain within the said Harbour, the Owner or Owners, Consignee or Consignees, Master or Person having the Care thereof, shall cause a proper Person to remain on board thereof to prevent Accidents happening by Fire, or by the drifting of such Ship or Vessel; and in case any such Ship or Vessel shall at any Time be left without a proper Person on board to prevent such Accidents as aforesaid, the Owner or Owners, Consignee or Consignees, Master or other Person having the Care of such Ship or Vessel, shall for every such Neglect or Omission forfeit and pay any Sum not exceeding Five Pounds.

CXII. Pro-

If Harbour not complete within Five Years this Act to cease.

CXII. Provided always, and be it further enacted, That in case the intended Improvements of the said Harbour and other Works hereinbefore mentioned shall not have been completed within the Space of Five Years, to be computed from the passing of this Act, then from and immediately after the Expiration of the said Term of Five Years all the Powers, Authorities, and Privileges given by this Act shall cease and determine: Provided also, that the Whole of the probable Expence of making and completing the said Harbour and other Works hereby directed to be made shall be subscribed by Persons under a Contract binding themselves, their Heirs, Executors, and Administrators, for Payment of the Money so subscribed by them, before the Powers and Authorities hereby given shall be put in force, and Proof of which Subscription shall be made to the Justices of the Peace of the said County of *Sussex* assembled at any General Quarter Sessions of the Peace to be holden in and for the Western Division of the said County.

Collectors of Rates not to be incompetent Witnesses.

CXIII. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise touching or relating to the said Rates or Duties, or any of them, the Person or Persons appointed to collect the said Rates or Duties under the Authority of the said Commissioners shall not be disqualified from giving Evidence in any such Dispute, Suit, or Litigation, by reason of his, her, or their being appointed to collect such Rates or Duties.

Recovery of Penalties.

CXIV. And be it further enacted, That all Complaints and Informations against this Act, or any Rule, Order, or Bye Law to be made in pursuance thereof (except in Cases where the Manner of hearing and determining thereof is herein-before otherwise directed), shall and may be made before any One or more Justice or Justices of the Peace in the County or Place wherein the Offence shall be committed; and such Justice or Justices is and are hereby authorized and empowered to take Cognizance thereof, and to summon the Person or Persons complained of to appear before him or them, and upon the appearing or not appearing of such Person or Persons pursuant to such Summons to hear the Matter of every such Complaint and Information by Examination of any Witness or Witnesses upon Oath, and to make such Determination thereon as such Justice or Justices shall think proper; and upon the Conviction of any Person such Justice or Justices shall and may issue a Warrant under his or their Hand and Seal or Hands and Seals for levying the Fine, Penalty, or Forfeiture by virtue of this Act imposed for such Offence, by Distress and Sale of the Goods and Chattels of the Person so convicted; and all such Fines, Penalties, and Forfeitures when recovered, after rendering the Overplus (if any) when demanded to the Owner of such Goods and Chattels (the Charges of such Distress and Sale being first deducted), shall (where the Application is not otherwise directed by this Act) be paid into the Hands of the Treasurer or Treasurers to the said Commissioners, and shall be applied and disposed of towards defraying the Expences of the said Harbour and other Works; and in case sufficient Goods and Chattels of any Person liable to pay any such Fine, Penalty, or Forfeiture, cannot be found whereon to make such Distress, and such Fine, Penalty, and Forfeiture shall not be forthwith paid, it shall be lawful for such Justice or Justices, and he or they is and are hereby authorized and required, by Warrant under his or their Hand and Seal or Hands and Seals, to commit

commit such Offender to the Common Gaol or the House of Correction of the said County of *Sussex*, for any Time not exceeding Six Calendar Months, unless such Penalty or Forfeiture, and all reasonable Charges attending the Recovery thereof, shall be sooner paid and satisfied.

Conviction.

