ANNO QUINQUAGESIMO NONO

GEORGII III. REGIS.

Cap. XXXI.

An Act to enable the Commiſſioners for improving the Harbour of *New Shoreham*, in the County of *Suſſex*, to raiſe more Money for completing the ſaid Harbour and the Works thereto belonging.

[19th *May* 1819.]

WHEREAS an Act was paſſed in the Fifty-ſixth Year of the Reign of His preſent Majeſty, intituled *An Act for the more effectual Security and Improvement of the Harbour of New Shoreham, in the County of Suſſex:* And whereas the Commiſſioners named in the ſaid Act have proceeded in the Execution thereof, and have completed a conſiderable Part of the Improvements of the ſaid Harbour; but the Money authorized to be raiſed by the ſaid Act has not been obtained, and the ſaid Harbour and Works appertaining thereto cannot be completed unleſs Power is given to raiſe a further Sum of Money by other Means than thoſe preſcribed in the ſaid Act: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Commiſſioners ſhall have Power and Authority to raiſe a further Sum of Twenty thouſand Pounds, and every or any Part thereof, by the Sale and Diſpoſal of ſuch Shares or Sums of One hundred Pounds each, or of Fifty Pounds each, in the ſaid Undertaking, as ſhall be requiſite and neceſſary for that Purpoſe; and ſuch Shares or Sums, when ſo ſold and diſpoſed of, ſhall be deemed to be of the Value of One hundred Pounds each, or of Fifty Pounds each reſpectively,

56 G. 3. c. 81.

Power to raiſe the Sum of 20,000*l.* by Sale of Shares.

ſpectively, and ſhall be entered in the Book or Books kept by the Clerk to the ſaid Commiſſioners; and Certificates or Inſtruments under the Hands of Seven of the ſaid Commiſſioners, ſhall be delivered to every Purchaſer of ſuch Shares, upon Demand, he, ſhe, or they having previouſly paid his, her, or their full Purchaſe Money for ſuch Share or Sum; and the Holders of ſuch new or additional Shares or Sums ſhall be deemed and conſidered to have, and ſhall be entitled in reſpect of ſuch new Shares or Sums, to the ſame Rights and Privileges, and ſhall have the ſame Powers and Authorities as the preſent Subſcribers to or Shareholders in the ſaid Undertaking; and all the Clauſes, Proviſoes, Penalties, Reſtrictions, and Proviſions in the ſaid recited Act, relating to or concerning the Sums ſubſcribed to the ſaid Undertaking, ſhall extend, and be conſtrued to extend, and be in full Force and Effect with reſpect to the ſaid new Shares or Sums in the ſaid Undertaking, and the Proprietors thereof.

Preſent Subſcribers to have Preference.

II. Provided always, and be it further enacted, That it ſhall and may be lawful to and for any Perſon or Perſons, Body or Bodies Politic, Corporate, or Collegiate, poſſeſſed of any Share or Shares in the Subſcriptions already entered into, for and towards the ſaid Harbour, to accept and take any Number of ſuch Shares or Sums as ſhall be ſold at a leſs Sum than One hundred Pounds *per* Share, or Fifty Pounds *per* Share, in Proportion to the original Amount holden by ſuch Perſon or Perſons, Body or Bodies Politic, Corporate, or Collegiate, as he, ſhe, or they ſhall think proper, within Twenty-one Days after Notice ſhall have been given in One of the Newſpapers publiſhed in the ſaid County of *Suſſex*, and in the *Public Ledger*, or in ſuch other Manner as the ſaid Commiſſioners ſhall think proper, of the Intention to diſpoſe of ſuch Shares or Sums in Manner aforeſaid, and in Default thereof, after the Expiration of the ſaid Time, any ſuch Perſon or Perſons, Body or Bodies Politic, Corporate, or Collegiate, poſſeſſed of any Share or Shares in the Subſcriptions already entered into, for and towards the ſaid Harbour, who ſhall make Application for any ſuch Shares or Sums at the Place and within the Period to be limited and appointed by the ſaid Commiſſioners for that Purpoſe, ſhall be entitled to any Number of ſuch Shares or Sums of Money, at ſuch Rate or Value as ſhall be fixed by the ſaid Commiſſioners, purſuant to the Powers hereinbefore given for that Purpoſe; and in caſe any ſuch Share or Shares, Sum or Sums of Money ſhall remain undiſpoſed of after ſuch Period, it ſhall and may be lawful to and for the ſaid Commiſſioners to ſell and diſpoſe of the ſame to any Perſon or Perſons whomſoever, Body or Bodies Politic, Corporate, or Collegiate, in ſuch Manner, and at ſuch Price or Prices, as they ſhall think proper and expedient.