CXV. And be it further enacted, That all and every Justice and Justices of the Peace, before whom any Person or Persons shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn up in the following Form of Words, or any other Form of Words to the same Effect:

'
' to wit. } BE it remembered, That on (*Time of Conviction*) at (*Place of Conviction*) (*Name of Offender*) was duly convicted
' before me (*or* us, *Name and Style of convicting Justice or Justices*), for that
' the said (*Name of Offender*) in (*Time of committing Offence*) at (*Place of*
' *committing Offence*) did (*here state the Offence against the Act according to*
' *the Fact*) contrary to the Form of the Statute made in the Fifty-sixth
' Year of the Reign of His Majesty King *George* the Third, intituled (*here*
' *set forth the Title of this Act*); and I (*or* we) do therefore declare and
' adjudge that the said (*Name of Offender*) has forfeited for the said Offence
' the Sum of (*Fine*) to be paid to the Treasurer to the said Commissioners
' (*if the Penalty goes to the Commissioners*), or to the Party entitled thereto
' (*if any other Party*), (*or if the Penalty is Imprisonment*) declare and adjudge
' that the said (*Name of the Offender*) is guilty of the said Offence, and shall
' be committed to (*Place of Imprisonment*) for the Space of (*Time of Impri-*
' *sonment*). Given under my Hand and Seal (*or* our Hands and Seals)
' the Day and Year first above written.'

In case of there being no Goods on which to levy Distress.

CXVI. And be it further enacted, That in case there be no Goods and Chattels of the Offender on which any pecuniary Penalty can be levied, and the Offender refuses to pay the same, it shall be sufficient for the said Justice, in the Warrant for committing the Offender to Prison as hereinbefore mentioned, to recite the Conviction shortly according to the Form aforesaid, and to state that the Offender had no Goods and Chattels on which to levy the Distress, and that he refused to pay, and to commit him accordingly unto the County Gaol or House of Correction, for any Time not exceeding Six Calendar Months, or until the Penalty and Charges to be specified are paid.

Persons taking Distress irregularly not to be deemed Trespassers ab initio.

CXVII. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers on account of any Defect or Want of Form in the Summons, Conviction, Warrant, or Distress, or other Proceedings 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 committed by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damages in an Action upon the Case.

Proceedings not to be quashed for

CXVIII. And be it further enacted, That no Proceedings to be had and taken in pursuance of this Act shall be quashed or vacated for Want of

Form, or be removed by Certiorari or any other Writ or Process whatsoever into any of His Majesty's Courts of Record at *Westminster* or elsewhere. Want of Form, &c.

CXIX. Provided always, and be it further enacted, That any Person or Persons thinking himself or themselves aggrieved by any Order or Judgment made or given in pursuance of any Rule, Bye Law, or Order of the said Commissioners, or by the Order or Determination of any Justice or Justices of the Peace in pursuance of this Act, may within Six Calendar Months after Complaint to the Justices of the Peace at the General Quarter Session of the Peace to be held in and for the County or Place where the Cause of Appeal shall arise, and not elsewhere, the Person or Persons appealing having first given at least Twenty-one Days Notice of such Appeal, and of the Nature and Matter thereof, to the Person or Persons appealed against, or to the principal Clerk of the said Commissioners, and forthwith after such Notice entering into a Recognizance, before some Justice of the Peace for such County or Place, with Two sufficient Sureties, or in case of the Absence abroad or Sickness of the Party appealing, then and in that Case on Two competent Persons entering into such Recognizance, conditioned to try such Appeal and to abide the Order and Award of the said Court thereon; and the said Justices, (not being Commissioners under this Act, or otherwise interested in the said Harbour,) upon due Proof of such Notice and Recognizance having been given and entered into, shall in a summary Way hear and determine such Complaint at such General Quarter Sessions of the Peace to be held for such County or Place, or if they think proper adjourn the Hearing thereof to the next General Quarter Sessions of the Peace to be held for such County or Place, and if they see Cause may mitigate any Forfeiture or Fine, and may order any Money to be returned which shall have been levied in pursuance of such Rule, Bye Law, Order, or Determination; and shall and may also award such further Satisfaction to be made to the Party injured, or such Costs to either of the Parties, as they shall judge reasonable and proper; and all such Determinations of the said Justices shall be final, binding, and conclusive upon all Parties, to all Intents and Purposes whatsoever. Appeal.

CXX. And be it further enacted, That no Action, Suit, or Information shall be brought or commenced by any Person or Persons for any thing done or to be done in pursuance of this Act, or in the Execution of the Powers and Authorities or the Orders and Directions hereinbefore given or granted, until Twenty-one Days Notice in Writing to the Person or Persons against whom such Action is intended to be brought, or of the Cause or Intention of and for commencing such Action or Suit, nor at any Time after sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, nor after Nine Calendar Months next after the Fact shall have been committed, or in case there shall be a Continuation of Damages, then within Twelve Calendar Months next after the doing or committing of such Damage shall have ceased, and not afterwards, and shall be laid or brought in the County where the Matter in dispute shall arise, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance of and by the Authority Limitation of Actions. General Issue.

Authority of this Act; and if it shall appear to have been so done, or if any Action, Suit, or Information shall be brought after the Time so limited for bringing the same, or shall be brought in any other County than as aforesaid, then and in that Case the Jury shall find for the Defendant or Defendants; and in such Case also, or if the Plaintiff or Plaintiffs shall become nonsuit, or suffer a Discontinuance of his or their Action or Actions, Suit or Information, after the Defendant or Defendants shall have appeared thereto, or if any Verdict shall pass upon the Plaintiff or Plaintiffs, or if upon Demurrer or otherwise Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Treble Costs, and shall have such Remedy for the Recovery of the same as any Defendant or Defendants hath or have for Costs in other Cases by Law.

Protecting the Bridge over the Adur.

CXXI. And whereas by virtue of an Act passed in the Twenty-first Year of the Reign of His present Majesty, intituled *An Act for building a Bridge over the River* Adur *at or near* Old Shoreham *in the County of* Sussex, the Most Noble *Bernard Edward* Duke of *Norfolk* is entitled to a reversionary Interest of and in a certain Bridge called *Old Shoreham Bridge*, and several other Persons are now entitled to the Tolls arising or to arise and be collected under or by virtue of the same Act; now be it further enacted, That if at any Time or Times any Damage shall arise to the said Bridge, or to the Toll House, Yard, Garden, Landing Place, or any of the Works appertaining to the said Bridge, by the deepening, cleansing, or enlarging the said Harbour or the Channel thereof, or by making any Dams, Sluices, Platforms, or other Works, or by the more speedy or extensive Flow of the Water from the opening of the intended new Cut, or from any other Act or Acts, Work or Works, to be made or done by the said Commissioners, or any other Person or Persons authorized by them, in putting in Execution the Powers vested in them by this Act, then and in such Case, if the said Commissioners and the said *Bernard Edward* Duke of *Norfolk*, or the Person or Persons for the Time being interested in the said Bridge and Tolls, or the Works appertaining thereto, shall not agree touching such Damages, they the said Commissioners shall inquire of and ascertain such Damage by a Jury to be impannelled and returned as herein mentioned, and give Judgment for the said *Bernard Edward* Duke of *Norfolk*, and the other Person and Persons aggrieved, and record the same; and such Record shall be deposited, inspected, and copied, and such Copy shall be Evidence in like Manner and Form as herein mentioned and directed; and the said Commissioners, by and out of the Money to be raised by virtue of this Act, shall cause to be paid the Damages to be agreed upon between the said Commissioners and the said *Bernard Edward* Duke of *Norfolk*, or the other Person or Persons aggrieved, or in case they shall not agree, such Damages as shall be ascertained in manner aforesaid.