Power to borrow Exchequer Bills.

III. And whereas, by an Act made in the Fifty-ſeventh Year of His Majeſty's Reign, intituled *An Act to authorize the Iſſue of Exchequer Bills, and the Advance of Money out of the Conſolidated Fund, to a limited Amount for the carrying on of Public Works and Fiſheries in the United Kingdom, and Employment of the Poor in* Great Britain *in Manner therein mentioned*; certain Commiſſioners, therein named and appointed, are authorized and empowered to iſſue and advance Exchequer Bills, under the Reſtrictions and Regulations therein ſpecified, for the carrying on of Public Works in *Great Britain*; and by an Act paſſed in the Fifty-ſeventh Year of His preſent

ſent Majeſty's Reign, intituled *An Act to amend an Act made in the preſent Seſſion of Parliament, for authorizing the Iſſue of Exchequer Bills, and the Advance of Money for carrying on Public Works and Fiſheries, and Employment of the Poor;* the Powers of the ſaid firſt-mentioned Act are enlarged and extended; be it therefore enacted and declared, That it ſhall and may be lawful to and for the Commiſſioners acting under and by virtue of the ſaid recited Act of the Fifty-ſixth Year of the Reign of His preſent Majeſty, or any Seven or more of them preſent at a Meeting of the ſaid Commiſſioners, to be appointed for that Purpoſe in ſuch Manner as is provided for the Appointment of Special Meetings of Commiſſioners, under the ſaid Act of the Fifty-ſixth Year of the Reign of His preſent Majeſty, and they are hereby authorized and empowered to borrow and take up at Intereſt, in ſuch Manner and upon ſuch of the Terms and Conditions provided by the ſaid Acts of the Fifty-ſeventh Year of His preſent Majeſty, as the ſaid Commiſſioners named and appointed by the ſaid laſt-mentioned Acts ſhall direct and appoint, the ſaid Sum of Twenty thouſand Pounds, or ſuch Part thereof as the ſaid Commiſſioners, or any Seven or more of them, acting under the ſaid Act of the Fifty-ſixth Year of His preſent Majeſty, ſhall deem neceſſary or requiſite for completing the ſaid Harbour and other Works, and effectuating the Purpoſes of the ſaid Act of the Fifty-ſixth Year of His preſent Majeſty; and the ſaid laſt-mentioned Commiſſioners are hereby authorized and empowered, by any Writing or Inſtrument, under the Hands and Seals of any Seven or more of them, to mortgage, demiſe, grant, bargain, and ſell the ſaid Harbour, and the Rates and Duties ariſing or to ariſe and to be collected and received by virtue of the ſaid Act of the Fifty-ſixth Year of His preſent Majeſty, or of any other Act or Acts of Parliament relating to the ſaid Harbour, as a Security for any Sum or Sums of Money to be borrowed from the ſaid Commiſſioners named and appointed by the ſaid Acts of the Fifty-ſeventh Year of His preſent Majeſty, with Intereſt thereon, at the Rate of Five Pounds *per Centum per Annum.*

Commiſſioners may raiſe any Sum not exceeding 15,000*l.* by way of Annuity.