Saving.

CXXII. Provided always, and be it further enacted, That nothing herein contained shall extend, or be construed to extend, to lessen or abate or in any Manner to affect or prejudice the Right or Title of the King's most Excellent Majesty, His Heirs and Successors, or His or their Lessees or Assigns, or of the Most Noble *Bernard Edward* Duke of *Norfolk* as Lord Paramount of the Rape of *Bramber*, his Heirs or Successors, or of the said *Bernard Edward* Duke of *Norfolk* as Lord of the Borough

and

and Manor of *New Shoreham*, or of the Manor of *Old Shoreham*, his Heirs, Successors, or Assigns, or of any Lord or Lords, Lady or Ladies of any other Manor or Manors, his, her, or their Heirs, Successors, or Assigns, to any Customs, Tolls, Rights, Profits of Fairs and Markets, Ballast, Shingle, Anchorage, Wrecks, Royalties, and all other Things which are now or shall happen or come within the Limits of the said Harbour or of their respective Manors, or other Benefits or Advantages belonging or in anywise appertaining to them or either of them, other than such Tolls, Rates, and Duties as are by this Act authorized and directed to be collected, received, and paid; but that he, she, and they, and all other Person or Persons authorized by him, her, or them, may take away, receive, and enjoy the same as fully and beneficially, to all Intents and Purposes whatsoever, as if this Act had not been made.

Proprietors of Lands may take Shingle.

CXXIII. Provided always, and be it further enacted, That nothing herein contained shall extend, or be deemed, construed, or taken to extend, to prevent the Owner or Owners, Occupier or Occupiers of any Land or Property adjoining the said Harbour, or any Person or Persons duly authorized by him, her, or them, from taking or removing any Ballast, Shingle, Stones, or Sand from off his, her, or their Property, when and where the same shall not be prejudicial or injurious to any of the Piers, Wharfs, Sluices, Platforms, or other Works of the said Commissioners of the said Harbour, or obstruct, impede, prejudice, defeat, or affect the Navigation of the said Harbour; nor shall any thing herein contained authorize or empower the said Commissioners of the said Harbour, otherwise than for the Purposes of this Act, to remove any Ballast, Shingle, Stones, or Sand from off the Land or Property of such Person or Persons.

Saving Rights of Commission of Sewers.

CXXIV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to lessen or take away in any respect whatsoever the Power of the present or any future Commission of Sewers for the Levels within the Rape of *Bramber*, but that the same shall continue in full Force and Effect; and the Commissioners of Sewers for the Time being shall have the same Power within the Limits appointed by the present or any other Commission of Sewers hereafter to be granted for the said Rape, as such Commissioners would have had in case this Act had not been made, otherwise than as the same may be altered, varied, or abridged by the Powers and Authorities given by this Act.

Public Act.

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

SCHEDULE A.

SCHEDULE of the Lands referred in this Act.

THE Lands lying on the South Side of the Carriage Road leading along the Side of the present Harbour from the East End of the Town of New Shoreham to the Wish, and no further, and sufficient Land for a Carriage Road, if such Carriage Road shall be necessary, on the Bank or Up-land adjoining the said Harbour, not exceeding in any Place the Width of Thirty Yards.

SCHEDULE B.

The TABLE or SCHEDULE of RATES referred to in and by this Act.

		s.	d.
Almonds - - -	For every Cwt. common - - -	0	1
Alum - - -	Cwt. of Alum - - -	0	1
Animals - - -	Bull, Ox, Cow - - -	2	0
	Horse, Mare, or Gelding - -	4	0
	Ass or Mule - - - -	1	6
	Dog, Fox - - - -	0	3
	Ten Pounds Value of all other living Animals not enumerated - -	0	10
Anchors - - -	Cwt. of Anchors - - -	0	1
Acquebusade Water -	Gallon Acquebusade Water -	0	0½
Bacon or Hams - -	Cwt. of Bacon or Hams - -	0	2
Bale - - -	Great Bale above Twenty-seven Feet cubic - - -	0	6
	Small Bale in proportion - -	0	4
Bark - - -	Ton of Oak Bark - - - -	2	0
	Cwt. of all other Bark not enumerated - - - - -	0	2
Barilla - - -	Ton of Barilla - - - -	1	0
Baskets - - -	Dozen of Hand-baskets - -	0	9
	Dozen small Pail, Maund or Baskets	1	0
	Dozen great Maund or other Baskets	1	6
	Dozen of all other Baskets not here enumerated - - -	0	6
Beds - - -	Bed - - - - -	2	0
Bedsteads - -	Bedstead or Sofa - - -	0	6
Beer - - -	Barrel containing Thirty-six Gallons of Beer or Ale - -	0	3
	smaller Cask of Beer and Ale -	0	2
Birds - - -	singing Bird - - - -	0	6
	Dozen Pigeons - - -	1	0
	Dozen Quails - - -	1	0
	Partridge - - - -	0	2
	Pheasant - - - -	0	4
Books - - -	Cwt. bound - - - -	0	3
	Cwt. unbound - - -	0	2
Bottles - - -	Dozen earthen or stone - -	0	1½
	Ditto Quart Glass, green or common - - - -	0	1

		s.	*d.*
Bottles - - -	For every Ten Pounds Value of Bottles not otherwise enumerated - -	0	10
Boxes - - -	Dressing Box, 10 Pounds Value -	0	10
	Snuff Ditto, 10 Pounds Value -	0	10
	Gross Nest Ditto - - -	1	0
	Gross Pill Ditto - - -	1	0
Brooms - - -	Dozen common Brooms - -	0	1½
Butter - - -	Cwt. Butter - - - -	0	1
Bundle - - -	small Bundle or Parcel -	0	2
Bricks - - -	Thousand Bricks - - -	1	0
Bran - - -	Load of Bran - - -	0	6
Canvas - - -	large Bolt of Canvas, No. 1, 2, & 3	0	2
	small Bolt of Canvas - -	0	1
Carriages - -	Four-wheeled Carriage - -	5	0
	Two-wheeled Carriage - -	2	6
Case - - -	Case above Twenty-seven Feet cubic	0	6
	all other Cases in proportion -	0	3
Casks - - -	above Thirty-two Gallons, empty -	0	1
	under Thirty-two Gallons, Ditto -	0	0½
Chairs - - -	Dozen Mahogany Chairs - -	1	0
	Ditto other Chairs - - -	0	6
Cheese - - -	Cwt. of Cheese - - -	0	1
Coals, Culm, Cinders, or Ashes - -	Chaldron Winchester Measure, to be paid by the Buyer - -	1	0
Cordage (new not in use)	Cwt. new Cordage (not in use) -	0	2
(old not in use)	Cwt. old Cordage (not in use) -	0	0¼
Corn - - -	Quarter of Wheat, Oats, Malt, Meal, Rye, Barley, Beans, Peas, Tares, and Seeds of every Denomination - - - - -	0	3
Copper (new) - -	Cwt. new Copper - - -	0	2
(old) - -	Cwt. old Copper - - -	0	1
Candles - - -	Cwt. Candles - - -	0	1
Cider - - -	Ton Cider of 252 Gallons - -	1	0
Clocks - - -	Clocks (10 Pounds Value) - -	0	10
Coffee - - -	Cwt. Coffee - - -	0	1¼
Cordial Waters - -	Gallon Cordial Waters - -	0	1½
Cork - - -	Cwt. Cork - - - -	0	4
Currants - - -	Cwt. Currants - - -	0	1
Corpse - - -	Corpse (except the Corpse of any Seaman, Marine, or Soldier) -	10	6
Caricatures - -	Dozen Caricatures - - -	1	0
Drugs - - -	10 Pounds Value - - -	0	10
Earthenware - -	large Crate of Earthenware - -	0	6