IV. And be it further enacted, That it ſhall and may be lawful for the ſaid Commiſſioners, acting under the ſaid Act of the Fifty-ſixth Year of the Reign of His preſent Majeſty, or any Seven or more of them, and they are hereby authorized and empowered to have, receive, and take up any Sum or Sums of Money, not exceeding in the Whole the Sum of Fifteen thouſand Pounds, Part of the ſaid Sum of Twenty thouſand Pounds, and by Writing under their Hands and Seals to grant an Annuity or Annuities to any Perſon or Perſons who ſhall contribute, advance, and pay into the Hands of the ſaid Commiſſioners, or any Seven or more of them, or their Treaſurer for the Time being, any Sum or Sums of Money for the abſolute Purchaſe of any Annuity or Annuities to be paid and payable during the natural Life of ſuch one Perſon as ſhall be nominated by or on Behalf of ſuch Contributor or Contributors reſpectively, at the Time of the Payment of his, her, or their Purchaſe Money or Monies; and ſuch Annuity or Annuities is and are hereby charged on the ſaid Harbour, and the Rates and Duties ariſing by virtue of the ſaid Act of the Fifty-ſixth Year of His preſent Majeſty; and the Grant of every ſuch Annuity may be in the Form or to the Effect following; (that is to ſay,)

WE,

Form of Grant.

"WE, being Seven of the Commiſſioners acting under the Authority of Two Acts of Parliament paſſed in the Fifty-ſixth and Fifty-ninth Years of the Reign of His Majeſty King *George* the Third, intituled [*here ſet forth the Titles of the Acts*] in Conſideration of the Sum of paid by of to us upon the Credit and for the Purpoſes of the ſaid Acts, do hereby grant unto the ſaid Executors, Adminiſtrators, and Aſſigns, an Annuity or clear Yearly Sum of out of the ſaid Harbour, and the Rates and Duties authorized by the ſaid Act to be received and collected for the Purpoſes of the ſame Act; which ſaid Annuity or Yearly Sum of ſhall be paid to the ſaid Executors, Adminiſtrators, or Aſſigns, by Half-yearly Payments, on the Day of and the Day of or within Days after each of the ſaid Days, in every Year during the Life of and the Sum of being a fractional Part of the Firſt Payment thereof, ſhall be paid on the Day of next enſuing the Date of theſe Preſents; and the ſaid Executors, Adminiſtrators, or Aſſigns, ſhall be entitled to receive a proportionable Part of the ſaid Annuity from the laſt of the ſaid Days appointed for Payment thereof, up to the Day of the Death of the ſaid. In Witneſs whereof we have hereunto ſet our Hands and Seals the Day of in the Year of our Lord ."

And every ſuch Grant ſhall be good and valid in the Law, and ſhall not be ſubject to the Proviſions of any Act or Acts of Parliament now in force relative to the Inrollment or Regiſtering of Annuities; and the ſeveral Annuities ſo granted ſhall be and they are hereby charged upon and made payable in Preference to any Dividends or Intereſt due and payable by virtue of the ſaid Act of the Fifty-ſixth Year of the Reign of His preſent Majeſty, to the Perſons who have already ſubſcribed to the ſaid Undertaking, or who ſhall become Purchaſers of any new or additional Shares or Sums of Money under the Powers hereinbefore contained for ſelling ſuch new or additional Shares or Sums of Money.

Thirty Days' Notice to be given of raiſing Money by Sale of Annuities.

V. Provided always, That before any Sum or Sums of Money ſhall be had, raiſed, or taken up by granting Annuities as aforeſaid, Thirty Days' Notice in Writing, at the leaſt, ſhall be given of the Intention of ſo raiſing or taking up ſuch Sum or Sums, by affixing the ſame on any Part or Parts of the ſaid Harbour, ſigned by Seven or more of the ſaid Commiſſioners, and advertiſed Twice in the *Public Ledger*, and in ſome Newſpaper publiſhed in the ſaid County of *Suſſex*.