		s.	*d.*
Earthenware - -	For every small Crate of Earthenware -	0	4
Eggs - - - -	120 of Eggs - - - -	0	2
Essences of all Kinds -	10 Pounds Value - - -	0	10
Feathers - -	Cwt. of Feathers for Beds - -	1	0
	10 Pounds Value, not otherwise enumerated or described -	0	10
Figs - - - -	Cwt. of Figs - - - -	0	1
Fish, (salted or manufactured.)	100 of Cod, called sized Fish -	0	6
	100 of Cod, called the small Sort	0	3
	Barrel of Red Herrings - -	0	1
	Bushel or Firkin of Oysters -	0	2
	Barrel of Oysters, less than a Firkin	0	0¼
	Kit of Pickled Salmon - -	0	1
Flowers, artificial -	10 Pounds Value artificial Flowers	0	10
Flour - - -	Sack of Five Bushels Flour - -	0	1
Fruit - - -	Bushel of Apples - - -	0	1
	Bushel of Pears - - -	0	1½
	Bushel of Plums - - -	0	2
	Bushel of Cherries - - -	0	2
	Cwt. of Grapes - - -	0	2
	Bushel of Small Nuts, Walnuts, and Chesnuts - - -	0	1
	Melon - - - - -	0	0½
	100 Peaches - - - -	0	2
	all other Fruit not enumerated, for every 10 Pounds Talue - -	0	10
Flower Roots - -	10 Pounds Value - - -	0	10
Frames, Picture -	10 Pounds Value - - -	0	10
Furniture, Household -	10 Pounds Value - - -	0	10
Game - - -	Hare - - - - -	0	2
	Rabbit - - - - -	0	1
Glass - - -	Crate of Window Glass - -	0	6
	Crate of Glass Ware - -	0	4
	all other Glass not enumerated, for every Ten Pounds Value -	0	10
Hay - - -	Load of Hay, Thirty-six Trusses -	0	3
Hides - - -	Dozen raw or tanned - -	0	6
Honey - - -	Cwt. of Honey - - -	0	2
Hemp - - -	Cwt. of Hemp - - -	0	1½
Hoops - - -	Bundle of Wooden Hoops -	0	1
	Cwt. of Iron Ditto -	0	1
Hops - - -	Bag of Hops - - -	0	6
	Pocket of Hops - - -	0	4

		s.	*d.*
Iron Ware of all Descriptions.	For every Cwt. of Iron Ware of all Descriptions - - - -	0	4
Kelp - - -	Ton of Kelp - - - -	1	8
Lard - - -	Cwt. of Lard - - - -	0	1
Laths - - -	Bundle of Laths - - -	0	0½
Lead - - -	Cwt. of Lead - - -	0	1
Lemons - -	1000 Lemons - - - -	0	6
Leather - - -	Cwt. of tanned Hides - -	0	1
	Cwt. of fine tanned Hides -	0	2
Lime - - -	Load, loose or in Packages -	0	3
Marble - - -	Ton of Marble - - -	1	0
Mats - - -	100 of Mats - - - -	0	3
Medals - -	10 Pounds Value - - -	0	10
Metal - - -	Ton of cast Metal - - -	1	8
	Cwt. of Copper or Brass unwrought	0	1
	Cwt. of Copper or Brass wrought	0	1½
	Cwt. of Pewter wrought - -	0	0½
	Cwt. of old Pewter - - -	0	0¼
	Cwt. of Tin - - - -	0	1
	and all other Metals not enumerated, for every 10 Pounds Value	0	10
Oil - - -	Barrel of Train or Fish Oil -	0	4
	Pound perfumed Oil - -	0	0¼
Oil Cakes - -	Thousand Oil Cakes - -	2	0
Oakum - -	Cwt. of Oakum - - -	0	1
Oker - - -	Cwt. of Oker - - -	0	1
Oranges - -	1000 Oranges - - -	0	6
Orrice Root - -	Cwt. Orrice Root - - -	0	1½
Paint, common -	Cwt. common Paint - -	0	1
Paper - - -	Cwt. of Paper - - -	0	1
Perfumery - -	10 Pounds Value of Perfumery -	0	10
Pictures - - -	under Two Feet square - -	0	6
	Two Feet square and under Four Feet - - - - -	1	0
	Four Feet square and upwards -	2	0
Pimento - - -	Cwt. Pimento - - -	0	2
Pitch - - -	Barrel Pitch - - - -	0	4
Plaster of Paris -	Ton Plaster of Paris - -	1	8
Pepper - -	Cwt. of Pepper - - -	0	2
Plated Goods - -	Ten Pounds Value of Plated Goods	0	10

		s.	d.
Poultry -	For every Goose - - - - -	0	1½
	Turkey - - - - -	0	2
	Dozen Fowls - - -	0	6
	Dozen Ducks - - -	0	9
Plumbs - - -	Cwt. of Plumbs dried - -	0	2
Prunes - - -	Cwt. of Prunes - - -	0	1
Powder for Hair -	Pound of Hair Powder - -	0	0¼
Pomatum - - -	Pound of Pomatum - -	0	0¼
Paper Prints - -	Dozen of Paper Prints - -	1	6
Pork - - -	Cwt. of Pork - - -	0	1
Rags, old Rope -	Cwt. of old Rags or Rope, &c. -	0	1
Raisins - - -	Cwt. of Raisins - - -	0	1
Rice - - -	Cwt. of Rice - - -	0	1
Rosin - - -	Cwt. of Rosin - - -	0	1
Salt - - -	Ton of Salt - - - - -	1	0
Saltpetre - -	Ton of Saltpetre - -	1	0
Slates - - -	Thousand of Slates - -	1	8
Skins - - -	10 Pounds Value - - -	0	10
Spirits or Strong Waters	Gallon of Spirits or Strong Waters	0	0½
Soap - - -	Cwt. of Soap - - -	0	1
Soap Ashes - -	Ton of Soap Ashes - -	1	0
Starch - - -	Cwt. of Starch - - -	0	1
Steel and Steel Ware -	10 Pounds Value - - -	0	10
Stones - - -	100 Feet of Paving Stone -	2	0
	Ton Portland, Purbeck, or other Stone used for building -	1	8
	Cart Load of Bolder or Flint Stones	0	1
	Ditto Ditto of Chalk Stones, rough and hewn - - - - -	0	2
	Great Millstone - - -	0	6
	Small Millstone - - -	0	3
	Tombstone, not being Marble -	0	6
	Marble Tombstone - -	1	0
	Stone or Stonework not otherwise enumerated, Ten Pounds Value	0	10
Sugar - - -	Cwt. of raw Sugar - -	0	1
	Cwt. of loaf or lump Sugar -	0	2
	Cwt. of Sugar Candy - -	0	2
Stoves - - -	Stove or Grate - - -	0	2
Straw - - -	Load of Straw - - -	0	2
Swine - - -	Head, alive or dead - -	0	2
Stationery - -	10 Pounds Value of Stationery -	0	10
Shoes - - -	Dozen Pair of Shoes of every Description - - - -	1	0