Preſent Subſcribers to have Preference.

VI. Provided alſo, That it ſhall and may be lawful to and for any Perſon or Perſons, Body or Bodies Politic, Corporate, or Collegiate, poſſeſſed of any Share or Shares in the Subſcriptions already entered into for and towards the ſaid Harbour, and the Purchaſer or Purchaſers of any Share or Shares, Sum or Sums, to be ſold under the Powers hereinbefore given, to advance and pay any Sum or Sums of Money for the Purchaſe of any ſuch

such Annuity or Annuities, in Proportion to the Amount subscribed or expended by such Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, as he, she, or they shall think proper, within Thirty Days after Notice shall have been given of the Intention of raising Money, or taking up such Sum or Sums, by granting Annuities as aforesaid; and in Default thereof, after the Expiration of the said Time, any such Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, possessed of any Share or Shares in the Subscriptions already entered into for and towards the said Harbour; and the Purchaser or Purchasers of any Share or Shares, Sum or Sums, to be sold under the Powers hereinbefore given, who shall make Application for the Purchase of any such Annuity or Annuities, at the Place and within the Period to be limited and appointed by the said Commissioners for that Purpose, shall be entitled to purchase any Number or Proportion of such Annuities to be sold as aforesaid; and in case the Whole of the Sum or Sums of Money to be so raised by the Sale of any such Annuity or Annuities as aforesaid, shall not be raised within such Period, it shall and may be lawful to and for the said Commissioners to have, raise, and take up such Sum or Sums of Money, by granting Annuities as aforesaid, to any Person or Persons whomsoever, who shall contribute, advance, and pay into the Hands of the said Commissioners, or any Seven or more of them, or their Treasurer for the Time being, any Sum or Sums of Money for the absolute Purchase of any such Annuity or Annuities.

For preventing improvident Grants of Annuities.

VII. And for preventing any improvident Grant of Annuities under this Act, be it further enacted, That no Annuities shall be granted by virtue of this Act, for any single Life, at any higher Rate than the following; (that is to say,) where the Age of the Annuitant, or Person for whose Life the Annuity shall be granted, shall not exceed Thirty-five Years, the Annuity granted shall not exceed Eight Pounds Three Shillings for each One hundred Pounds of the Consideration Money paid for the Purchase thereof; where the Age of such Person shall not exceed Forty Years, the Annuity shall not exceed the Rate of Eight Pounds Ten Shillings for each One hundred Pounds of the Consideration Money; where the Age of such Person shall not exceed Forty-five Years, the Annuity shall not exceed the Rate of Nine Pounds for each One hundred Pounds of the Consideration Money; where the Age of such Person shall not exceed Fifty Years, the Annuity shall not exceed the Rate of Nine Pounds Twelve Shillings for each One hundred Pounds of the Consideration Money; where the Age of such Person shall not exceed Fifty-five Years, the Annuity shall not exceed the Rate of Ten Pounds Eight Shillings for each One hundred Pounds of the Consideration Money; where the Age of such Person shall not exceed Sixty Years, the Annuity shall not exceed the Rate of Eleven Pounds Eight Shillings for each One hundred Pounds of the Consideration Money; where the Age of such Person shall not exceed Sixty-five Years, the Annuity shall not exceed the Rate of Twelve Pounds Seventeen Shillings for each One hundred Pounds of the Consideration Money; where the Age of such Person shall not exceed Seventy Years, the Annuity shall not exceed the Rate of Fifteen Pounds One Shilling for each One hundred Pounds of the Consideration Money; and where the Age of such Person shall not exceed Seventy-five Years, the Annuity shall not exceed the Rate of Eighteen

Eighteen Pounds Ten Shillings for each One hundred Pounds of the Conſideration Money.

Form of Transfer.

VIII. And be it further enacted, That it ſhall and may be lawful to and for the Perſon or Perſons who ſhall be entitled to any Annuity or Annuities, to be granted as aforeſaid, by Writing under his, her, or their Hand and Seal, or Hands and Seals, to transfer the ſame to any Perſon or Perſons by Indorſement on the Grant of ſuch Annuity, or otherwiſe, which Transfer may be in the Form or to the Effect following; (that is to ſay,)

'I [*Name and Deſcription of the Seller,*] in Conſideration of [*ſtate the Conſideration,*] do hereby aſſign and transfer the within Annuity, (*or* a certain Annuity granted by virtue of Two Acts, paſſed in the Fifty-ſixth and Fifty-ninth Years of His Majeſty *George* the Third,) intituled [*here ſtate the Titles of the Acts,*] and all my Right, Title, and Intereſt in and to the ſame, and the Money thereby received unto, [*ſtate Name and Deſcription of Purchaſer,*] Executors, Adminiſtrators, and Aſſigns. Witneſs my Hand and Seal, this Day of in the Year of Our Lord .'

And Copies of all Grants and Aſſignments which ſhall be made in purſuance of this Act, and all Transfers thereof as aforeſaid, or ſuch Extracts from the ſaid Grants, Aſſignments, and Transfers as the ſaid Commiſſioners ſhall deem ſufficient and neceſſary, ſhall be entered in a Book to be kept for that Purpoſe by the Clerk to the ſaid Commiſſioners, to which Book any Perſon intereſted ſhall, at all reaſonable Times, have acceſs, and ſhall have free Liberty to inſpect the ſame, and for the Entry of every ſuch Transfer there ſhall be paid to the ſaid Clerk the Sum of Five Shillings and no more; and after ſuch Entry ſhall be made of any ſuch Grant, Aſſignment, or Transfer, but not before, every ſuch Grant, Aſſignment, or Transfer, ſo entered, ſhall entitle any Perſon to whom the ſame ſhall be made, and his, her, or their reſpective Executors, Adminiſtrators, and Aſſigns, to the Benefit of the Annuity ſo granted or transferred.

Commiſſioners may borrow the Whole or any Part of the Sum.

IX. And be it further enacted, That in caſe the ſaid Commiſſioners, or any Seven or more of them, ſhall think it moſt expedient and advantageous to borrow and take up at Intereſt the ſaid Sum of Twenty thouſand Pounds, or any Part thereof, for the Purpoſes of completing the ſaid Harbour and other Works, and the other general Purpoſes of the ſaid Act of the Fifty-ſixth Year of the Reign of His preſent Majeſty, 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 borrow and take up at Intereſt the ſame, or any Part thereof, at as low a Rate of Intereſt as the ſame can be procured, ſo as ſuch Intereſt do not exceed the Rate of Five Pounds *per Centum per Annum*, although the Whole of the ſaid Sum of Forty thouſand Pounds mentioned in the ſaid Act of the Fifty-ſixth Year of His preſent Majeſty ſhall not have been raiſed and paid under the Powers of the ſame Act; and the Sum and Sums of Money ſo to be borrowed and taken up at Intereſt ſhall not be ſo borrowed and taken up until Notice, as required by the ſaid Act of the Fifty-ſixth Year of the Reign of His preſent Majeſty, of the Intention of borrowing Money ſhall have been given, and the Intereſt of the Money

Money ſo to be borrowed on Mortgage as aforeſaid ſhall be paid Half-yearly to the ſeveral Perſons entitled thereto, in Preference to any Dividend or Intereſt due and payable by virtue of the ſaid laſt-mentioned Act, or of this Act, to the Perſons who have ſubſcribed, or who ſhall purchaſe any Share or Shares, Sum or Sums of Money as aforeſaid; and the Principal of the Sum or Sums ſo to be borrowed and taken up at Intereſt, ſhall be ſecured to the Perſon or Perſons advancing or paying the ſame, in the Manner directed by the ſaid Act of the Fifty-ſixth Year of His preſent Majeſty, as to the Money thereby authorized to be borrowed and taken up at Intereſt; and the Mortgages or Securities to be given for the Money ſo borrowed ſhall and may be transferred and aſſigned in the ſame Manner as the Mortgages or Securities for the Money authorized to be borrowed and taken up at Intereſt by the ſaid Act of the Fifty-ſixth Year of the Reign of His preſent Majeſty may be transferred and aſſigned.