		s.	d.
Tallow - - -	For every Ton of Tallow - - -	1	8
Tar - - -	Barrel of Tar - - -	0	4
Tea - - -	Chest of Tea - - -	0	3
	Half Chest - - -	0	1½
Tiles - - -	1000 plain Tiles - - -	1	0
	1000 top, ridge, gutter, or pan Tiles, or mathematical Tiles -	1	6
	1000 paving Tiles - -	1	0
Tobacco - -	Cwt. of Tobacco - - -	0	1
Trunks - - -	Small Trunk, Chest, or Box -	0	2
	Large Trunk, Chest, or Box, under Twenty-seven Feet Cube -	0	3
Toys - - -	10 Pounds Value - - -	0	10
Tongues - -	Dozen Tongues - - -	1	0
Tow - - -	Cwt. of Tow - - -	0	1¼
Turnery - - -	Ten Pounds Value of Turnery -	0	10
Turpentine - -	Small Cask of Turpentine -	0	1
	Large Ditto Ditto - -	0	2
Varnish - -	Small Cask of Varnish - -	0	1
	Large Ditto Ditto - -	0	2
Vinegar - - -	Small Cask of Vinegar - -	0	1
	Large - Ditto - -	0	2
Vegetables - -	100 Cabbages - - -	0	4
	Bushel Potatoes - - -	0	1
	Bushel Onions - - -	0	2
	Bushel French Beans - -	0	4
Wood - - -	Load of Oak or other Timber -	1	0
	120 Battens - - - -	2	0
	120 Deals from Eight to Twenty Feet in Length - - -	3	0
	120 Deals from Twenty Feet and upwards - - -	5	0
	120 Deal Ends under Eight Feet in Length - - - -	1	0
	Mast from Twelve Inches in Diameter and upwards - -	5	0
	Mast from Eight Inches in Diameter, and not exceeding Twelve Inches	3	0
	Spar above Six, and not exceeding Eight Inches - - -	0	6
	Spar above Four, and not exceeding Six Inches - - -	0	2
	Score of Spars or Ufers not exceeding Four Inches - -	0	6

		s.	d.
Wood - - -	For every Fathom of Lath Wood of Five Feet	0	6
	Fathom of Lath Wood of Six Feet	0	9
	Chord of Fire and other old Wood	0	6
	120 Paling Boards - - -	1	6
	Dozen of Handspikes - -	0	9
	120 Pipe Staves - - -	2	0
	1000 Barrel Staves - - -	5	0
	1000 of other Staves not above mentioned - - - -	3	6
	Load of Oak, Elm, or other Plank	1	0
	1000 of Treenails - -	0	6
	all Wood paying Custom Duty by the Ton - - - -	1	0
	120 Boards not otherwise enumerated - - - -	1	6
Wine - - -	Gallon of Wine - - -	0	$0\frac{1}{4}$
Wool - - -	Pack of Wool, Yarn, or Cotton, containing 240lbs. Weight -	2	0
	large or small Packet of Wool in proportion.		
	Ten Pounds Value on all Goods not here enumerated - - -	0	10

For every British or Irish Ship or Vessel which shall load or unload within the Limits of the Port of New Shoreham (Fishing Vessels only excepted),

The several Rates following, *videlicet*,

Under 100 Tons - - -	3d. per Ton, Register Tonnage.
Of 100 Tons and under 150 Tons	4d. per Ton, ditto.
Of 150 Tons and under 200 Tons	5d. per Ton, ditto.
Of 200 Tons and upwards	6d. per Ton, ditto.

For every British or Irish Ship or Vessel which shall enter the said Harbour, and shall neither load nor unload therein,

The several Rates following, *videlicet*,

Under 100 Tons - - -	2d. per Ton, Register Tonnage.
Of 100 Tons and under 150 Tons	3d. per Ton, ditto.
Of 150 Tons, and under 200 Tons	4d. per Ton, ditto.
Of 200 Tons, and under 250 Tons	5d. per Ton, ditto.
Of 250 Tons and upwards	6d. per Ton, ditto.

For every Foreign Ship or Vessel the several Tonnage Duties herein-before laid and directed to be taken, and an additional Rate of One Third Part of such Tonnage Duties; and for all Goods and Merchandize, imported or exported in Foreign Bottoms, the several Duties herein-before laid and directed to be taken on Goods and Merchandize, and an additional Rate of One Half of the Amount of such Duties on Goods and Merchandize.

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