Power to borrow Money on Promiſſory Notes.

X. Provided always, and be it 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 borrow any Sum or Sums of Money not exceeding Five thouſand Pounds, upon Promiſſory Notes, under the Hands of Seven or more of them, which Notes ſhall expreſs the Manner and Time or Times at which the ſame ſhall be paid off and diſcharged, and ſuch legal Rate of Intereſt as ſhall have been agreed upon between the Holders thereof and the ſaid Commiſſioners, or any Seven of them; and the ſaid Sums of Money ſo borrowed, and the Intereſt thereof, ſhall be deemed a Lien upon the ſaid Harbour, and the Tolls authorized to be taken by the ſaid recited Act, of the Fifty-ſixth Year of the Reign of His preſent Majeſty, in caſe the ſame ſhall not be paid off and diſcharged at the Time or Times therein mentioned: Provided alſo, that any Sum or Sums of Money to be borrowed, upon Promiſſory Notes as aforeſaid, ſhall be paid off and diſcharged, out of the Firſt Money thereafter to be raiſed by any other of the Modes herein preſcribed, or out of the Firſt Tolls ariſing by the ſaid recited Act of the Fifty-ſixth Year of the Reign of His preſent Majeſty, and ſhall not be deemed and taken to be any Part of the ſaid Sum of Twenty thouſand Pounds hereby authorized to be raiſed.

Commiſſioners not reſponſible.

XI. Provided always, and be it enacted, That the Commiſſioners acting in the Execution of the ſaid Act of the Fifty-ſixth Year of the Reign of His preſent Majeſty, and this Act, ſhall not be perſonally liable or reſponſible for any Sums of Money which they may borrow under the Powers of this Act, or any of them.

Offices of Clerk and Treaſurer not to be held by the ſame Perſon.

XII. And be it further enacted, That it ſhall not be lawful for the ſaid Commiſſioners to continue or appoint the Perſon who has been, or who by virtue of the ſaid recited Act, or of this Act, may be appointed to act as their Clerk, or the Partner of any ſuch Clerk, the Treaſurer for the Purpoſes of this Act and the ſaid recited Act, or to continue or appoint the Perſon who has been or may be appointed their Treaſurer, by virtue of the ſaid recited Act, or of this Act, or the Partner of any ſuch Treaſurer, the Clerk to the ſaid Commiſſioners; and if any Perſon ſhall act in both the Capacities of Clerk and Treaſurer for the Purpoſes of the ſaid recited Act, or this Act; or if any Perſon being the Partner of any

ſuch

ſuch Clerk ſhall act as Treaſurer, or being the Partner of any ſuch Treaſurer, ſhall act as Clerk in the Execution of the ſaid recited Act, or this Act, every Perſon ſo offending ſhall for every ſuch Offence forfeit and pay the Sum of Fifty Pounds to any Perſon or Perſons who ſhall ſue for the ſame; to be recovered in any of His Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt or on the Caſe, or by Bill, Suit, or Information, wherein no Eſſoign, Protection, or Wager of Law, nor more than One Imparlance ſhall be allowed.

Expences of the Act.

XIII. And be it further enacted, That the Coſts, Charges, and Expences of applying for, obtaining, and paſſing this Act, and all Coſts, Charges, and Expences incident thereto, ſhall be borne, paid, and defrayed by the ſaid Commiſſioners, or any Seven or more of them, out of any Money received, or to be received by virtue of the ſaid Act of the Fifty-ſixth Year of the Reign of His preſent Majeſty, or out of any Money to be received by virtue of this Act.

Public Act.

XIV. 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.

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